FIRST AMENDMENT

BILL NO. 90-42

ORDINANCE NO. 3518

AN ORDINANCE TO AMEND TITLE 19, CHAPTER 74, SECTION 30, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY SETTING FORTH THE DEFINITION OF THE MEASUREMENT OF DISTANCE BETWEEN ANY SEXUALLY ORIENTED BUSINESS AND ANY CHURCH, SCHOOL, PARK, PLAYGROUND OR ANY OTHER SEXUALLY ORIENTED BUSINESS; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Mayor Ron Lurie

Summary: Defines how to measure the distance between any sexually oriented business within 1000 feet of any other sexually oriented business, church, school, park or playground

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

SECTION 1: Title 19, Chapter 74, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

19.74.30: (A) No person shall cause or permit the establishment of any of the sexually oriented businesses defined in Section 19.74.020 in an area zoned other than C-2, C-M and M. In addition, no person shall cause or permit the establishment of any of the sexually oriented businesses defined in Section 19.74.020 within one thousand feet of any other sexually oriented business, church, school, park or playground. [The distance shall be measured in a straight line from the nearest property line of sexually oriented business to the nearest property line of any church, school, park, playground or any other sexually oriented business.] The distance shall be measured by the most direct route provided for pedestrian traffic from the primary

public entrance of the proposed establishment to the primary public entrance of any existing church, school, park, or playground or sexually oriented licensed premises.

(B) The "establishment" of a sexually oriented business includes the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area, or the conversion of an existing business location to any of the uses described in Section 19.74.020.

(C) Any person establishing a sexually oriented business must first file with the Department of Business Activity the name and address of the business and the type of sexually oriented business to be conducted.

SECTION 2: If any section, subsection, subdivision paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to

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

SECTION 4: 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, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this 18th day of July, 1990.

APPROVED:

By _____
RON LURIE, MAYOR

Approved
VS
7-24-90

ATTEST:

_____
KATHLEEN M. TIGHE, CITY CLERK

The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of June, 1990, and referred to the following committee composed of Mayor Lurie and Councilman Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 18th day of July, 1990, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": Councilmen Miller, Nolen and Mayor Lurie

VOTING "NAY": Councilmen Adamsen and Higginson

ABSENT: NONE

APPROVED:

By _____
RON LURIE, MAYOR

Approved
VS
7-24-90

ATTEST:

_____
KATHLEEN M. TIGHE, CITY CLERK

SEE FIRST AMENDMENT

BILL NO. 90-42

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 19, CHAPTER 74, SECTION 30, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY SETTING FORTH THE DEFINITION OF THE MEASUREMENT OF DISTANCE BETWEEN ANY SEXUALLY ORIENTED BUSINESS AND ANY CHURCH, SCHOOL, PARK, PLAYGROUND OR ANY OTHER SEXUALLY ORIENTED BUSINESS; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Mayor Ron Lurie

Summary: Defines how to measure the distance between any sexually oriented business within 1000 feet of any other sexually oriented business, church, school, park or playground

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

SECTION 1: Title 19, Chapter 74, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

19.74.30: (A) No person shall cause or permit the establishment of any of the sexually oriented businesses defined in Section 19.74.020 in an area zoned other than C-2, C-M and M. In addition, no person shall cause or permit the establishment of any of the sexually oriented businesses defined in Section 19.74.020 within one thousand feet of any other sexually oriented business, church, school, park or playground. [The distance shall be measured in a straight line from the nearest property line of sexually oriented business to the nearest property line of any church, school, park, playground or any other sexually oriented business.] <u>The distance shall be measured by the most direct route provided for pedestrian traffic from the primary</u>

public entrance of the proposed establishment to the primary public entrance of any existing sexually oriented licensed premises.

(B) The "establishment" of a sexually oriented business includes the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area, or the conversion of an existing business location to any of the uses described in Section 19.74.020.

(C) Any person establishing a sexually oriented business must first file with the Department of Business Activity the name and address of the business and the type of sexually oriented business to be conducted.

SECTION 2: If any section, subsection, subdivision paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of any such

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

SECTION 4: 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, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this ____ day of _____, 1990.

APPROVED:

By_____
RON LURIE, MAYOR

ATTEST:

_____
KATHLEEN M. TIGHE, CITY CLERK

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 1990, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 1990, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" : _____

VOTING "NAY" : _____

ABSENT: _____

APPROVED:

By_____
RON LURIE, MAYOR

ATTEST:

_____
Kathleen M. Tighe, City Clerk

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JUL 17 3 05 PM '90

CITY CLERK

AFFIDAVIT OF PUBLICATION

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BILL NO. 90-42

AN ORDINANCE TO AMEND TITLE 19, CHAPTER 74, SECTION 30, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY SETTING FORTH THE DEFINITION OF THE MEASUREMENT OF DISTANCE BETWEEN ANY SEXUALLY ORIENTED BUSINESS AND ANY CHURCH, SCHOOL, PARK, PLAYGROUND OR ANY OTHER SEXUALLY ORIENTED BUSINESS; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
SPONSORED BY:
MAYOR RON LURIE
SUMMARY: Defines how to measure the distance between any sexually oriented business within 1000 feet of any other sexually oriented business, church, school, park or playground.
At a City Council meeting
JUNE 20, 1990
BILL NO. 90-42 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Mayor Lurie and Councilman Miller
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 3, 1990
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

