

SECOND AMENDMENT

ORDINANCE NO. 1613

AN ORDINANCE TO AMEND TITLE V, CHAPTER 1, SECTION 10, SUBSECTION A, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1960 EDITION, TO PROVIDE LICENSING FEES FOR ADULT ORIENTED BOOKSTORES AND ADULT ORIENTED MOVIE THEATRES; AND TO SPECIFY AN ADULT ORIENTED MOVIE THEATRE DISTRICT; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, adult oriented bookstores and adult oriented theatres require substantial police investigation in order to prevent and eliminate any abuse against the public health, safety and morals; and

WHEREAS, the present fee structures do not provide substantial revenue in order to defray said expense,

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title V, Chapter 1, Section 10, Subsection A, of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

- 5-10-1-A 1. Abstract or Title Company: For each abstract or title company, \$250.00 semiannually.
2. Accountant: For each certified public accountant or independent public accountant, \$50.00 for each semiannual period, or fraction thereof. For the purpose of this Section, an independent public accountant is defined as a person who does bookkeeping or accounting work for two (2) or more persons, or who prepares or assists in preparing income tax returns for two (2) or more persons other than himself.
3. Adobe Block Manufacturing Plant: (See Brick Yard).
4. Adult Oriented Bookstores and Adult Oriented Movie Theatres: Every person who operates an adult oriented bookstore or adult oriented movie theatre shall pay a license fee of five hundred dollars (\$500.00) semiannually.

No adult oriented movie theatre for which a license may be issued shall be conducted, maintained or operated within the City except on East Charleston between the East side of Eastern Avenue and the intersection where Fremont Street intersects East Charleston Boulevard.

5. Any adult oriented movie theatre which is located outside of the zone more fully described in Paragraph 4 hereof shall be considered as a non-conforming use of this ordinance. As to those non-conforming uses, the owners thereof must apply semiannually for their business licenses and shall be subject to review by the Board of City Commissioners, which shall either grant or deny said application for said business licenses according to the dictates of its sole discretion. In the event any of the aforesaid adult oriented theatres shall

change ownership in any way whatsoever, the new owner must apply for a new license, and the old license issued to said adult movie theatre shall be automatically revoked upon said change of ownership.

6. Advertising Business: For each advertising business or advertising counsel, \$50.00 semiannually.

7. Advertising Counsel: (See Advertising Business)

8. Advertising-Distributing Handbills: Every person conducting, managing, or carrying on the business of distributing advertising samples, handbills, dodgers or printed matter of any kind shall pay \$50.00 semiannually. (See also Title V, Chapter 32.)

9. Advertising Samples: (See Advertising-Distributing Handbills.)

10. Advertising Signs, Electrical: The business of furnishing, distributing, or placing in use electrical advertising signs, whether by lease, sale or conditional sales contract, shall pay a license fee of \$250.00 semiannually.

11. Advertising Space, Leasing or Selling: The business of leasing or selling outdoor advertising space, whether billboard or electrical signs, shall pay a license fee of \$250.00 semiannually.

12. Amusement Park: For each amusement park charging admission to the grounds, \$25.00 semiannually.

13. Apartment House: Every person engaged in the business of keeping or conducting an apartment house in the City shall pay for and obtain a semi-annual license for each such apartment house to carry on such business as per the following schedule; provided, however, that in cases in which the same person owns a group of apartment houses which are contiguous to each other, such contiguous group shall be treated as one apartment house for the purpose of this Section.

Those who have five (5) apartments and not exceeding eight (8) apartments shall pay the sum of \$25.00 semiannually.

Those who have nine (9) apartments and not exceeding eighteen (18) apartments shall pay the sum of \$37.50 semiannually.

Those who have nineteen (19) apartments and not exceeding thirty-eight (38) apartments shall pay the sum of \$75.00 semiannually.

Those who have thirty nine (39) apartments and not exceeding seventy eight (78) apartments shall pay the sum of \$150.00 semiannually.

Those who have seventy nine (79) apartments and not exceeding one hundred fifty eight (158) apartments shall pay the sum of \$300.00 semiannually.

Those who have one hundred fifty nine (159) apartments and not exceeding three hundred eighteen (318) apartments shall pay the sum of \$600.00 semiannually.

Those who have three hundred nineteen (319) apartments and over shall pay the sum of \$600.00 semiannually, plus the additional sum of \$1.75 semiannually for each apartment in excess of three hundred eighteen (318).

14. Architect: For each architect, \$50.00 semiannually.

15. Assayer: For each assayer, \$50.00 semiannually.

16. Astrologer: For every person who carries on, practices or professes to practice the business of astrology, palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clair-audience, crystal gazing, hypnotism, mediumship, prophecy, augury, divination, magic or necromancy, and demands or receives a fee for the exercise or exhibition of his art therein, directly or indirectly, or incidental to the conduct of any other business, either as a gift, donation, or otherwise, or who gives an exhibition thereof at any place where an admission fee is charged, \$500.00 semiannually.

No person shall receive a license as an astrologer, or similar occupation, without having first obtained from the Chief of Police a work permit and said applicant shall pay to the Director of License and Revenue the sum of \$50.00 which said sum shall be an investigation fee.

Any license issued to the practice of astrology, or similar occupation herein enumerated, shall be restricted to the following area:

Any commercial or industrial zone, provided a Use Permit therefor is obtained.

