

1 BILL NO. 93-74

2 Ordinance No. 3767

3 AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 92,  
4 SECTION 80, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983  
5 EDITION, TO REQUIRE THE POSTING OF A SIGN, IN ACCORDANCE WITH STATE  
6 LAW, ON PROPERTY PROPOSED FOR REZONING IN ORDER TO PROVIDE  
7 ADDITIONAL NOTICE OF THE HEARING THEREON; AMENDING CHAPTER 90,  
8 SECTION 60 OF SAID TITLE TO ESTABLISH THE SAME POSTING REQUIREMENT  
9 CONCERNING SPECIAL USE PERMIT APPLICATIONS FOR CERTAIN ALCOHOL-  
10 SERVING ESTABLISHMENTS; PROVIDING FOR OTHER MATTERS PROPERLY  
11 RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF  
12 ORDINANCES IN CONFLICT HERewith.

13 Sponsored by:

14 Mayor Jan Laverty Jones

Summary: Requires the posting of property  
in accordance with State law for rezonings  
and for special use permits for certain  
alcohol-serving establishments

15 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY  
16 ORDAIN AS FOLLOWS:

17 SECTION 1: Title 19, Section 92, Section 80, of the Municipal Code of  
18 the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 19.92.080 (A) The Planning Commission shall hold a public hearing upon any application  
20 for reclassification of property. A public hearing shall be held within six months after the date  
21 of filing of an application, on such dates and under such conditions as may be determined from  
22 time to time by resolution of the Planning Commission and spread upon the minutes of the  
23 Commission.

24 (B) Notice of the time, place and purpose of the hearing must be given at least  
25 ten days before the hearing by publishing the notice in a newspaper of general circulation within  
26 the City.

(C) Additional notice must be given by mailing a copy to the notice to:  
(1) The applicant;  
(2) Each owner of real property located within a minimum of six  
hundred feet of the property described in the application;

1 (3) Each tenant of any mobile home park that is located within three  
2 hundred feet of the property described in the application;

3 (4) Each owner of at least thirty parcels nearest to the property described  
4 in the application, to the extent this notice does not duplicate the notice otherwise required by this  
5 Section; and

6 (5) Any advisory board which has been established for the affected area  
7 by the City Council.

8 (D) The Department of Community Planning and Development shall also provide  
9 notice of the hearing by causing a sign to be posted on the property in accordance with NRS  
10 278.260. The applicant shall pay a fee for the posting as set forth in the fee schedule.

11 (E) The Secretary of the Planning Commission may give additional notice of the  
12 hearing by expanding the area of notification or using other means of notification, or both. The  
13 Secretary shall endeavor to provide any such additional notice at least ten days before the date of  
14 the hearing.

15 SECTION 2: Title 19, Section 90, Section 60, of the Municipal Code of  
16 the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 19.90.060 (A) The Board of Zoning Adjustment shall hold a public hearing upon each  
18 properly submitted application for a special use permit within sixty-five days after the application  
19 is filed.

20 (B) Notice of the time, place and purpose of the hearing must be given at least  
21 ten days before the hearing by:

22 (1) Publishing the notice in a newspaper of general circulation within the  
23 City; and

24 (2) Mailing a copy of the notice to:

25 (a) The applicant;

26 (b) Each owner of real property located within a minimum of six

1 hundred feet of the property described in the application;

2 (c) Each tenant of any mobile home park that is located within  
3 three hundred feet of the property described in the application;

4 (d) Each owner of at least thirty parcels nearest to the property  
5 described in the application, to the extent this notice does not duplicate the notice otherwise  
6 required by this Section; and

7 (e) Any advisory board which has been established for the  
8 affected area by the City Council.

9 (C) If the application is for an establishment which serves alcoholic beverages  
10 for consumption on or off the premises as its primary business in a district which is not a gaming  
11 enterprise district as defined by NRS 463.0158, the Department of Community Planning and  
12 Development shall cause a sign to be posted on the property in accordance with NRS 278.315.  
13 The applicant shall pay a fee for the posting as set forth in the fee schedule.

