

ORDINANCE NO. 776

AN ORDINANCE TO REGULATE AND CONTROL THE POSTING AND ADVERTISING OF RATES OF HOTELS, INNS, MOTELS, MOTOR COURTS, BOARDING AND LODGINGHOUSES WITHIN THE CITY OF LAS VEGAS; TO REGULATE AND CONTROL THE POSTING AND MAINTAINING OF OUTSIDE ADVERTISING SIGNS OF MOTELS, MOTOR COURTS, HOTELS AND LIKE ESTABLISHMENTS; PROVIDING DEFINITIONS OF TERMS USED; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ORDINANCE 748, AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the economic growth of the City of Las Vegas, Nevada is due in part to the great tourist trade brought into the area; and

WHEREAS, the continuance of such tourist trade is dependent in part upon fair and ethical practices being followed by persons serving the traveling public; and

WHEREAS, the furnishing of rooms and sleeping accommodations constitutes a major industry in Clark County and the City of Las Vegas; and

WHEREAS, it has been brought to the attention of the Board of Commissioners that the tourist trade and the economic well being of establishments catering thereto have been damaged and are in danger of being further damaged as a result of misleading and unfair advertising and trade practices which have been engaged in by some of such establishments; and

WHEREAS, the Board of Commissioners has determined it to be in the public welfare and interest to regulate such conduct;

NOW, THEREFORE, be it ordained by the Board of Commissioners of the City of Las Vegas, as follows:

SECTION 1. For the purpose of this ordinance certain terms and words are defined as follows:

A. "ADVERTISING MEDIUM" or "ADVERTISING MATTER", as used in this Ordinance, unless the context requires a broader meaning, means any word, letters, parts of letters, figures, numerals, phrases, sentences, emblems, signs, devices, designs, trade names or trade marks by which anything is made known, outline, spectacle, display, delineation, announcement, or any other sign, whether the same be located within or without buildings, displayed on billboards, readerboards, marquees, signboard, fence, face of wall of any building, which are visible from any public street or highway.

B. "ROOM RATES", as used in this Ordinance, shall mean the actual, total sum, charge, rate or consideration excluding tax, whether or not the same constitutes barter or exchange, in whole or in part, at which rooms or other accommodations are offered, charged, rented or otherwise made available for occupancy.

C. "OPERATOR", as used in this Ordinance, means and shall include a manager or any other person in charge, directly or indirectly, wholly or partially, in charge of the operation, management or policies of motels, hotels, inns, motor courts, boarding houses, lodging houses and like establishments.

D. "OPERATOR and OWNER", as used in this Ordinance, includes every person, firm, corporation or association owning or controlling an establishment subject to this Ordinance.

E. "ROOMS", as used in this Ordinance, shall mean any accommodation offered for lodging, housing or sleeping use by any establishment

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which has on an individual basis, (a) a private and separate entrance, (b) separate and private sanitary and useable facilities consisting of toilet, shower and/or bathtub, and lavatory, (c) clean and sanitary bed or sleeping facility, (d) adequate lighting, heating and cooling equipment in good working order, with furnishings and decor comparable with other rooms in said establishment, and (e) which is on ground level.

F. "LODGING DAY" or "OVERNIGHT ACCOMMODATIONS", as used in this Ordinance, means the period beginning at 11:00 o'clock A.M., and ending at the time, which shall not be earlier than 11:00 o'clock A.M. of the following calendar day, established by the owner or operator of any establishment subject to this Ordinance. The within definition is not in limitation of the definition of "DAY SLEEPER" hereinafter defined.

G. The term "ROOM" means any living or sleeping accommodation.

H. The term "ESTABLISHMENT" subject to this Ordinance means any motel, hotel, rooming house, boarding house, lodging house, or other establishment within the limits of the City of Las Vegas, at which rooms are rented or offered for rent, for less than one month.

I. "NUMBERS or NUMERALS", as used in this Ordinance, means any symbol, character, number, numeral, or any combination of numbers or numerals regardless of type, script, arabic, roman or other, whether painted, neon, attached, plastic or composition, lighted or unlighted, whenever and/or wherever used in connection with a sign or advertising medium relating to the price of accommodations or other rental information.

J. "LETTERING", as used in this Ordinance, means any alphabetical letters solely, or combination of words or symbols of any type, style, height, or width, used to convey any message or information relative to accommodations or services, or information, relative to any establishment within the purview of this Ordinance.