On this _____ day of _____, 19___ personally appeared before me

_____

a Notary Public in and for Clark County Nevada, George J. Vasconi, who being duly sworn accorning to law declares that he is the business manager 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 July 3, 1990 to July 3, 1990, on the following days:

July 3, 1990

Signed George J. Vasconi
George J. Vasconi

Subscribed and sworn to before me
this 9th day of July, 1990

Marjorie E. Ouellette
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA

MARJORIE E. OUELLETTE
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Dec. 2, 1993

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JUL 27 4 13 PM '90
CITY CLERK

AFFIDAVIT OF PUBLICATION

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FIRST AMENDMENT
BILL NO. 90-42
ORDINANCE NO. 3518

AN ORDINANCE TO AMEND TITLE 19, CHAPTER 74, SECTION 30, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA 1983 EDITION, BY SETTING FORTH THE DEFINITION OF THE MEASUREMENT OF DISTANCE BETWEEN ANY SEXUALLY ORIENTED BUSINESS AND ANY CHURCH, SCHOOL, PARK, PLAYGROUND OR ANY OTHER SEXUALLY ORIENTED BUSINESS; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; RPOVIDING PENALTIES FOR THE VIOLATION HEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
SPONSORED BY:
Mayor Ron Lurie
SUMMARY: Defines how to measure the distance between any sexually oriented business within 1000 feet of any other sexually oriented business, church, school, park or playgound.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of June, 1990, and referred to the following committee composed of Mayor Lurie and Councilman Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 18th day of July, 1990, which was a regular meeting of said Council, 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: Nolen, Miller, and Mayor Lurie
VOTING "NAY" Councilmen: Higginson and Adamsen
ABSENT: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 21, 1990
Las Vegas Review-Journal & Sun

STATE OF NEVADA)
COUNTY OF CLARK) SS:

On this _____ day of _____, 19____ personally appeared before me

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a Notary Public in and for Clark County Nevada, George J. Vasconi, who being duly sworn according to law declares that he is the business manager 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 JULY 21, 1990 to JULY 21, 1990, on the following days:

JULY 21, 1990

Signed _____
George J. Vasconi

Subscribed and sworn to before me this 23 day of July, 19 90

_____
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 11, 1994

REV. 6-90

RECEIVED

Jul 17 3 05 PM '90

CITY CLERK

AFFIDAVIT OF PUBLICATION

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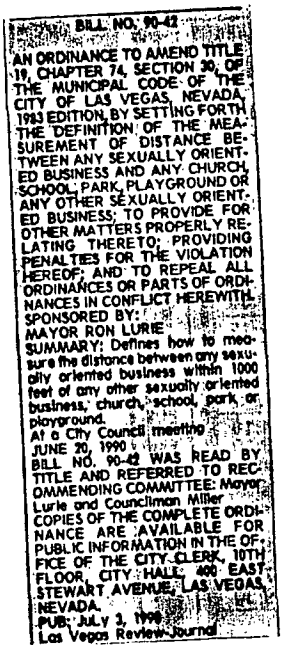

BILL NO. 90-42
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SPONSORED BY: MAYOR RON LURIE
SUMMARY: Defines how to measure the distance between any sexually oriented business within 1000 feet of any other sexually oriented business, church, school, park, or playground.
At a City Council meeting of JUNE 20, 1990 BILL NO. 90-42 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Mayor Lurie and Councilman Miller
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 3, 1990
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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_____

_____

July 3, 1990

_____

Signed George J. Vasconi
George J. Vasconi

Subscribed and sworn to before me
this 9th day of July, 1990

Marjorie E. Ouellette
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA

MARJORIE E. OUELLETTE
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Dec. 2, 1993

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JUL 24 1 PM '90

CITY CLERK

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FIRST AMENDMENT
BILL NO. 90-42
ORDINANCE NO. 3518

AN ORDINANCE TO AMEND TITLE 19, CHAPTER 74, SECTION 30, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA 1983 EDITION, BY SETTING FORTH THE DEFINITION OF THE MEASUREMENT OF DISTANCE BETWEEN ANY SEXUALLY ORIENTED BUSINESS AND ANY CHURCH, SCHOOL, PARK, PLAYGROUND OR ANY OTHER SEXUALLY ORIENTED BUSINESS; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; RPOVIDING PENALTIES FOR THE VIOLATION HEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
SPONSORED BY:
Mayor Ron Lurie
SUMMARY: Defines how to measure the distance between any sexually oriented business within 1000 feet of any other sexually oriented business, church, school, park or playgound.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of June, 1990, and referred to the following committee composed of Mayor Lurie and Councilman Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 18th day of July, 1990, which was a regular meeting of said Council, 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: Nolen, Miller, and Mayor Lurie
VOTING "NAY" Councilmen: Higginson and Adamsen
ABSENT: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 21, 1990
Las Vegas Review-Journal & Sun

STATE OF NEVADA)
COUNTY OF CLARK) SS:

On this ____ day of _____, 19___ personally appeared before me

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Signed _____
George J. Vasconi

Subscribed and sworn to before me
this 23 day of July, 19 90

_____
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA

083759

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 11, 1994

REV 6-90