

BILL NO. 85-14

ORDINANCE No. 3166

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 48 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 60, TO PROVIDE THAT ALL MERCHANDISE AND EQUIPMENT WHICH IS STORED OR DISPLAYED IN CONNECTION WITH THE OPERATION OF A SECONDHAND STORE OR SHOP IN A C-M ZONING DISTRICT MUST BE LOCATED WITHIN A COMPLETELY-ENCLOSED PERMANENT BUILDING OR SCREENED FROM VIEW FROM THE STREET FRONTAGE, AND THAT EXISTING SECONDHAND STORES AND SHOPS WHICH WILL BE IN VIOLATION OF SAID REQUIREMENT BY VIRTUE OF THIS ORDINANCE SHALL BE DEEMED TO BE NONCONFORMING USES WHICH MUST BE DISCONTINUED WITHIN FIVE YEARS AFTER WRITTEN NOTICE TO DISCONTINUE IS GIVEN TO THE OWNER THEREOF; AMENDING CHAPTER 48, SECTION 10, AND CHAPTER 50, SECTION 10, OF SAID TITLE TO PROVIDE THAT SECONDHAND STORES AND SHOPS ARE PERMITTED IN THE C-M AND M ZONING DISTRICTS, RESPECTIVELY, ONLY IF THEY COMPLY WITH THE REQUIREMENTS OF SECTION 19.48.060 AS SET FORTH HEREIN; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

13	Sponsored By:	Summary:
14	Councilman Ron Lurie	Requires the storage and display of retail secondhand merchandise in the C-M and M Zoning Districts to be located within an enclosed building or screened from view from the street frontage.

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

SECTION 1: Title 19, Chapter 48, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 60, reading as follows:

19.48.060: (A) All merchandise and equipment which is stored or displayed in connection with the operation of a secondhand store or shop shall be located within a completely-enclosed permanent building or screened from view from the street frontage.

(B) Those secondhand stores and shops which are existing on the effective date of this ordinance and which are in violation hereof shall be deemed nonconforming uses. If any such nonconforming use is discontinued for a period of ninety days, any future use of the property as a secondhand store or shop shall be in conformity with the provisions of this Section.

1 (C) In addition, any use made nonconforming by this Section  
2 shall not be expanded or enlarged and shall be discontinued no  
3 later than five years from the date notice is given to the owner  
4 of record by mailing said notice to the address shown on the  
5 records of the County Assessor and by recording a copy of the  
6 notice in the office of the County Recorder. The notice shall  
7 contain the legal description of the property, a description of  
8 the use required to be discontinued, the date by which the use is  
9 to cease and desist and a reference to this Section as the  
10 authority under which discontinuance is required.

11 SECTION 2: Title 19, Chapter 48, Section 10, of the  
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
13 hereby amended to read as follows:

14 19.48.010: Uses permitted in the C-M District include:

15 (A) Any use permitted in C-C, C-1, and C-2 Districts, sub-  
16 ject to all regulations applying to these districts;

17 (B) Advertising signs or structures and billboards;

18 (C) Public garages;

19 (D) Automobile and trailer sales areas, provided such [area  
20 is] areas are located and developed in accordance with the provi-  
21 sions of Article V of Chapter 19.64;

22 (E) Secondhand stores and shops, subject to the limitations  
23 set forth in Section 19.48.060;

24 (F) Wholesale warehouses;

25 (G) Automobile laundries (commercial car wash);

26 (H) The manufacturing, processing or treatment of products,  
27 all of which are sold at retail on the premises, provided not  
28 more than fifty percent of the floor area of the building shall  
29 be used for such purposes;

30 (I) Industrial laundries providing services for commercial  
31 and industrial businesses not located on the same site and having  
32 more than two employees involved in the processing operation;

1 (J) Impound yards.

2 SECTION 3: Title 19, Chapter 50, Section 10, of the  
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
4 hereby amended to read as follows:

5 19.50.010: Uses permitted in the M District include:

6 (A) Any use permitted in the C-M District;

7 (B) Any manufacturing, processing or assembling use, not  
8 otherwise prohibited by law, subject to the standards set forth  
9 in Section 19.50.040;

10 (C) Public and quasi-public uses[.];

11 (D) Secondhand stores and shops, subject to the limitations  
12 set forth in Section 19.48.060.

13 SECTION 4: If any section, subsection, subdivision,  
14 paragraph, sentence, clause or phrase in this Chapter or any part  
15 thereof, is for any reason held to be unconstitutional or invalid  
16 or ineffective by any court of competent jurisdiction, such deci-  
17 sion shall not affect the validity or effectiveness of the  
18 remaining portions of this Chapter or any part thereof. The  
19 City Council of the City of Las Vegas, Nevada, hereby declares  
20 that it would have passed each section, subsection, subdivision,  
21 paragraph, sentence, clause or phrase thereof irrespective of the  
22 fact that any one or more sections, subsections, subdivisions,  
23 paragraphs, sentences, clauses or phrases be declared unconstitu-  
24 tional, invalid or ineffective.

25 SECTION 5: Whenever in this ordinance any act is  
26 prohibited or is made or declared to be unlawful or an offense or  
27 a misdemeanor, or whenever in this ordinance the doing of any act  
28 is required or the failure to do any act is made or declared to  
29 be unlawful or an offense or a misdemeanor, the doing of any such  
30 prohibited act or the failure to do any such required act shall  
31 constitute a misdemeanor and upon conviction thereof, shall be  
32 punished by a fine of not more than \$1,000.00 or by imprisonment

1 for a term of not more than six (6) months, or by any combination  
2 of such fine and imprisonment. Any day of any violation of this  
3 ordinance shall constitute a separate offense.