K. "DAY SLEEPER", as used in this Ordinance, means any person requesting, desiring, renting or utilizing accommodations for any purpose for use between the hours of 6:00 A.M. and 5:00 P.M. in any calendar day.

L. "VACANCY", as used in this Ordinance, shall mean the time when establishments subject to this Ordinance have one or more rooms or accommodations then and there available and ready for occupancy, within the premises of the establishment advertised.

M. "OCCUPANT" means any person or persons, who for an agreed rate, rents or secures sleeping and/or other accommodations for a specified period of time.

SECTION 2. It shall be unlawful for the owner or operator of any establishment within the scope of this Ordinance to display or permit to be displayed any outdoor sign which is in any wise false, fraudulent or misleading, or which contains any false, fraudulent or misleading matter or representations.

SECTION 3. It shall be unlawful for the owner or operator of any establishment within the scope of this Ordinance to post or display on any advertising medium placed outside a building, whether by words, letters or figures, the actual corporate or fictitious name or address of any establishment subject to this Ordinance, nor the actual corporate or fictitious name or address of any organization with which such establishment is or claims to be affiliated if the same pertains to or can be reasonably construed as pertaining to the price at which rooms may be rented or otherwise obtained at such establishment.

SECTION 4. The owner or operator of any accommodations subject to this Ordinance, shall display, or cause to be displayed, in a conspicuous place in the office of each establishment where guests are registered, and in each rental unit, the establishment's fixed check-out time. All overnight rates charged for the use or occupancy of any and all accommodations shall be effective from the time of rental to such established check-out time. Notwithstanding the terms of this provision, the owner or operator of any accommodations subject to this Ordinance shall have the right, in his discretion, to extend the check-out time; provided, however, no lettering or numbers may be used on any outdoor or outside advertising medium, which indicate that the establishment's check-out time is or will be extended beyond the period defined in "Lodging Day" in Section 1. F. of this Ordinance.

SECTION 5. It shall be unlawful for any owner or operator of any establishment within the scope of this Ordinance, to post or maintain posted any advertising media, any phraseology or terminology which gives the public no basis upon which to rely or depend, including but not limited to the following terms: "Low rates", "lowest rates", "very low rates", "cut rates", "special rates", "reasonable rates", "seasonal rates", "summer rates", "inexpensive", "best", "finest", "newest", "why pay more", "luxury costs no more", "stay here and save", or any terms of a like nature referring to special rates, savings, charges, prices or any other similar terminology in referring to the type of accommodations available at any establishment within the purview of this Ordinance.

SECTION 6. It shall be unlawful for any owner or operator of any establishment within the scope of this Ordinance to post or maintain posted on any advertising medium information concerning give-away merchandise, or special service, such as free meals, free television, free show reservations, free drinks, free cribs, or free gifts in connection with the rentals of said establishment which such free service or gift is contingent or conditional upon the purchase, exchange, barter or rental of a room or accommodation.

SECTION 7.. It shall be unlawful for any owner or operator within the scope of this Ordinance to post or maintain posted:

(a) advertising matter relative to accommodations other than those contained in the establishment advertised,

(b) advertising matter relative to merchandise or services which are not directly related to room rates and accommodations, but which may reasonably be construed as advertising, representing or displaying a room rate,

(c) to advertise on such establishment's advertising mediums any extra services, which are in any way connected with the rental of room accommodations, such as food or drink or other tangible commodity or service, unless such service or commodity are to be used exclusively on the premises so advertising.

SECTION 8. It shall be unlawful for the owner or operator of any establishment subject to this Ordinance to display or cause to be displayed on any outside or inside advertising medium within the limits of the City, any words, letters or figures of any kind which indicate or can reasonably be construed as indicating the price at which any room or rooms at such establishment may be rented or otherwise obtained unless the conditions prescribed in this section are complied with, to-wit:

(a) All numerals utilized must be of the same height, width and prominence.

(b) All numerals shall be used solely in conjunction with a dollar sign, and shall be used solely to denote price or cost of rental accommodations. Numerals shall not be used to denote number of rooms or accommodations. Every numeral must be of the same height and width as every other numeral.

(c) Every numeral must be accompanied by lettering clearly indicating the number of persons for which such price is applicable, which may not be abbreviated but must be fully spelled out. Where the advertised rate is applicable to occupancy by more than two persons, such advertised matter may only be displayed in conjunction with, and accompanied by another displayed rate, connoting the rate for occupancy by two persons. The foregoing provisions of subsection (c) shall not apply where the only remaining accommodations for rent or hire are accommodations for one person. Where a rate is displayed, information relative to occupancy by one or more persons must be spelled out in words of equal size and prominence.