14 (D) The Secretary of the Board of Zoning Adjustment may give additional notice  
15 of the hearing by expanding the area of notification or using other means of notification, or both.  
16 The Secretary shall endeavor to provide any such additional notice at least ten days before the date  
17 of the hearing.

18 [(D)] (E) The conduct of said public hearing by the Board of Zoning  
19 Adjustment shall be precisely in conformity with the procedure set forth for a public hearing on  
20 an application for a variance.

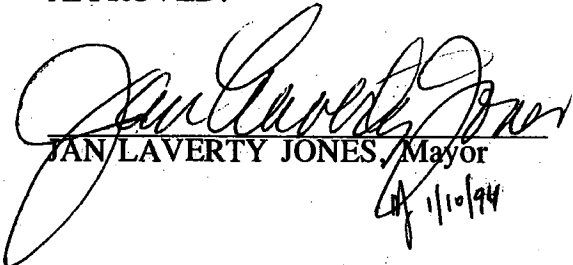
21 SECTION 3: If any section, subsection, subdivision, paragraph, sentence,  
22 clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional  
23 or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the  
24 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City  
25 Council of the City of Las Vegas, Nevada, hereby declares that it would have passed each section,  
26 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that

1 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases  
2 be declared unconstitutional, invalid or ineffective.

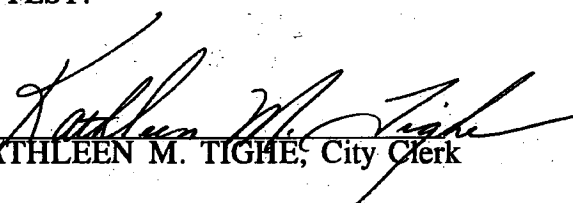
3 SECTION 4: All ordinances or parts of ordinances, sections, subsections,  
4 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las  
5 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this 5th day of January, 1994.

7 APPROVED:

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JAN LAVERTY JONES, Mayor  
1/10/94

ATTEST:

  
KATHLEEN M. TIGHE, City Clerk

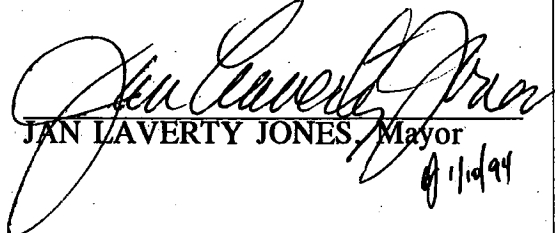
1 The above and foregoing ordinance was first proposed and read by title to  
2 the City Council on the 1st day of December, 1993, and referred to the following  
3 committee composed of Mayor Jones and Councilman Adamsen  
4 for recommendation; thereafter the said committee reported favorably on said ordinance on the  
5 5th day of January, 1994, which was a regular meeting of said Council;  
6 that at said regular meeting, the proposed ordinance was read by title to the City  
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": Councilmen Adamsen, Higginson and Brass

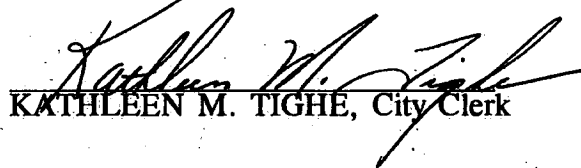
9 VOTING "NAY": NONE

10 ABSENT/EXCUSED: Councilman Hawkins Jr. and Mayor Jones

11 APPROVED:

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14 JAN LAVERTY JONES, Mayor  
15 1/14/94

16 ATTEST:

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18 KATHLEEN M. TIGHE, City Clerk  
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# AFFIDAVIT OF PUBLICATION

RECEIVED  
CITY CLERK  
JAN 14 11 30 AM '94

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BILL NO. 93-74  
Ordinance No. 3767

