

ORDINANCE 286

1 AN ORDINANCE TO AMEND, REVISE, AND RE-ENACT SECTIONS 2, 4, 6 AND 9
2 OF ORDINANCE 264 OF THE CITY OF LAS VEGAS, ENTITLED: "AN ORDINANCE
3 OF THE COMMISSION OF THE CITY OF LAS VEGAS, ESTABLISHING A RESIDENCE
4 DISTRICT, INDUSTRIAL AND COMMERCIAL DISTRICTS, WITHIN THE SAID CITY
5 OF LAS VEGAS: DEFINING SUCH DISTRICTS: DECLARING IT UNLAWFUL TO ERECT,
6 ESTABLISH, MAINTAIN OR OPERATE CERTAIN FACTORIES, WORKS OR ESTABLISH-
7 MENTS WITHIN SAID RESIDENCE DISTRICTS AND SAID COMMERCIAL DISTRICTS:
8 REGULATING THE ERECTION, ESTABLISHMENT, MAINTENANCE, OPERATION AND
9 REBUILDING OF CERTAIN WORKS OR ESTABLISHMENTS IN SAID DISTRICTS:
10 PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE AND REPEAL-
11 ING ORDINANCES IN CONFLICT HEREWITH," AND TO REPEAL ALL ORDINANCES
12 AND PARTS OF ORDINANCES IN CONFLICT THEREWITH"

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

15 Section 1. Section 2 of Ordinance No. 264 of the City of Las
16 Vegas, entitled: "Residence Zone No. 1" shall be and the same is
17 hereby amended, revised and re-enacted so that the same shall read
18 as follows:

19 "Section 2. RESIDENCE ZONE NO. 1

20 (a)

21 All of this zone shall be restricted to single family residence
22 of a minimum value of Thirty-five Hundred Dollars (\$3,500.00) and
23 no house or building shall be moved into said zone. All buildings
24 must be set back from the street on which the lot faces, or front
25 street, at least twenty-five feet (25), and there shall not be more
26 than one single family dwelling on each fifty foot (50) lot, provided,
27 that on seventy-five foot (75) corner lots, and on lots upon which
28 there is already erected one dwelling on the rear of said lot, one
29 additional single family dwelling may be erected subject to the
30 above mentioned setback, No tent house, shack or garage shall be
31 erected, maintained or occupied as a dwelling in this zone.

32 (b)

The zone shall consist of that portion of said City lying east of
the alley between Fifth Street and Sixth Street, west of the alley
between Tenth Street and Eleventh Street, north of Charleston Boule-
vard, and south of Lewis Street.

(c)

The zone shall further consist of that portion of said City designated
as follows: that strip of land 432.62 feet in width adjacent to the
north line of Clark Avenue, and a strip of land 378 feet in width
adjacent to the South line of Clark Avenue as said Clark Avenue extends
through the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, and the Southeast
Quarter (SE $\frac{1}{4}$) of Section 29, Township 20 South, Range 61 East, M.
D. B. & M., County of Clark, provided however, that the property
covered in this subsection shall be restricted to one single family
residence of the value of Thirty-five Hundred Dollars (\$3,500.00) to
every one hundred (100) feet of frontage along said Clark Avenue.

(d)

This zone shall further consist of that portion of said City
designated as follows: That strip of land one thousand feet (1000.00)
in width centered on, adjacent to, and five hundred feet (500) each
side of the following described line, said line being the center line
of right of way for the Tonopah-Boulder Highway connection via
Charleston Boulevard, commencing at the north city limits at Highway
Engineer's Station "A" 51 plus 95.00 P.O.T. on the Las Vegas-Tonopah
Highway (U.S. Highway No. 95) as described on Highway Plans of the State
Highway Department of Nevada, intersecting section line between Sec-
tions Twenty (20) and Twenty-nine (29) Township Twenty (20) South,
Range Sixty-one (61) East, M.D.B.&M., Clark County; thence South 36° 26'
East for a distance of 4,629.98 feet P.T.; thence on a bearing of
South 36° 49' 30" East for a distance of 705.78 feet P.C.; thence on
a curve with