(d) All lettering pertaining to room rates or accommodations shall be in no event less than one-half ($1/2$), nor more than three-fourths ($3/4$) of the height and width of any number or numeral displayed.

(e) Where a rate for rooms which do not meet all of the requirements as set forth in the definition of "ROOMS" in Section 1. E. hereof is advertised, the respects in which such rooms fail to meet the said requirements must be stated in words of equal size and prominence as the words and/or numerals setting forth such rate.

(f) Where a rate for upstairs rooms or accommodations is advertised, the rate for which rooms and accommodations on ground level may be secured must be advertised in close proximity to and with equal prominence on the same side and within the body of the same sign.

(g) No room or accommodation shall be advertised or otherwise represented on any such advertising medium as "Single", "double", "double double" or "twin".

(h) No rate for any room at any establishment subject to this Ordinance shall at any time be displayed on any advertising medium, unless a room of the type, character and/or the accommodation of the number of persons indicated on such medium or sign, is available for immediate occupancy at said premises at the price or rate so displayed.

(i) No rate for any room at any establishment subject to this Ordinance displayed on any sign or advertising medium shall be conditioned upon the rental of such room for a longer period than one day.

(j) No number or numeral indicating or which may reasonably be understood as indicating the rate at which a room may be obtained at any establishment subject to this Ordinance shall be displayed on any advertising medium unless the same indicates the actual total cash amount or equivalent to be paid for such room or charged to the guest's account, excluding any levied tax.

(k) No sign or advertisement of any nature or description shall be displayed at any establishment subject to this Ordinance indicating, or which may reasonably be construed as indicating, the price at which a room may be rented or obtained at any establishment other than the establishment at which such sign or advertisement is so displayed.

(l) No owner or operator of any establishment subject to this Ordinance shall in any manner or by any means advertise that a room or rooms at such establishment may be rented for any period of time less than

overnight occupancy or for less than the time specified in the provisions of this Ordinance relating to day sleepers, unless the rate for overnight occupancy is also displayed in numerals and letters of equal size and prominence.

(m) Where advertising matter relative to rates and accommodations are displayed, including matter relative to "day sleeper" accommodations, all of the matter so displayed shall appear on the same side and within the body of the same sign, so as to be visible to a passer-by at one time and at one reading. Advertising matter relative to rates displayed on one sign or one side of a sign, must be consistent with matter displayed on other signs, or other sides of signs. Each sign or side of a sign shall be in full compliance with the terms of this Ordinance.

(n) Where rates, charges or prices for accommodations within the scope of this Ordinance are advertised, displayed or posted solely in letters, and not in numerals, other letters used in conjunction therewith shall be no less than one-half ($1/2$), nor more than three-fourths ($3/4$) of the height and width of the letters displaying the rates, charges or prices.

SECTION 9. It shall be unlawful for any owner or operator of any establishment within the scope of this Ordinance:

(a) To require as a condition of renting that the lodger pay for a greater number of days, or for more space than actually requested. This section shall not apply in the event the establishment does not rent accommodations for a term of less than one week.

(b) To display or advertise a number or numeral, the tendency of which is to indicate a price, or rate at which accommodations can be obtained, or rented, unless there shall be accommodations vacant and available in any such establishment for occupancy, to meet the displayed rate on such signs. Where all of the accommodations at any advertised price have been rented, or whenever the rooms at the price indicated by such numbers or numerals are no longer available for immediate occupancy, the owner or operator of every establishment subject to this Ordinance shall without any unreasonable delay cause to be removed from all advertising media on which the price or prices for rooms at such establishment are displayed, or completely cover the same so that they are no longer visible, all numbers and numerals which indicate, or which may reasonably be understood as indicating, the price of rooms at such establishment.

(c) To make rental of facilities or accommodations contingent upon rental to, or occupancy by, more persons than indicated by the displayed rate.

(d) To display a rate, number or numeral unless such rate, number or numeral shall set forth the exact total rate for accommodations advertised. Any additional charges for services or facilities offered must be displayed in numbers or numerals of equal size and prominence. Rental of rooms or accommodations shall not be contingent upon rental of other services or facilities, or upon the payment of any additional charges for services or facilities by a lodger.

