

EMERGENCY ORDINANCE

ORDINANCE NO. 273

AN EMERGENCY ORDINANCE PRESCRIBING REQUIREMENTS FOR THE CONSTRUCTION OF DEFENSE HOUSING.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

WHEREAS, a state of war exists between the United States of America and Japan, Germany and Italy; and

WHEREAS, the prosecution of the war requires that certain essential metals and other materials be reserved and made available primarily for military uses and only secondarily for civilian uses such as the construction of dwellings; and

WHEREAS, for this reason the War Production Board, created by executive order of the President of the United States on January 16, 1942, has issued a "Defense Housing Critical List" of critical materials which are essential to the construction and equipment of housing; and

WHEREAS, certain housing construction in communities located in areas designated as "defense housing areas" by the War Production Board is eligible for priority assistance under preference rating orders issued by the War Production Board, but only for the materials and products listed in said "Defense Housing Critical List" and only in such limited quantities and for such limited uses as are therein specified; and

WHEREAS, the City of Las Vegas is located and included in such a "defense housing area" and it is in the interest of public health, safety and welfare that the city be in a position to secure the construction of essential housing for defense workers and others; and

WHEREAS, the city wishes to cooperate in every way with the federal government in the prosecution of the war effort, now therefore, in the interest of national defense and as a war emergency measure, NOW THEREFORE,

Section 1. Definitions. The following terms shall, for the purpose of this ordinance, have the meaning indicated in this section:

(a) "Building code" shall mean and refer to any ordinance or ordinances, both singly and collectively, relating to the construction of buildings and to the installation of plumbing, heating and ventilating equipment, and electric wiring.

(b) "Building official" shall mean the officer or other person charged with the administration and enforcement of the building code of the city, or his duly authorized representative.

(c) The term "construction" shall include the construction, alteration, extension, remodeling or repair of buildings.

(d) "Defense housing" means a project for the construction of one or more living accommodations and related community and utility services for which a preference rating order has been issued by the

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War Production Board to facilitate the acquisition of critical material.

(e) "Defense Housing Critical List" means the list of materials as issued by the War Production Board, effective February 24, 1942, and subsequent amendments thereto and revisions thereof.

(f) "Critical material" means an item which is produced for the construction or equipment of buildings and which is subject to priority, allocation or limitation control by the War Production Board.

(g) "Non-critical material" means an item which is produced for the construction or equipment of buildings and which is not subject to priority, allocation or limitation control by the War Production Board.

Section 2. Suspension of Code Provisions. For the duration of the present state of war between the United States of America and Germany, Italy and Japan, or until this ordinance be sooner repealed, building permits as now required by the ordinances of this city may be granted for defense housing construction although the drawings and specifications therefor do not conform to the requirements of the building code insofar as said code relates to the use of critical material, subject to the following terms and conditions:

(a) (In all cases where the building code requires the use of a critical material for a particular construction purpose and the use of such material for that purpose is not permitted by the Defense Housing Critical List, there may be substituted therefor such materials, and in such quantities, as are specified in or limited by the Defense Housing Critical List: Provided, That where the Defense Housing Critical List allows a choice of materials for a particular construction purpose, the building official within his discretion may determine which alternate material shall be used.

(b) In cases where the building code requires a critical material for a particular construction purpose and where the same or another critical material is not eligible for such purpose under the Defense Housing Critical List, the building official may permit the use of any non-critical material which will, in his opinion, provide the best available substitute.

(c) Nothing herein shall be construed to authorize the granting of a building permit for any proposed construction not conforming in all respects to the requirements of the building code if the building official finds that such proposed construction will create a nuisance or will endanger public health, safety and welfare: Provided, That such findings shall be reduced to writing and shall be recorded and filed with the City Clerk, subject to public inspection at all times said Clerk's office is open to the public.

Section 3. Copies of Critical List to be Kept on File. The City Clerk shall secure, mark with the words "Official Copy," and keep on file in his office at all times three copies of the latest revision of the Defense Housing Critical List, together with all amendments thereto and all codes, standards and specifications referred to therein. Said documents shall be available for public use and inspection at all times that office is open to the public.

Section 4. Enforcement. All duly constituted building, plumbing, electrical and other inspectors of the city are hereby authorized and other inspectors of the city are hereby authorized and directed to enforce and compel, by the use of all existing remedies, compliance with the requirements of the building code in the construction of all defense housing except insofar as the building code

requires the use of critical materials. In construction calling for the use of critical materials, and for which a building permit has been granted pursuant to Section 2 of this ordinance, the specifications therefor shall be strictly enforced, and if any such inspector believes that the construction will create a nuisance or situation dangerous to public health, safety or welfare he shall notify the building official, who, if he makes a finding that such is the case, may suspend the building permit until he finds that the offending condition has been remedied or he may revoke the permit: Provided, That any such finding shall be reduced to writing, with a statement of the reasons therefor, signed by the building official, and filed with the City Clerk; and the same shall be subject to public inspection at all times said Clerk's office is open to the public.

Section 5. Severability. All parts and provisions of this ordinance are declared to be severable, and if any part or provision hereof is held invalid, such invalidity shall not affect any other part or provision of this ordinance which can be given effect without the invalid provision.

Section 6. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 7. This ordinance is declared and passed as an emergency ordinance, and shall take effect immediately after its passage and publication.

Section 8. The City Clerk is hereby authorized and directed to have this ordinance published in the Las Vegas Evening Review Journal, a daily newspaper published in the City of Las Vegas for a period of two weeks, that is to say: once each week.

I hereby certify that the foregoing ordinance was read for the first time at a recessed regular meeting of the Board of Commissioners of the City of Las Vegas held on the 4th day of June, 1942, and was passed as an emergency ordinance upon the second reading on said last mentioned date, on the following vote:

Voting Aye: Clark, Rubidoux, Smith, Trench
Mayor Harrison
Voting No: none
Absent: none

Howell C. Hanson
Mayor

attest: Helen Scott Reed
City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Dick Lochrie, being first duly sworn,

deposes and says: That he is foreman of the
LAS VEGAS EVENING REVIEW-JOURNAL, a daily newspaper, of gen-
eral 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 June 5th 1942 to June 12th 1942

inclusive, being the issues of said newspaper for the following dates, to-wit:
June 5th- 12th

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

Signed Dick Lochrie

Subscribed and sworn to before me this 16th
day of June 1942

[Signature]
Notary Public in and for Clark County, Nevada

My Commission Expires

Jan 12 1943

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material, subject to the following terms and conditions:

(a) In all cases where the building code requires the use of a critical material for a particular construction purpose and the use of such material for the purpose is not permitted by the Defense Housing Critical List, there may be substituted, therefore such materials, and in such quantities, as are specified in or limited by the Defense Housing Critical List: **Provided,** That where the Defense Housing Critical List allows a choice of materials for a particular construction purpose, the building official within his discretion may determine which alternate material shall be used.

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(c) Nothing herein shall be construed to authorize the granting of a building permit for any proposed construction not conforming in all respects to the requirements of the building code if the building official finds that such proposed construction will create a nuisance or will endanger public health, safety and welfare: **Provided,** That such findings shall be reduced to writing and shall be recorded and filed with the City Clerk, subject to public inspection at all times said Clerk's office is open to the public.

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Voting Aye: Clark, Rubidoux, Smith, Finch, Mayor Garrison.
Voting No: None.
Absent: None.

(SEAL) HOWELL C. GARRISON, Mayor
Attest: HELEN SCOTT REED, City Clerk.

June 5-12.