

ORDINANCE NO. 1661

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 24, SUBSECTION (A), PARAGRAPH 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, AND SUBSECTION (C) OF SAID TITLE, CHAPTER AND SECTION BY ADDING THERETO A NEW PARAGRAPH DESIGNATED PARAGRAPH 6, TO PROVIDE FOR REVIEW BY THE BOARD OF CITY COMMISSIONERS UPON THE REQUEST OF ANY MEMBER OF THE SAID COMMISSION OF THE BOARD OF ZONING ADJUSTMENT DECISIONS PERTAINING TO VARIANCES AND HOME OCCUPATION PERMITS AND USE PERMITS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. Title XI, Chapter 1, Section 24, Subsection (A), Paragraph 10, of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

11-1-24 (A) 10. Notice of Decision: Not later than five (5) days following the rendering of a decision either for the granting or denial of an application for a variance, a copy of the report of the Board of Zoning Adjustment shall be mailed to the applicant and to his attorney or agent, if any, at the address shown on the application filed with the Secretary of the Board of Zoning Adjustment. A copy of said report shall also be filed with the Clerk, acting as agent for the [Mayor and] Board of Commissioners.

[The decision of the Board of Zoning Adjustment either to grant or deny an application for a variance, shall become final and effective ten (10) days after the date of mailing a copy of said findings and decision to the applicant, his agent and to the Clerk, unless during said ten (10) day period an appeal in writing is filed with the Clerk by the applicant or any other person aggrieved by the decision of the Board of Zoning Adjustment. The filing of such appeal within the time limit specified shall stay the effective date of the decision of the Board of Zoning Adjustment until such time as the Mayor and Board of Commissioners has acted on the appeal as hereinafter set

forth in the Chapter. Once an appeal in writing has been filed with the City Clerk, it cannot be withdrawn.]

The applicant or any other person aggrieved may appeal the decision of the Board of Zoning Adjustment by written request filed with the City Clerk not less than 11 days after the date of decision by the Board of Zoning Adjustment. In addition, there is reserved to the Board of Commissioners the power to reverse, modify, or confirm any action of the Board of Zoning Adjustment by any member of the Board of Commissioners making a request to review said decision in any regularly conducted commission meeting within 14 days of the date of the decision of the Board of Zoning Adjustment. Such a request by any member of the Board of Commissioners shall have the same effect as the filing of an appeal by the applicant or an aggrieved person and the same procedures as set forth herein shall apply to the request for review the same as for an appeal. The filing of an appeal or the adoption of a request to review by any member of the Board of Commissioners within the time limit specified shall stay the effective date of the decision of the Board of Zoning Adjustment until such time as the Board of Commissioners has acted on the appeal as hereinafter set forth in the Chapter. Otherwise the decision of the Board of Zoning Adjustment becomes final and effective at the expiration of 14 days after the decision of the Board of Zoning Adjustment. Once an appeal has been filed with the City Clerk, it cannot be withdrawn without the approval of the Board of City Commissioners.

SECTION 2. Title XI, Chapter 1, Section 24, Subsection (C), of said Municipal Code is hereby amended by adding thereto a new paragraph designated Paragraph 6 to read as follows:

11-1-24 (C) 6. Decision, Notification and Appeal: The

procedure for decision, notification, appeal, and subsequent action by the Board of Commissioners on an application for a home occupation permit shall be precisely in conformity with the procedures set forth herein for an application for a variance.

SECTION 3. 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, 1960 Edition, in conflict herewith are hereby repealed.


SECTION 4. 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 24th day of October, 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 10th day of October, 1973, and referred to the following committee composed of Commissioners Franklin and Lurie for recommendation; thereafter the said committee reported favorably on said ordinance on the 24th day of October, 1973, which was a regular meeting of said Board; that at said 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

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The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 10th day of October, 1973, and referred to the following committee composed of Commissioners Franklin and Lurie for recommendation.

COPIES OF THE COMPLETE ORDINANCE No. 1661 ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, FIFTH FLOOR, 400 E. STEWART AVENUE, LAS VEGAS, NEVADA.  
 Pub. Oct. 12, 1973.

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,  
 COUNTY OF CLARK

{ ss.

ROBERT C. LURIE

, 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 October 12, 1973 to

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

October 12, 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 16th day of October, 1973

October, 1973

*[Signature]*

My Commission Expires

Notary Public in and for Clark County, Nevada  
 Notary Public—State of Nevada  
 COUNTY OF CLARK  
 My Commission Expires April 14, 1977



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 OCT 19 9 45 AM '73  
 CITY CLERK

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# AFFIDAVIT OF PUBLICATION

OCT 11 44 AM '73

STATE OF NEVADA,  
COUNTY OF CLARK

{ SS: CITY CLERK

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 October 27, 1973 to

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

October 27, 1973

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

Signed R E Hunter

Subscribed and sworn to before me this 30th day of October, 1973

Ruth V. Deskin

Notary Public in and for Clark County, Nevada



RUTHE V. DESKIN

Notary Public - State of Nevada

COUNTY OF CLARK

My Commission Expires April 14, 1977

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REQUEST OF ANY MEMBER OF THE SAID COMMISSION OF THE BOARD OF ZONING ADJUSTMENT DECISIONS PERTAINING TO VARIANCES AND HOME OCCUPATION PERMITS AND USE PERMITS PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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VOTING: AYE: Commissioners Christensen, Lurie, Franklin, Morrell and Mayor Graggson.  
VOTING: NAY: None.  
ABSENT: None.

COPIES OF THE COMPLETE ORDINANCE No. 1661 ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, 200 E. STEWART AVENUE, LAS VEGAS, NEVADA.  
Pub. Oct. 27, 1973

My Commission Expires

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