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1 radius four thousand (4,000') feet, Delta equals
 2 37° 26' 60" right, length equals 2614.31 feet to
 3 P.T.; thence on a bearing of South 0° 37' 20" West
 4 for a distance of 2537.80 feet to P.C.; thence on a
 5 curve with radius 1470 feet, Delta equals 44° 57' 47"
 6 left, length equals 1153.59 feet P.C.C.; thence con-
 7 tinuing on a curve with radius equals 1569.79, Delta
 8 equals 45° 33' 03" left, length equals 1248.00 feet
 9 to P.O.T. at intersection with Charleston Boulevard;
 10 thence on Charleston Boulevard on a bearing South
 11 89° 53' 30" East to a point being the south quarter
 12 (S $\frac{1}{4}$) corner of Section Thirty-three (33), Township
 13 Twenty (20) South, Range Sixty-one (61) East, M. D.
 14 B. & M., County of Clark, said strip of land further
 15 including all of the Northeast quarter (NE $\frac{1}{4}$) of the
 16 Southeast Quarter (SE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{2}$)
 17 of Section Thirty-Two (32), and all of the South half
 18 (S $\frac{1}{2}$) of the southwest quarter (SW $\frac{1}{4}$) of Section Thirty-
 19 Three (33), including all of that portion of the City
 20 of Las Vegas known as the Woodland Park Addition as
 21 shown by map and plat in Book 1 of Plats, Page 117,
 22 in the Recorder's Office, County of Clark.

23 The property covered in this subsection shall be
 24 restricted to one (1) single family residence of a
 25 minimum value of Thirty-five Hundred (\$3500.00) Dollars,
 26 such dwelling of a permanent character placed in a
 27 permanent location and used by but one family.

28 No building or permanent structure shall be erected,
 29 permitted or maintained in or upon the properties
 30 immediately adjoining the right of way herein described
 31 within a distance of forty (40) feet from the exterior
 32 boundary of such right of way.

33 or boards
 34 No advertising signs, signboards/or other materials
 35 containing advertising matter shall be placed upon or
 36 over or within the said right of way. No billboard,
 37 sign board, or advertising device, other than one un-
 38 lighted, single or doublefaced sign not larger than
 39 twelve (12) square feet in area per face pertaining
 40 only to the sale, lease or hire of the premises or of
 41 the sale of products produced on the premises shall be
 42 erected, permitted or maintained in or upon the properties
 43 immediately adjoining the right of way herein described
 44 within a distance of eighty (80) feet of said described
 45 line measured at right angles to said line or so that no
 46 portion of said sign protrudes into or upon said right
 47 of way."

48 Section 2. Section 4 of Ordinance No. 264 of the City of
 49 Las Vegas, entitled: "Residence Zone No. 3" shall be and the same is
 50 hereby amended, revised and re-enacted so that the same shall read
 51 as follows:

52 "Section 4. RESIDENCE ZONE NO. 3
 53 (a)
 54 All of this zone shall be restricted to residences or
 55 dwellings of a minimum value of Twenty-Five Hundred Dollars
 56 (\$2500.00); courts and apartment houses, flats or duplexes
 57 to a minimum value of Eight Hundred Dollars (\$800.00) per
 58 room, but for the purposes of this zone a bathroom shall
 59 not be considered a room; with no single building for

1 residence purposes of a less value than Twenty-five
2 Hundred Dollars (\$2,500.00); and no house or building
3 shall be moved into said district that is of less value
4 than Twenty-five Hundred Dollars (\$2,500.00) when complete
5 and the same must be completed within ninety (90) days
6 from the time such building is moved to such district
7 and no building shall be occupied for living purposes
8 until the same is entirely completed. All buildings
9 must be set back from the street upon which the lot
10 faces, or front street, at least twenty-five (25) feet
11 and there shall be not more than two (2) separate
12 residences on each fifty (50) foot lot, excepting
13 North Fourteenth Street where said set-back shall be
14 at least forty-five (45) feet along both sides of said
15 North Fourteenth Street, north of Maple Avenue, as
16 recorded in the subdivision plat of the Fourteenth
17 Street City Addition. No tent house, shack or garage
18 shall be erected, maintained or occupied as a dwelling
19 house except for a maximum period of one hundred and
20 eighty (180) days during the actual construction of a
21 residence or dwelling on the same property, in conformity
22 with the City Ordinances.

23 (b)
24 The zone shall consist of that portion of the City of
25 Las Vegas known as the Fourteenth Street Addition as
26 shown by map and plat on file in Book 1 of plats, page
27 82, in the Clark County Recorder's office.