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 92, SECTION 90, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO REQUIRE THE POSTING OF A SIGN, IN ACCORDANCE WITH STATE LAW, ON PROPERTY PROPOSED FOR REZONING IN ORDER TO PROVIDE ADDITIONAL NOTICE OF THE HEARING THEREON; AMENDING CHAPTER 90, SECTION 60 OF SAID TITLE TO ESTABLISH THE SAME POSTING REQUIREMENT CONCERNING SPECIAL USE PERMIT APPLICATIONS FOR CERTAIN ALCOHOL-SERVING ESTABLISHMENTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERWITH.

SPONSORED BY: Mayor Jan Laverly Jones

SUMMARY: Requires the posting of property in accordance with State law for rezonings and for special use permits for certain alcohol-serving establishments.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of December, 1993, and referred to the following committee composed of Mayor Jones and Councilman Adamsen for recommendation; thereafter the said committee reported favorably on said ordinance on the 5th day of January, 1994, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote: VOTING "AYE" Councilmen: Adamsen, Higginson, and Brass VOTING "NAY" NONE EXCUSED: Councilman Hawkins Jr. and Mayor Jones

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 800 EAST STEWART AVENUE, LAS VEGAS, NEVADA. PUB: January 8, 1994 Las Vegas Review-Journal

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JANUARY 8, 1994 to JANUARY 8, 1994, on the following days:

JANUARY 8, 1994

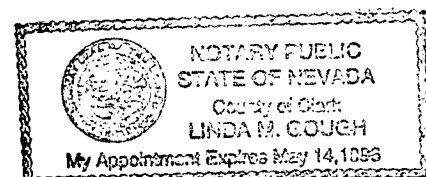
Signed: Andrea Davis

Subscribed and sworn to before me this

11th day of January, 1994

Linda M. Gough

Notary Public



# AFFIDAVIT OF PUBLICATION

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CITY CLERK  
DEC 23 10 36 AM '93

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BILL NO. 93-74  
AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 92, SECTION 80, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO REQUIRE THE POSTING OF A SIGN, IN ACCORDANCE WITH STATE LAW, ON PROPERTY PROPOSED FOR REZONING IN ORDER TO PROVIDE ADDITIONAL NOTICE OF THE HEARING THEREON; AMENDING CHAPTER 90, SECTION 60 OF SAID TITLE TO ESTABLISH THE SAME POSTING REQUIREMENT CONCERNING SPECIAL USE PERMIT APPLICATIONS FOR CERTAIN ALCOHOL-SERVING ESTABLISHMENTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERWITH.  
SPONSORED BY: Mayor Jan Laverly Jones  
SUMMARY: Requires the posting of property in accordance with State law for rezonings and for special use permits for certain alcohol-serving establishments  
At a City Council meeting December 1, 1993  
BILL NO. 93-74 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Mayor Jones AND Councilman Adamsen  
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.  
PUB: December 16, 1993  
Las Vegas Review-Journal

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

ANDREA DAVIS

, being first duly sworn, deposes and says:

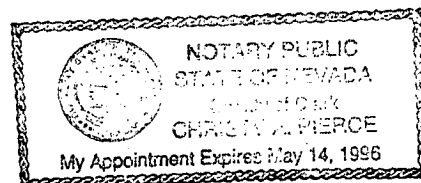
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of DECEMBER 16, 1993 to DECEMBER 16, 1993, on the following days:

DECEMBER 16, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this 21 day of December, 19 93

Christy A. Pierce  
Notary Public



# AFFIDAVIT OF PUBLICATION

Dec 23 10 37 AM '93

RECEIVED  
CITY CLERK

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BILL NO. 93-74

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STATE OF NEVADA)  
COUNTY OF CLARK) SS:

ANDREA DAVIS

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DECEMBER 16, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this

21

day of December

, 19 93

Christy A. Pierce  
Notary Public