(e) To continue to display the word "VACANCY" or any other words which would tend to indicate the availability of accommodations whenever accommodations at such establishment are not vacant or available for immediate occupancy. The owner or operator of any establishment subject to this Ordinance at which the word "Vacancy" appears on any advertising media shall without unreasonable delay cause the words "NO VACANCY" or the word "NO" to be displayed whenever accommodations at such establish-

ment are not available for immediate occupancy, or cover the word "Vacancy" so that the same shall not be visible to a passer-by. Where other words or terms are utilized to connote the lack or absence of vacancies, such as "FULL HOUSE" or words having a similar meaning or connotation, the same shall be displayed whenever accommodations at such establishment are not vacant or available for immediate occupancy. In all other situations, vacancy signs may only be employed to indicate the availability of overnight accommodations, and may not be employed unless there are, within the premises advertised, accommodations vacant and available for immediate occupancy.

SECTION 10. It shall be unlawful for the owner or operator of any establishment within the scope of this Ordinance to display or cause to be displayed the words "DAY SLEEPERS" except as hereinafter provided:

(a) The advertising of accommodations for "DAY SLEEPERS" shall only be permitted from and after April 15th to and including October 15th of each year.

(b) Advertising of accommodations for "DAY SLEEPERS" may only be displayed between the hours of 6:00 A.M. and 5:00 P.M. in any calendar day. Check out time for day sleepers shall be at the discretion of owner.

(c) No rate for "DAY SLEEPERS" may be advertised or displayed unless there is also displayed the rate for overnight or lodging day accommodations.

(d) No rate for "DAY SLEEPERS" may be advertised or displayed unless there is also displayed the hours during which such rates are applicable.

(e) Any lettering relative to "DAY SLEEPERS" rates shall be no less than one-half ($1/2$) the height or width, nor more than three-fourths ($3/4$) the height and width, of the size of the number or numeral designating the overnight or lodging day rate.

(f) Where a "DAY SLEEPER" rate is advertised, the overnight or lodging day rate must be set forth in close proximity to the "DAY SLEEPER" rate, and must appear on the same side and within the body of the sign.

SECTION 11. Nothing contained in this Ordinance shall be construed as to require any establishment to have signs or to prevent the posting of signs as permitted by this Ordinance. The terms hereof shall be liberally construed so as to prevent untrue, misleading, false, or fraudulent representations relating to rates being placed upon signs pertaining to such establishments. This Ordinance shall not be construed to in any way affect the casino or gaming operations, or theatre restaurants, of any establishment but is intended to apply to the transient habitational activities of establishments as listed herein.

SECTION 12. ORDINANCE No. 748 is hereby repealed, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 13. If any provision of this Ordinance be declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall in no way affect the remainder of this Ordinance or section thereof, it being intended that the remainder shall remain in full force and effect.

SECTION 14. Any violation of this Ordinance, or any provisions herein contained, shall constitute a misdemeanor, and the offender upon conviction shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the City Jail for not more than Six (6) months or by both such fine and imprisonment.

SECTION 15. This Ordinance shall be published in full once a week for two successive weeks in the Las Vegas Morning Sun, a daily newspaper, published in the City of Las Vegas, and shall become effective immediately upon the second publication thereof.


Mayor Pro Tem

ATTEST:


Acting City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 1st day of October, 1958, and referred to the following committee composed of Commissioners Whipple and Fountain for recommendation; thereafter the said committee reported favorably on said Ordinance on the 15th day of October, 1958, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read in full to the Board of Commissioners as first introduced and adopted by the following vote:

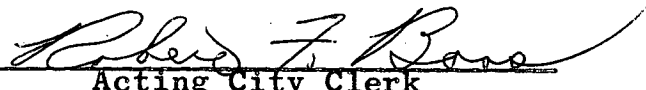
VOTING "AYE" Mayor Pro Tem Whipple, Commissioners Bunker and Sharp

VOTING "NAY" None ABSENT: Mayor C. D. Baker and Commissioner Fountain

APPROVED:


Mayor Pro Tem

ATTEST:


Acting City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

.....Anthony Cina....., being first duly sworn,

deposes and says: That he is.....For eman..... of the
LAS VEGAS MORNING SUN, a daily newspaper of general circulation, printed and
published 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 weeks**

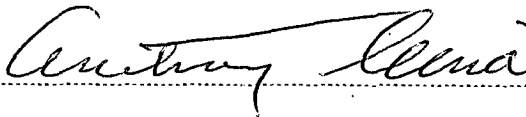
from **October 24, 1958** to **October 31, 1958**

inclusive, being the issues of said newspaper for the following dates, to-wit:

October 24, 31, 1958

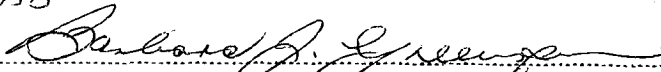
That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed.....