28 Section 3. Section 6 of Ordinance No. 264 of the City of Las
29 Vegas, entitled: "Residence Zone No. 5" shall be and the same is hereby
30 amended, revised and re-enacted so that the same shall read as follows:

31 "Section 6. RESIDENCE ZONE NO. 5.

32 (a)
33 All of the City of Las Vegas not included in the limits
34 of Residence Zones No. 1, 2, 3, 4, excepting therefrom those
35 sections classified as commercial districts and industrial
36 districts.

37 (b)
38 All buildings or lots fronting and abutting on Twelfth
39 Street shall be set back at least thirty-five (35) feet
40 from said Twelfth Street as the same is platted and
41 recorded in the subdivision maps of the Pioneer Heights
42 Addition, Ladd Addition and Fairview Tract.

43 Further, no building or permanent structure shall be
44 erected, permitted or maintained, in or upon the property
45 immediately adjoining the southerly projection of the
46 center line of right of way for South Twelfth Street within
47 a distance of seventy-five (75) feet of said center line as
48 the same is projected southerly to the South City Limits
49 as the continuation of Maryland Parkway as recorded in the
50 subdivision map of Huntridge Tract #4, all of the above being
51 located adjacent to the section line between Section two (2)
52 and Section three (3) of Township twenty-one (21) South, Range
53 Sixty-one (61) East, M.D.B.&M., Clark County.

54 Further, no buildings or permanent structure shall be
55 erected, permitted, or maintained in or upon the property im-
56 mediately adjoining the northerly projection of the center line
57 of the right of way for North Fourteenth Street within a distance
58 of Seventy-five (75) feet of said center line as the same is
59 projected northerly to the North City Limits as a continuation
60 of North Fourteenth Street as recorded in the subdivision map of
61 the Fourteenth City Addition."

1 Section 4. Section 7 of Ordinance No. 264 of the City of Las
2 Vegas, shall be and the same is hereby amended, revised and re-
enacted so that the same shall read as follows:

3 "Section 7.

4 That the commercial districts are hereby created and
established within the said City as described as follows:

5 All frontage on Fremont Street from Main Street to the
6 east City limits of a depth not exceeding 150 feet; all
7 frontage on Fifth Street from the south City Limits to
8 the north property line of Stewart Street to a depth not
9 exceeding 150 feet; all frontage on the east side of
10 Fifth Street from the north property line of Stewart
11 Street to the north City Limits to a depth not exceeding
12 150 feet; all lots fronting on First Street from Bridger
13 Street to Stewart Street; all lots fronting on Third Street
14 from Stewart Street to Bridger Street; all lots fronting
15 on Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and
16 Twelfth Streets from Stewart Street to Carson Street;
17 all lots fronting on the south side of Stewart Street
18 from Fifth Street to Twelfth Street; all lots fronting
19 on the north side of Carson Street from Fifth Street to
20 Twelfth Street; all lots fronting on Ogden Street from
Fifth Street to Twelfth Street; all lots on Clark Avenue
and Wilson Avenue in the original Townsite; all frontage
on the east side of Main Street from Carson Street to
Stewart Street to a depth not exceeding 150 feet.

21 No building or permanent structure shall be erected,
22 permitted, or maintained in or upon the property immediately
23 adjoining the right of way of Twelfth Street, between
24 the northerly side of Carson Street and the southerly
25 side of Stewart Street, as the same is platted in the
26 recorded subdivision map of Ladd Addition and Fairview
Tract, within a distance of ten (10) feet from the
exterior boundary of said Twelfth Street, or as the
same exists within the commercial zone, as described
in this section. "

27 Section 5. Section 9 of Ordinance No. 264, of the City of Las
28 Vegas, shall be and the same is hereby amended, revised and re-
29 enacted so that the same shall read as follows:

30 "Section 9. The owner of any property located within
31 any zone established by this ordinance may file with the
32 City Planning Commission a petition in writing to have
such property excepted from some particular restriction
or restrictions applicable to the zone in which such
property is located.

All such petitions shall be made on forms which shall be
furnished by said Commission and shall be verified by
such owner and shall state fully the grounds of such
petition and all facts relied upon by such petitioner,
and such other facts or information as may be required
by said Commission.