No employee or other person shall assist the licensee in any audience or reading, nor shall any mechanical device of any

description whatsoever be used by the licensee in the conduct of any interview, audience or reading.

This shall not be construed to apply to doctors, dentists or other medical practitioners licensed by the appropriate Board under the Nevada Revised Statutes or to persons employed by such doctors, dentists or other medical practitioners acting under their direction and control, who use hypnotism as an aid in treatment or as supplementary form of treatment in the course of their profession, or to persons whose clientele is confined exclusively to patients referred to them by prescription from doctors, dentists and other practitioners licensed by the appropriate State Board.

17. Auctioneer; For each auctioneer, \$250.00 for each semiannual period, or fraction thereof (see also Title V, Chapter 6).

18. Auto Court: (see Hotels)

19. Automobile Painting Establishment: For each automobile painting or sign painting establishment, \$25.00 for each semiannual period, or fraction thereof.

20. Automobile Reclaiming Agency: For each automobile reclaiming agency, \$50.00 semiannually.

21. Automobile Ticket Agency: (see Transportation Agency)

SECTION 2. Any person, firm, or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

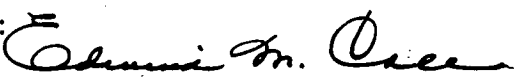
SECTION 3. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada 1960 Edition, in conflict herewith, are hereby repealed.

PASSED, ADOPTED AND APPROVED this 21st day of February, 1973

APPROVED:


s/Hank Thornley (Mayor Pro Tem)
ORAN K. GRAGSON, MAYOR

ATTEST:

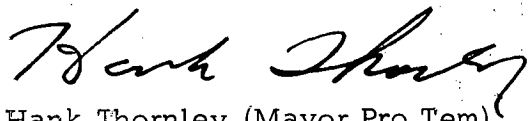

Edwina M. Cole
Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 17th day of January, 1973, and referred to the following Committee composed of Commissioners Morelli and and Thornley for recommendation; thereafter the said committee reported favorably on said ordinance on the 21st day of February, 1973, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first amended and adopted by the following vote:

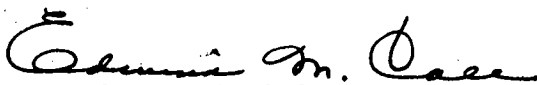
VOTING "AYE" : Commissioners Franklin, Morelli, Coblentz, Thornley

VOTING "NAY" : None ABSENT: (excused) Mayor Gragson

APPROVED:


s/ Hank Thornley (Mayor Pro Tem)
ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole,
Edwina M. Cole, City Clerk

(SEAL)

RECEIVED

MAR 6 9 27 AM '73

CITY CLERK
STATE OF NEVADA)
COUNTY OF CLARK) SS

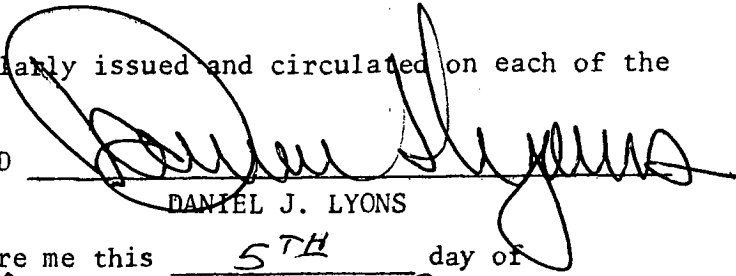
AFFIDAVIT OF PUBLICATION

Daniel J. Lyons being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of two insertions from period of Feb. 24, 1973 to Mar. 3, 1973 inclusive, being the issue of said newspaper for the following dates, to wit:

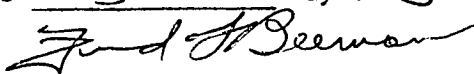
Feb. 24, Mar. 3, 1973

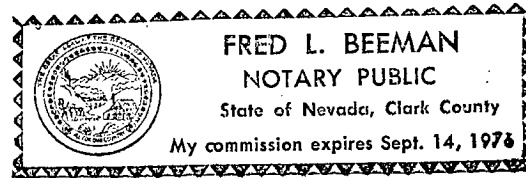
That said newspaper was regularly issued and circulated on each of the dates above named.

SIGNED


DANIEL J. LYONS

Subscribed and sworn to before me this 5TH day of MARCH, 1973.


NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA



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PASSED, ADOPTED AND APPROVED
this 21st day of February, 1973

APPROVED:

(s) HANK THORNLEY,
Mayor Pro Tem

ATTEST:
(s) Edwina M. Cole
City Clerk
(SEAL)

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 17th day of January, 1973, and referred to the following Committee composed of Commissioners Morelli and Thornley for recommendation; thereafter the said committee reported favorably on said ordinance on the 21st day of February, 1973, which was a regular meeting of said Board; that at said regular meeting of said Board the proposed ordinance was read by title to the Board of Commissioners as amended and adopted by the following vote:

VOTING "AYE": Commissioners Franklin, Morelli, Coblenz and Mayor Pro Tem Thornley.

VOTING "NAY": None.

ABSENT: Mayor Gragson (excused)

APPROVED:

(s) HANK THORNLEY,
Mayor Pro Tem

ATTEST:
(s) Edwina M. Cole
City Clerk
(SEAL) Feb. 24, Mar. 3, 1973