Subscribed and sworn to before me this 31st

day of October, 1958



Notary Public in and for Clark County, Nevada.

My Commission Expires

My Commission Expires Mar. 17, 1960

ORDINANCE NO. 776
AN ORDINANCE TO REGULATE AND CONTROL THE POSTING AND ADVERTISING OF RATES OF HOTELS, INNS, MOTELS, MOTOR COURTS, BOARDING AND LODGING HOUSES WITHIN THE CITY OF LAS VEGAS; TO REGULATE AND CONTROL THE POSTING AND MAINTAINING OF OUTSIDE ADVERTISING SIGNS OF MOTELS, MOTOR COURTS, HOTELS AND LIKE ESTABLISHMENTS; PROVIDING DEFINITIONS OF TERMS USED; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ORDINANCE 748, AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the economic growth of the City of Las Vegas, Nevada is due in part to the great tourist trade brought into the area; and

WHEREAS, the continuance of such tourist trade is dependent in part upon fair and ethical practices being followed by persons serving the traveling public; and

WHEREAS, the furnishing of rooms

and sleeping accommodations constitutes a major industry in Clark County and the City of Las Vegas; and

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WHEREAS, the Board of Commissioners has determined it to be in the public welfare and interest to regulate such conduct;

NOW THEREFORE, be it ordained by the Board of Commissioners of the City of Las Vegas, as follows:

SECTION 1. For the purpose of this ordinance certain terms and words are defined as follows:

A. "ADVERTISING MEDIUM" or "ADVERTISING MATTER", as used in this Ordinance, unless the context requires a broader meaning, means any word, letters, parts of letters, figures, numerals, phrases, sentences, emblems, signs, devices, designs, trade names or trade marks by which anything is made known, outline, spectacle, display, delineation, announcement, or any other sign, whether the same be located within or without buildings, displayed on billboards, readerboards, marquees, signboard, fence, face of wall of any building, which are visible from any public street or highway.

B. "ROOM RATES", as used in this Ordinance, shall mean the actual, total sum, charge, rate or consideration excluding tax, whether or not the same constitutes barter or exchange, in whole or in part, at which rooms or other accommodations are offered, charged, rented or otherwise made available for occupancy.

C. "OPERATOR", as used in this Ordinance, means and shall include a manager or any other person in charge, directly or indirectly, wholly or partially, in charge of the operation, management or policies of motels, hotels, inns, motor courts, boarding houses, lodging houses and like establishments.

D. "OPERATOR and OWNER", as used in this Ordinance, includes every person, firm, corporation or association owning or controlling an establishment subject to this Ordinance.

E. "ROOMS", as used in this Ordinance, shall mean any accommodation offered for lodging, housing or sleeping use by any establishment which has on an individual basis, (a) a private and separate entrance, (b) separate and private sanitary and useable facilities consisting of toilet, shower and/or bathtub, and lavatory, (c) clean and sanitary bed or sleeping facility, (d) adequate lighting, heating and cooling equipment in good working order, with furnishings and decor comparable with other rooms in said establishment, and (e) which is on ground level.

F. "LODGING DAY" or "OVERNIGHT ACCOMMODATIONS", as used in this Ordinance, means the period beginning at 11:00 o'clock A.M., and ending at the time, which shall not be earlier than 11:00 o'clock A.M. of the following calendar day, established by the owner or operator of any establishment subject to this Ordinance. The within definition is not in limitation of the definition of "DAY SLEEPER" hereinafter defined.

G. The term "ROOM" means any living or sleeping accommodation.

H. The term "ESTABLISHMENT" subject to this Ordinance means any motel, hotel, rooming house, boarding house, lodging house, or other establishment within the limits of the City of Las Vegas, at which rooms are rented or offered for rent, for less than one month.

I. "NUMBERS or NUMERALS", as used in this Ordinance, means any symbol, character, number, numeral, or any combination of numbers or numerals regardless of type, script, arabic, roman or other, whether painted, neon, attached, plastic or composition, lighted or unlighted, whenever and/or wherever used in connection with a sign or advertising medium relating to the price of accommodations or other rental information.

