

ORDINANCE NO. 1665

AN ORDINANCE TO AMEND TITLE V, CHAPTER 1, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO NEW SECTIONS DESIGNATED SECTIONS 27 THROUGH 31, PROVIDING FOR THE REGULATION AND CONTROL OF ADVERTISING AND DISPLAYING OF OBSCENE MATERIALS, ITEMS AND DEVICES THROUGHOUT THE CITY OF LAS VEGAS; PROVIDING FOR THE PREVENTION OF ADVERTISING AND/OR DISPLAYING OF OBSCENE WORDS, PICTURES, MATERIALS AND DEVICES; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the City of Las Vegas is most cognizant of its unique image and national reputation and likewise its economical dependence upon its renown for tourism and attraction to tourists and that, therefore, any advertising or display of a commercial nature which is so unsightly, undesirable or obnoxious in appearance as to substantially detract from such attraction to tourists is contrary to the general welfare of the City of Las Vegas; and

WHEREAS, such unsightly appearance of any advertisement or display may result in depreciation of value of adjacent property or may encourage adjacent property owners or tenants to be less responsible or less stringent in the upkeep and/or appearance of their properties, all of which is to the detriment of the general welfare of the City of Las Vegas; and

WHEREAS, further, the City of Las Vegas is of the firm belief that the morals of our youth are threatened not only by the presence but also the advertising and display done by adult oriented bookstores and adult oriented theatres and massage parlors throughout our community, for by their nature these establishments and the character of their merchandise and the methods in their display of advertising create enticement for our youth, all to the detriment of their moral fiber and values,

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title V, Chapter 1, of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended by adding thereto new sections designated Sections 27 through 31, to read as follows:

5-1-27 It is hereby declared as a matter of municipal legislative intent that:

(A) The national image and reputation of Las Vegas and likewise the economical dependence upon the city's renown

for tourism and attraction to tourists is a vital concern to the general welfare of the City of Las Vegas.

(B) The economy of this area is predominantly dependent upon its attraction to tourists and, therefore, any advertising or display of a commercial nature which is so unsightly, undesirable or obnoxious in appearance as to substantially detract from such attraction to tourists is contrary to the general welfare of the citizens of Las Vegas.

(C) Any type of any advertising or any display which is so unsightly, undesirable or obnoxious in appearance as to result in a depreciation of value of adjacent properties and/or their business or which would encourage adjacent property owners to be less responsible and less stringent in the upkeep and/or appearance of their properties would be a taking of property and/or business from said property owners without just compensation and contrary to the general welfare of the citizens of Las Vegas.

(D) Advertising or display which is unsightly, undesirable or obnoxious in appearance is a deterrent to the incentive of adjacent property owners to maintain their property or business and any advertising or display which is so unsightly, undesirable or obnoxious in appearance as to substantially deter said property owners from maintaining their property or business will accelerate deterioration of the area and cause a condition of blight to exist which is detrimental to the public welfare.

(E) The Board of City Commissioners is of the firm belief that the morals of our youth are threatened by the presence of adult motion picture theatres and adult bookstores and massage parlors which are appearing throughout some of the communities of our state. These establishments and the type and character of the merchandise and paraphernalia or service sold in them create an aura of mystery and enticement for our youth that is increased by the lascivious and suggestive advertising and display that is often

employed to promulgate the availability of these products and services. It is the intent of the Board of City Commissioners to minimize the exposure of our youth to the influence of these establishments and their advertising and displays. It is further the firm belief that the moral values of our youth and, therefore, the mores of our society are in great part influenced and determined by the family, but are affected by the presence of an exposure to these establishments; therefore, it is the firm belief of the Board of City Commissioners that society has a vital duty and role in the protection of our moral fiber and standards for the well being of us all as a society.

The advertising and display done by these establishments is of vital concern to society in regard to their location near areas where our youth may learn, play, pass by, or would be exposed to their advertising, window displays, or the general atmosphere encompassing their operation.

5-1-28 Certain advertising and displaying prohibited:

(A) No advertisement, display, sign, picture or illustration of any kind shall be permitted which uses the words: porno, pornographic, obscene, hardcore, softcore, oral sex, anal sex, maturbation, excretion, or any other word, term or phrase or connotation which is used to entice persons into an establishment or encourage them to pass by near or linger near any establishment.

(B) No advertisement, display, sign, picture or illustration of any kind shall be permitted which depicts the male, female, animal or combination thereof in any sexual acts or infers that any sexual activity would be so carried on as perceived by the average contemporary adult or as perceived by any individual under 21 years of age.

(C) No advertisement, display, sign, picture or illustration of any kind shall be permitted which displays books and/or pictures and/or items and/or scenes and/or films of a sexual nature or novelty sex devices which are in view of

any passersby of any window, door, or any exterior area of any store, parlor or theatre, or any establishment.

5-1-29 All windows, doors, entrances or exits to adult oriented bookstores and adult oriented movie theatres and massage parlors shall be opaqued by curtains or other material so as to prevent passersby from observing the interior thereof or the inventory, contents, merchandise or displays within said establishment.

5-1-30 Penalty for violations.

Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this title shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment for not more than six months, or by both such fine and imprisonment. Each day of such violation shall constitute a separate offense.

5-1-31 Abatement.

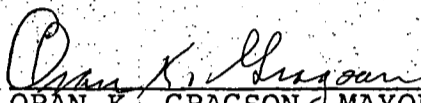
Any building or structure advertising or displaying such materials as heretofore mentioned, or any use of property hereafter contrary to the provisions of this title shall be, and the same is hereby declared to be, unlawful and a public nuisance, and the city may immediately commence action or actions, proceeding or proceedings for the abatement thereof in a manner provided by law and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such building, structure or use and restrain and enjoin any person from setting up, erecting, building, moving and maintaining any such advertising or display, or using any property contrary to the provision of this title.

