

FIRST AMENDMENT

BILL NO. 2003-109

ORDINANCE NO. 5660

AN ORDINANCE TO AMEND THE IDENTIFICATION AND OPERATIONAL REQUIREMENTS OF MOBILE FOOD VENDORS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent,
Director Finance and Business Services

Summary: Requires mobile food vendors to attach a City issued identification number to their vending vehicle, and conditions their operations within one thousand feet of a licensed concession stand located in a City park.

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

SECTION 1: Title 6, Chapter 55, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.55.070: (A) Except as otherwise provided in Subsection (B) of this Section, no mobile food vendor shall:

(1) Have any exclusive right to any location upon the streets, sidewalks, alleys, or public grounds of the City;

(2) [Operate at a stationary] Vend at any location for a period greater than thirty minutes; or

(3) [Operate] Vend in any congested area where the operation will impede pedestrian or vehicle traffic.

(B) The provisions of Subsection (A) of this Section do not apply to the operation of a mobile food vendor at a particular location if and to the extent the vendor is operating at that location pursuant to a contractual arrangement with the City.

SECTION 2: Title 6, Chapter 55, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.55.090: It is unlawful for any mobile food vendor to:

(A) Vend or park a vehicle to be used for vending within one thousand feet of the outside perimeter of school property during the hours that a school is in session or within one hour

041669



1 after the final session of the school has closed;

2 (B) Vend earlier than ten a.m., nor later than seven p.m. or one-half hour after
3 sunset, whichever occurs first; provided, however, that the provisions of this Subsection do not apply
4 to any mobile food vendor while it is [serving a] vending at a bona fide construction job or a
5 commercial place of business;

6 (C) Consume alcoholic beverages while vending[.]; or

7 (D) Vend within one thousand feet of a licensed concession stand located within
8 a City park when the concession stand is open for business, unless otherwise permitted under a
9 contractual arrangement with the City regarding a specific location.

10 SECTION 3: Title 6, Chapter 55, Section 110, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 6.55.110: (A) Any person required to have a mobile food vendor license must display in a
13 conspicuous manner, on the rear, upper [left-hand] left corner area of each vehicle to be used for
14 vending, [a vehicle sticker which contains the name of the mobile food vendor business, the business
15 license number issued by the Department and, if applicable, the license plate number issued to the
16 vehicle by the Nevada Department of Motor Vehicles.] an identification number provided by the
17 Director. The display shall be of such color, size and placement that the identification number can
18 be easily read at a distance of ten feet.

19 (B) A mobile food vendor license is not transferable.

20 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
21 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
22 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
23 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
24 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
25 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
26 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
27 invalid or ineffective.

28 SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared

1 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
2 required or the failure to do any act is made or declared to be unlawful or an offense or a
3 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
4 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
5 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
6 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

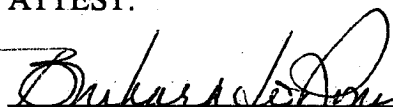
7 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
8 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED and APPROVED this 21 day of January, 2004.

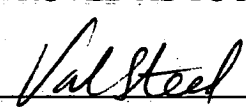
11 APPROVED:

12
13 By 
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 
17 BARBARA JO RONEMUS, City Clerk

18 APPROVED AS TO FORM:

19  1-21-04
20 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 17th day of December, 2003, and referred to a committee for recommendation; thereafter the
3 committee reported favorably on said ordinance on the 21st day of January, 2004, which was a
4 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by
5 title to the City Council as amended adopted by the following vote:

6 VOTING "AYE": Councilmembers Reese, Brown, L. B. McDonald, Weekly, Mack and
Moncrief

7 VOTING "NAY": None

8 EXCUSED: Mayor Goodman

9 ABSTAINED: None

10 APPROVED:

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OSCAR B. GOODMAN, Mayor

13 ATTEST:

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15 BARBARA JO RONEMUS, City Clerk
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BILL NO. 2003-109

ORDINANCE NO. _____

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Proposed by: Mark Vincent,
Director Finance and Business Services

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14 vehicle by the Nevada Department of Motor Vehicles.] an identification number provided by the
15 Director. The display shall be of such color, size and placement that the identification number can
16 be easily read at a distance of ten feet.

17 (B) A mobile food vendor license is not transferable.

18 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
19 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
20 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
21 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
22 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
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24 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
25 invalid or ineffective.

26 SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared
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28 required or the failure to do any act is made or declared to be unlawful or an offense or a

1 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
2 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
3 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
4 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

5 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
6 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
7 1983 Edition, in conflict herewith are hereby repealed.

8 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

9 APPROVED:

10
11 By OSCAR B. GOODMAN, Mayor

12 ATTEST:

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14 BARBARA JO RONEMUS, City Clerk

15 APPROVED AS TO FORM:

16 Jany G. Bettis 12-03-03
17 Date
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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of ____, 2003, and referred to the following committee composed of
3 ____ and ____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 ____, 2004, which was a ____ meeting of said Council; that at said
6 ____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BARBARA JO RONEMUS, City Clerk

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RECEIVED
CITY CLERK

2004 JAN 15 P 2:44

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the 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 attached for,

LV CITY CLERK
3141595

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/09/2004 to 01/09/2004, on the following days: JAN. 9, 2004

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

12

day of _____ 2004

January

Mary B. Sheffield

Notary Public

BILL NO. 2003-109

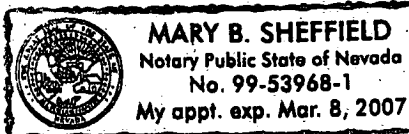
AN ORDINANCE TO AMEND THE IDENTIFICATION AND OPERATIONAL REQUIREMENTS OF MOBILE FOOD VENDORS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent, Director Finance and Business Services

Summary: Requires mobile food vendors to attach a City issued identification number to their vending vehicle, and conditions their operations within one thousand feet of a licensed concession stand located in a City park.

At the City Council meeting of DECEMBER 17, 2003 BILL NO. 2003-109 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA. PUB: January 9, 2004 LV Review-Journal



AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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That she is the 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 attached for,

LV CITY CLERK
3172076

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/27/2004 to 01/27/2004, on the following days: JAN. 27, 2004

BILL NO. 2003-109
FIRST AMENDMENT
ORDINANCE
NO.5660

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VOTING "AYE": Councilmembers Reese, M. McDonald, L. Brown, Weekly, Mack and Moncrief
VOTING "NAY": NONE
EXCUSED: Mayor Goodman

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 27, 2004
LV Review-Journal

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

2

day of February 2004

Mary B. Sheffield

Notary Public



MARY B. SHEFFIELD
Notary Public State of Nevada
No. 99-53968-1
My appt. exp. Mar. 8, 2007

2004 FEB - 5 A 10: 56

RECEIVED
CITY CLERK