J. "LETTERING", as used in this Ordinance, means any alphabetical letters solely, or combination of words or symbols of any type, style, height, or width, used to convey any message or information relative to accommodations or services, or information, relative to any establishment within the purview of this Ordinance.

K. "DAY SLEEPER", as used in this Ordinance, means any person requesting, desiring, renting or utilizing accommodations for any purpose for use between the hours of 6:00 A.M. and 5:00 P.M. in any calendar day.

L. "VACANCY", as used in this Ordinance, shall mean the time when establishments subject to this Ordinance have one or more rooms or accommodations then and there available and ready for occupancy, within the premises of the establishment advertised.

M. "OCCUPANT", means any person or persons, who for an agreed rate, rents or secures sleeping and/or other accommodations for a specified period of time.

SECTION 2. It shall be unlawful for the owner or operator of any establishment within the scope of this Ordinance to display or permit to be displayed any outdoor sign which is in any wise false, fraudulent, or misleading, or which contains any false, fraudulent or misleading matter or representations.

SECTION 3. It shall be unlawful for the owner or operator of any establishment within the scope of this Ordinance to post or display on any advertising medium placed outside a building, whether by words, letters or figures, the actual corporate or fictitious name or address of any establishment subject to this Ordinance, nor the actual corporate or fictitious name or address of any organization with which such establishment is or claims to be affiliated if the same pertains to or can be reasonably construed as pertaining to the price at which rooms may be rented or otherwise obtained at such establishment.

SECTION 4. The owner or operator of any accommodations subject to this Ordinance, shall display, or cause to be displayed, in a conspicuous place in the office of each establishment where guests are registered, and in each rental unit, the establishment's fixed check-out time. All overnight rates charged for the use or occupancy of any and all accommodations shall be effective from the time of rental to such established check-out time. Notwithstanding the terms of this provision, the owner or operator of any accommodations subject to this Ordinance shall have the right, in his discretion, to extend the check-out time; provided, however, no lettering or numbers may be used on any outdoor or outside advertising medium, which indicate that the establishment's check-out time is or will be extended beyond the period defined in "Lodging Day" in Section 1. F. of this Ordinance.

SECTION 5. It shall be unlawful for any owner or operator of any establishment within the scope of this Ordinance, to post or maintain posted any advertising media, any phraseology or terminology which gives the public no basis upon which to rely or depend, including but not limited to the following terms: "Low rates", "lowest rates", "very low rates", "cut rates", "special rates", "reasonable rates", "seasonal rates", "summer rates", "inexpensive", "best", "finest", "newest", "why pay more", "luxury costs no more", "stay here and save", or any terms of a like nature referring to special rates, savings, charges, prices or any other similar terminology in referring to the type of accommodations available at any establishment within the purview of this Ordinance.

SECTION 6. It shall be unlawful for any owner or operator of any establishment within the scope of this Ordinance, to post or maintain posted on any advertising medium information concerning give-away merchandise, or special service, such as free meals, free television, free show reservations, free drinks, free cribs, or free gifts in connection with the rentals of said establishment which such free service or gift is contingent or conditional upon the purchase, exchange, barter or rental of a room or accommodation.

SECTION 7. It shall be unlawful for any owner or operator within the scope of this Ordinance to post or maintain posted:

(a) advertising matter relative to accommodations other than those contained in the establishment advertised,

(b) advertising matter relative to merchandise or services which are not directly related to room rates and accommodations, but which may reasonably be construed as advertising, representing or displaying a room rate,

(c) to advertise on such establishment's advertising mediums any extra services, which are in any way connected with the rental of room accommodations, such as food or drink or other tangible commodity or service, unless such service or commodity are to be used exclusively on the premises so advertising.

SECTION 8. It shall be unlawful for the owner or operator of any establishment subject to this Ordinance to display or cause to be displayed on any outside or inside advertising medium within the limits of the City, any words, letters or figures of any kind which indicate or can reasonably be construed as indicating the price at which any room or

rooms at such establishment may be rented or otherwise obtained unless the conditions prescribed in this section are complied with, to-wit:

(a) All numerals utilized must be of the same height, width and prominence.

(b) All numerals shall be used solely in conjunction with a dollar sign, and shall be used solely to denote price or cost of rental accommodations. Numerals shall not be used to denote number of rooms or accommodations. Every numeral must be of the same height and width as every other numeral.