The Commission shall cause to be made an investigation
of the matters involved in the petition for an exception,
and if the Commission finds, after due investigation and
consideration of the allegations in the petition and
any other competent evidence involving the property in

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1 question and the other property in the vicinity thereof,
2 that the facts are such as to entitle the petitioner to
3 an exception, the Commission shall grant the petition
4 excepting such property from any particular restriction
5 or restrictions and permit the erection, alteration,
6 reconstruction or enlargement of any building or structure
7 thereon upon such terms and conditions as it deems proper.

8 If said Commission after such investigation and consideration
9 disapproves such petition, said Commission shall cause to
10 be mailed to such petitioner a post card notice of such
11 disapproval and any disapproval by said Commission shall
12 be final unless the petitioner, within thirty (30) days
13 after the date of the mailing of such post card notice, appeals
14 to said governing body by filing with the clerk of said
15 governing body a written notice of such appeal.

16 If upon receiving such notice of appeal the governing
17 body deems it necessary or expedient so to do, it may
18 set the matter for hearing upon such notice to interested
19 parties as it may deem proper. The governing body may
20 except such property from any particular restriction
21 or restrictions and permit the erection, alteration,
22 reconstruction or enlargement of any building or struc-
23 ture thereon upon such terms and conditions as it deems
24 proper under the particular circumstances shown to exist,
25 if it finds that the facts are such as to entitle the
26 petitioner to such an exception.

27 (b)
28 The decision of the governing body upon an appeal from
29 a disapproval of such a petition is final and conclusive
30 as to all things involved in such petition.

31 All acts of the Planning Commission or Governing Body
32 under the provisions of this section, shall be construed
as administrative acts performed for the purpose of
assuring that the intent and purpose of this ordinance
shall apply in special cases and shall not be construed
as amendments to the provisions of this ordinance.

(c)
If all of the following are found to exist a petitioner
is entitled to an exception:

- (1) that the exception is necessary for the preservation of a substantial property right of the petitioner.
- (2) That such exception will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity thereof.
- (3) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance, and in the granting of such exception the spirit of the ordinance will be observed, public safety secured, and substantial justice done.

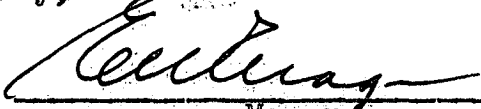
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(d)
The applicant for an exception at the time of filing his petition therefor, shall pay to the City Planning Commission a fee of Twenty-five Dollars (\$25.00) to partially cover the incidental expenses connected with the investigation of the facts involved in such petition."

Section 6. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed. But it is specifically provided that neither the amendment hereby made to said Ordinance nor any repeal hereby provided shall effect in any way any prosecution for the violation of said Ordinance pending at the time of the going into effect of this Ordinance.

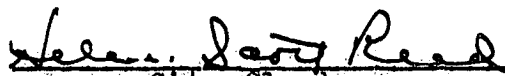
Section 7. This ordinance shall be in effect from and after its passage, adoption and publication for two successive issues in the Las Vegas Age a weekly newspaper printed and published in the City of Las Vegas.

Section 8. The City Clerk of the City of Las Vegas is hereby authorized and directed to have this City Ordinance published in the Las Vegas Age a weekly newspaper printed and published in the City of Las Vegas, Clark County, Nevada, for a period of two weeks, that is to say, once each week for a period of two weeks.



Mayor

ATTEST:



City Clerk

The above and foregoing Ordinance was proposed, read aloud in full, and adopted this 19th day of Oct., A. D. 1943, by the following vote:

Voting Aye: Commissioners Bates, Conradetti, Smith, Mayor Craig
Voting no@ None
Absent: Comm. Clark



City Clerk

1 This Ordinance was read aloud to the Board of Commissioners at a
 2 regular meeting held on the 19th day of Oct., 1943
 3 at which time it was proposed, considered and voted upon, and
 4 unanimously adopted and thereafter published in the Las Vegas
 5 Age a weekly newspaper published
 6 in the City of Las Vegas, for a period of once a week for two
 7 consecutive weeks immediately following its first reading. And,
 8 it was thereafter read aloud to the Board for a second time at a
 9 regular meeting of the Board held on the 2nd day of Nov., 1943. HAR

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 11 Voting aye: Commissioners Bates, Clark, Conradt, Smith
 12 Mayor Clegg.
 13 Voting No: none -

14 APPROVED: [Signature]
 15 Mayor

16 ATTEST:
 17 [Signature]
 18 City Clerk

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This Ordinance was read aloud to the Board of Commissioners at a regular meeting held on the _____ day of _____, 1943 at which time it was proposed, considered and voted upon, and unanimously adopted and thereafter published in the _____ a _____ newspaper published in the City of Las Vegas, for a period of once a week for two consecutive weeks immediately following its first reading. And, it was thereafter read aloud to the Board for a second time at a regular meeting of the Board held on the 16th day of September, 1943.