SECTION 2. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, 1960 Edition, in conflict herewith are hereby repealed.


SECTION 3. If any section, paragraph, sentence, phrase, term, word or connotation of this ordinance, or portion thereof, is for any reason held invalid, inapplicable or unconstitutional by any Court of competent jurisdiction, such holding shall not invalidate the remaining portions of this ordinance.

PASSED, ADOPTED AND APPROVED this 12th day of December, 1973.

APPROVED:

  
ORAN K. GRAGSON, MAYOR

ATTEST:

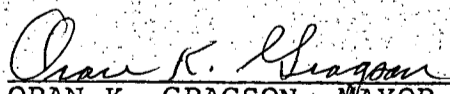
  
Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 14th day of November, 1973, and referred to the following committee composed of Commissioners Lurie and Christensen for recommendation; thereafter the said committee reported favorably on said ordinance on the 12th day of December, 1973, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

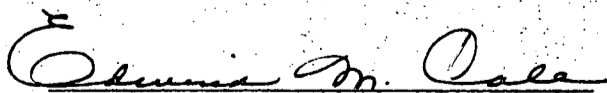
VOTING "AYE": Commissioners Christensen, Lurie, Franklin, Morelli and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:

  
ORAN K. GRAGSON, MAYOR

ATTEST:

  
Edwina M. Cole, City Clerk

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }  
COUNTY OF CLARK } ss.

ROBERT E. HUNTER, being first duly sworn,

deposes and says: That he is COMPOSING ROOM FOREMAN of the LAS VEGAS 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 1 DAY

from NOVEMBER 29, 1973 to

inclusive, being the issues of said newspaper for the following dates, to-wit:  
NOVEMBER 29, 1973

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

Signed [Signature]

Subscribed and sworn to before me this 29th  
day of NOVEMBER 1973

RUTHE V. DESKIN

Notary Public in and for Clark County, Nevada

Notary Public - State of Nevada

COUNTY OF CLARK

My Commission Expires April 14, 1977



ORDINANCE NO. 1665  
AN ORDINANCE TO AMEND TITLE  
V, CHAPTER 10 OF THE MUNICIPAL  
CODE OF THE CITY OF LAS VEGAS,  
NEVADA, 1960 EDITION, BY  
ADDING THERETO NEW SECTIONS  
DESIGNATED SECTIONS 27  
THROUGH 31, PROVIDING FOR  
THE REGULATION AND CONTROL  
OF ADVERTISING AND  
DISPLAYING OF OBSCENE  
MATERIALS, ITEMS AND DEVICES  
THROUGHOUT THE CITY OF LAS  
VEGAS; PROVIDING FOR THE  
PREVENTION OF ADVERTISING  
AND/OR DISPLAYING OF  
OBSCENE WORDS, PICTURES,  
MATERIALS AND DEVICES;  
PROVIDING OTHER MATTERS  
PROPERLY RELATING THERETO;  
AND REPEALING ALL ORDINANCES  
AND PARTS OF ORDINANCES IN  
CONFLICT HEREWITH.  
The above and foregoing ordi-  
nance was first proposed and read  
by title to the Board of Com-  
missioners on the 14th day of  
November, 1973, and referred to  
the following committee composed  
of Commissioners W. B. and  
Christensen for recommendation.  
COPIES OF THE COMPLETE  
ORDINANCE No. 1665 ARE  
AVAILABLE FOR PUBLIC  
INFORMATION IN THE OFFICE OF  
THE CITY CLERK, 10TH FLOOR, 400  
E. STEWART AVENUE, LAS VEGAS,  
NEVADA.  
Pub. Nov. 29, 1973

RECEIVED

Nov 30 9 49 AM '73

CITY CLERK

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ORDINANCE NO. 1665  
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 tensen for recommendation; there-  
 after the said committee reported  
 favorably on said ordinance on the  
 12th day of December, 1973, which  
 was a regular meeting of said  
 Board; that at said regular meeting  
 the proposed ordinance was read by  
 title to the Board of Commissioners  
 as first introduced and adopted by  
 the following vote:

Voting "Aye": Commissioners  
 Christensen, Lurie, Franklin, Morelli,  
 and Mayor Gragson.

Voting "Nay": None. Absent:  
 None.

Copies of the complete Ordinance  
 No. 1665 are available for public in-  
 formation in the Office of the City  
 Clerk, 10th Floor, 400 E. Stewart  
 Avenue, Las Vegas, Nevada  
 PUB.: Dec. 15, 1973

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,  
 COUNTY OF CLARK

{ ss.

ROBERT E. HUNTER

, being first duly sworn,

COMPOSING ROOM FOREMAN

deposes and says: That he is \_\_\_\_\_ of the  
 LAS VEGAS 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 1 TIME

from DECEMBER 15, 1973 to

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

DECEMBER 15, 1973

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

Signed \_\_\_\_\_

Subscribed and sworn to before me this  
 day of \_\_\_\_\_

DECEMBER 1973

15th

*Ruthe V. Deskin*

Notary Public in and for Clark County, Nevada

My Commission Expires \_\_\_\_\_



**RUTHE V. DESKIN**

Notary Public—State of Nevada

COUNTY OF CLARK

My Commission Expires April 14, 1977

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CITY CLERK

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FINANCE DEPT