(c) Every numeral must be accompanied by lettering clearly indicating the number of persons for which such price is applicable, which may not be abbreviated but must be fully spelled out. Where the advertised rate is applicable to occupancy by more than two persons, such advertised matter may only be displayed in conjunction with, and accompanied by another displayed rate, connoting the rate for occupancy by two persons. The foregoing provisions of subsection (c) shall not apply where the only remaining accommodation for rent or hire are accommodations for one person. Where a rate is displayed, information relative to occupancy by one or more persons must be spelled out in words of equal size and prominence.

(d) All lettering pertaining to room rates or accommodations shall be in no event less than one-half ($\frac{1}{2}$), nor more than three-fourths ($\frac{3}{4}$) of the height and width of any number or numeral displayed.

(e) Where a rate for rooms which do not meet all of the requirements as set forth in the definition of "ROOMS" in Section 1. E. hereof is advertised, the respects in which such rooms fail to meet the said requirements must be stated in words of equal size and prominence as the words and/or numerals setting forth such rate.

(f) Where a rate for upstairs rooms or accommodations is advertised, the rate for which rooms and accommodations on ground level may be secured must be advertised in close proximity to and with equal prominence on the same side and within the body of the same sign.

(g) No room or accommodation shall be advertised or otherwise represented on any such advertising medium as "Single", "double", "double double" or "twin".

(h) No rate for any room at any establishment subject to this Ordinance shall at any time be displayed on any advertising medium, unless a room of the type, character and/or the accommodation of the number of persons indicated on such medium or sign, is available for immediate occupancy at said premises at the price or rate so displayed.

(i) No rate for any room at any establishment subject to this Ordinance displayed on any sign or advertising medium shall be conditioned upon the rental of such room for a longer period than one day.

(j) No number or numeral indicating or which may reasonably be understood as indicating the rate at which a room may be obtained at any establishment subject to this Ordinance shall be displayed on any advertising medium unless the same indicates the actual total cash amount or equivalent to be paid for such room or charged to the guest's account, excluding any levied tax.

(k) No sign or advertisement of any nature or description shall be displayed at any establishment subject to this Ordinance indicating, or which may reasonably be construed as indicating, the price at which a room may be rented or obtained at any establishment other than the establishment at which such sign or advertisement is so displayed.

(l) No owner or operator of any establishment subject to this Ordinance shall in any manner or by any means advertise that a room or rooms at such establishment may be rented for any period of time less than overnight occupancy or for less than the time specified in the provisions of this Ordinance relating to day sleepers, unless the rate for overnight occupancy is also displayed in numerals and letters of equal size and prominence.

(m) Where advertising matter relative to rates and accommodations are displayed, including matter relative to "day sleeper" accommodations, all of the matter so displayed shall appear on the same side and within the body of the same sign, so as to be visible to a passer-by at one time and at one reading. Advertising matter relative to rates displayed on one sign or one side of a sign, must be consistent with matter displayed on other signs, or other sides of signs. Each sign or side of a sign shall be in full compliance with the terms of this Ordinance.

(n) Where rates, charges or prices for accommodations within the scope of this Ordinance are advertised, displayed or posted solely in letters, and not in numerals, other letters used in conjunction therewith shall be no less than one-half ($\frac{1}{2}$), nor more than three-fourths ($\frac{3}{4}$) of the height and width of the letters displaying the rates, charges or prices.

SECTION 9. It shall be unlawful for any owner or operator of any establishment within the scope of this Ordinance:

(a) To require as a condition of renting that the lodger pay for a greater number of days, or for more space than actually requested. This section shall not apply in the event the establishment does not rent accommodations for a term of less than one week.

(b) To display or advertise a number or numeral, the tendency of which is to indicate a price, or rate at which accommodations can be obtained, or rented, unless there shall be accommodations vacant and available in any such establishment for occupancy, to meet the displayed rate on such sign. Where all of the accommodations at any advertised price have been rented, or whenever the rooms at the price indicated by such numbers or numerals are no longer available for immediate occupancy, the owner or operator of every establishment, subject to this Ordinance shall without any unreasonable delay cause to be removed from all advertising media on which the price or prices for rooms at such establishment are displayed, or completely cover the same so that they are no longer visible, all numbers and numerals which indicate, or which may reasonably be understood as indicating, the price of rooms at such establishment.