4 SECTION 6: All ordinances or parts of ordinances,  
5 sections, subsections, phrases, sentences, clauses or paragraphs  
6 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 1st day of May,  
9 1985.

10 APPROVED:

11   
12 By William H. Briare  
WILLIAM H. BRIARE, MAYOR

13 ATTEST:

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15 CAROL ANN HAWLEY, CITY CLERK

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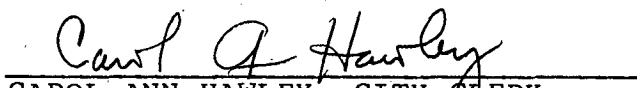
The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of April, 1985, and referred to the following committee composed of Councilmen Lurie and Levy for recommendation; thereafter the said committee reported favorably on said ordinance on the 1st day of May, 1985, 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: Bunker, Levy, Lurie, Nolen and Mayor Briare  
VOTING "NAY" Councilmen: NONE  
ABSENT: NONE

APPROVED:

  
WILLIAM H. BRIARE, MAYOR

ATTEST:

  
CAROL ANN HAWLEY, CITY CLERK

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, 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 one insertions from period of May 4, 1985 to May 4, 1985 inclusive, being the issue of said newspaper for the following dates, to wit:

May 4, 1985

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

BILL NO. 85-14  
ORDINANCE NO. 3166  
AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 48 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 60, TO PROVIDE THAT ALL MERCHANDISE AND EQUIPMENT WHICH IS STORED OR DISPLAYED IN CONNECTION WITH THE OPERATION OF A SECONDHAND STORE OR SHOP IN A C-M ZONING DISTRICT MUST BE LOCATED WITHIN A COMPLETELY-ENCLOSED PERMANENT BUILDING OR SCREENED FROM VIEW FROM THE STREET FRONTAGE, AND THAT EXISTING SECONDHAND STORES AND SHOPS WHICH WILL BE IN VIOLATION OF SAID REQUIREMENT BY VIRTUE OF THIS ORDINANCE SHALL BE DEEMED TO BE NONCONFORMING USES WHICH MUST BE DISCONTINUED WITHIN FIVE YEARS AFTER WRITTEN NOTICE TO DISCONTINUE IS GIVEN TO THE OWNER THEREOF; AMENDING CHAPTER 48, SECTION 10, AND CHAPTER 50, SECTION 10, OF SAID TITLE TO PROVIDE THAT SECONDHAND STORES AND SHOPS ARE PERMITTED IN THE C-M AND M ZONING DISTRICTS, RESPECTIVELY, ONLY IF THEY COMPLY WITH THE REQUIREMENTS OF SECTION 19.48.060 AS SET FORTH HEREIN; PROVIDING FOR OTHER MATTERS PROPERLY

RELATING THERETO; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Councilman Ron Lurie  
Summary: Requires the storage and display of retail secondhand merchandise in the C-M and M Zoning Districts to be located within an enclosed building or screened from view from the street frontage.  
The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of April, 1985, and referred to the following committee composed of Councilmen Lurie and Levy for recommendation; thereafter the said committee reported favorably on said ordinance on the 1st day of May, 1985, 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: Bunker, Levy, Lurie, Nolen and Mayor Briare  
VOTING "NAY" Councilmen: NDNE  
ABSENT: NONE  
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. May 4, 1985

SIGNED George J. Vasconi  
GEORGE J. VASCONI

Subscribed and sworn to before me this 6th day of May, 1985

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, 1985



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# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, 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 one insertions from period of April 18, 1985 to April 18, 1985 inclusive, being the issue of said newspaper for the following dates, to wit:

April 18, 1985

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

BILL NO. 85-14  
AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 48 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 60, TO PROVIDE THAT ALL MERCHANDISE AND EQUIPMENT WHICH IS STORED OR DISPLAYED IN CONNECTION WITH THE OPERATION OF A SECONDHAND STORE OR SHOP IN A C-M ZONING DISTRICT MUST BE LOCATED WITHIN A COMPLETELY ENCLOSED PERMANENT BUILDING OR SCREENED FROM VIEW FROM THE STREET FRONTAGE, AND THAT EXISTING SECONDHAND STORES AND SHOPS WHICH WILL BE IN VIOLATION OF SAID REQUIREMENT BY VIRTUE OF THIS ORDINANCE SHALL BE DEEMED TO BE NONCONFORMING USES WHICH MUST BE DISCONTINUED WITHIN FIVE YEARS AFTER WRITTEN NOTICE TO DISCONTINUE IS GIVEN TO THE OWNER THEREOF; AMENDING CHAPTER 48, SECTION 10, AND SECTION 50, SECTION 10, OF SAID TITLE TO PROVIDE THAT SECONDHAND STORES AND SHOPS ARE PERMITTED IN THE C-M AND M ZONING DISTRICTS, RESPECTIVELY, ONLY IF THEY COMPLY WITH THE REQUIREMENTS OF SECTION 19.48.060 AS SET FORTH HEREIN; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF OF ORDINANCES IN CONFLICT HEREWITH.  
Sponsored by:  
Councilman Ron Lurie  
Summary: Requires the storage and display of retail secondhand merchandise in the C-M and M Zoning Districts to be located within an enclosed building or screened from view from the street frontage.  
At a City Council meeting  
April 3, 1985  
BILL NO. 85-14 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:  
COUNCILMEN Lurie and Levy  
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. April 18, 1985

SIGNED

*George J. Vasconi*  
GEORGE J. VASCONI

Subscribed and sworn to before me this 18th day of Apr, 1985

*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, 1985

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