(c) To make rental of facilities or accommodations contingent upon rental to, or occupancy by, more persons than indicated by the displayed rate.

(d) To display a rate, number or numeral unless such rate, number or numeral shall set forth the exact total rate for accommodations advertised. Any additional charges for services or facilities offered must be displayed in numbers or numerals of equal size and prominence. Rental of rooms or accommodations shall not be contingent upon rental of other services or facilities, or upon the payment of any additional charges for services or facilities by a lodger.

(e) To continue to display the word "VACANCY" or any other words which would tend to indicate the availability of accommodations whenever accommodations at such establishment are not vacant or available for immediate occupancy. The owner or operator of any establishment subject to this Ordinance at which the word "Vacancy" appears on any advertising media shall without unreasonable delay cause the words "NO VACANCY" or the word "NO" to be displayed whenever accommodations at such establishment are not available for immediate occupancy, or cover the word "Vacancy" so that the same shall not be visible to a passer-by. Where other words or terms are utilized to connote the lack or absence of vacancies, such as "FULL HOUSE" or words having a similar meaning or connotation, the same shall be displayed whenever accommodations at such establishment are not vacant or available for immediate occupancy. In all other situations, vacancy signs may only be employed to indicate the availability of overnight accommodations, and may not be employed unless there are, within the premises advertised, accommodations vacant and available for immediate occupancy.

SECTION 10. It shall be unlawful for the owner or operator of any establishment within the scope of this Ordinance to display or cause to be displayed the words "DAY SLEEPERS" except as hereinafter provided:

(a) The advertising of accommodations for "DAY SLEEPERS" shall only be permitted from and after April 15th to and including October 15th of each year.

(b) Advertising of accommodations for "DAY SLEEPERS" may only be displayed between the hours of 6:00 A.M. and 5:00 P.M. in any calendar day. Check out time for day sleepers shall be at the discretion of owner.

(c) No rate for "DAY SLEEPERS" may be advertised or displayed unless there is also displayed the rate for overnight or lodging day accommodations.

(d) No rate for "DAY SLEEPERS" may be advertised or displayed unless there is also displayed the hours during which such rates are applicable.

(e) Any lettering relative to "DAY SLEEPERS" rates shall be no less than one-half (1/2) the height or width, nor more than three-fourths (3/4) the height and width, of the size of the number or numeral designating the overnight or lodging day rate.

(f) Where a "DAY SLEEPER" rate is advertised, the overnight or lodging day

LEGAL NOTICES

rate must be set forth in close proximity to the "DAY SLEEPER" rate, and must appear on the same side and within the body of the sign.

SECTION 11. Nothing contained in this Ordinance shall be construed as to require any establishment to have signs or to prevent the posting of signs as permitted by this Ordinance. The terms hereof shall be liberally construed so as to prevent untrue, misleading, false, or fraudulent representations relating to rates being placed upon signs pertaining to such establishments. This Ordinance shall not be construed to in any way affect the casino or gaming operations, or theatre restaurants, of any establishment but is intended to apply to the transient habitational activities of establishments as listed herein.

SECTION 12. ORDINANCE NO. 748 is hereby repealed, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 13. If any provision of this Ordinance be declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall in no way affect the remainder of this Ordinance or section thereof, it being intended that the remainder shall remain in full force and effect.

SECTION 14. Any violation of this Ordinance, or any provisions herein contained, shall constitute a misdemeanor, and the offender upon conviction shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the City Jail for not more than Six (6) months or by both such fine and imprisonment.

SECTION 15. This Ordinance shall be published in full once a week for two successive weeks in the Las Vegas Morning Sun, a daily newspaper, published in the City of Las Vegas, and shall become effective immediately upon the second publication thereof.

/s/ REED WHIPPLE,
Mayor Pro Tem

ATTEST:

/s/ ROBERT F. BOOS,
Acting City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 1st day of October, 1958, and referred to the following committee composed of Commissioners Whipple and Fountain for recommendation; thereafter the said committee reported favorably on said Ordinance on the 15th day of October, 1958, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read in full to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE" Mayor Pro Tem Whipple, Commissioners Bunker and Sharp.

VOTING "NAY" None.

ABSENT: Mayor C. D. Baker and Commissioner Fountain.

APPROVED:

/s/ REED WHIPPLE,

Mayor Pro Tem

ATTEST:

/s/ ROBERT F. BOOS,
Acting City Clerk

Oct. 24, 31, 1958

LEGAL NOTICES