Voting aye: Commissioners

Voting No:

APPROVED:

Mayor

ATTEST:

City Clerk

ORDINANCE No. 286
 AN ORDINANCE TO AMEND, REVISE, AND RE-ENACT SECTIONS 2, 4, 6, AND 9 OF ORDINANCE 264 OF THE CITY OF LAS VEGAS, ENTITLED: "AN ORDINANCE OF THE COMMISSION OF THE CITY OF LAS VEGAS, ESTABLISHING A RESIDENCE DISTRICT, INDUSTRIAL AND COMMERCIAL DISTRICTS, WITHIN THE SAID CITY OF LAS VEGAS; DEFINING SUCH DISTRICTS; DECLARING IT UNLAWFUL TO ERECT, ESTABLISH, MAINTAIN OR OPERATE CERTAIN FACTORIES, WORKS OR ESTABLISHMENTS WITHIN SAID RESIDENCE DISTRICTS AND SAID COMMERCIAL DISTRICTS; REGULATING THE ERECTION, ESTABLISHMENT, MAINTENANCE, OPERATION AND REBUILDING OF CERTAIN WORKS OR ESTABLISHMENTS IN SAID DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE, AND REPEALING ORDINANCES IN CONFLICT HEREWITH," AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. Section 2 of Ordinance No. 264 of the City of Las Vegas, entitled: "Residence Zone No. 1," shall be and the same is hereby amended, revised and re-enacted so that the same shall read as follows:

"Section 2. RESIDENCE ZONE No. 1.

(a) All of this zone shall be restricted to single family residence of a minimum value of Thirty-five Hundred Dollars (\$3,500.00) and no house or building shall be moved into said zone. All buildings must be set back from the street on which the lot faces, or front street, at least twenty-five feet (25'), and there shall not be more than one single family dwelling on each fifty foot (50') lot, provided, that on seventy-five foot (75') corner lots, and on lots upon which there is already erected one dwelling on the rear of said lot, one additional single family dwelling may be erected subject to the above mentioned setback. No tent house, shack or garage shall be erected, maintained or occupied as a dwelling in this zone.
 (b) The zone shall consist of that portion of said City lying east of the alley between Fifth Street and Sixth Street, west of the alley between Tenth Street and Eleventh Street, north of Charleston Boulevard, and south of Lewis Street.

(c) The zone shall further consist of that portion of said City designated as follows: That strip of land 432.62 feet in width adjacent to the north line of Clark Avenue, and a strip of land 378 feet in width adjacent to the South line of Clark Avenue as said Clark Avenue extends through the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, and the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, Township 20 South, Range 61 East, M. D. B. & M., County of Clark, provided however, that the property covered in this subsection shall be restricted to one single family residence of the value of Thirty-five Hundred Dollars (\$3,500.00) to every one hundred (100) feet of frontage along said Clark Avenue.

(d) This zone shall further consist of that portion of said City designated as follows: That strip of land one thousand feet (1,000.00') in width centered on, adjacent to, and five hundred feet (500.00') each side of the following described line, said line being the center line of right of way for Tonopah-Boulder Highway connection via Charleston Boulevard, commencing at the North city limits at Highway Engineer's Station "A" 51 plus 95.00 P. O. T. on the Las Vegas-Tonopah Highway (U. S. Highway No. 95) as described on Highway Plans of the State Highway Department of Nevada, intersecting section line between Sections Twenty (20) and Twenty-nine (29), Township Twenty (20) South, Range Sixty-one (61) East, M. D. B. & M., Clark County; thence South 36° 26' East for a distance of 4,629.98 feet P. T.; thence on a bearing of South 36° 49' 30" East for a distance of 705.78 feet P. C.; thence on a curve with radius four thousand (4,000) feet, Delta equals 37° 26' 60" right, length equals 2614.31 feet to P. T.; thence on a bearing of South 0° 37' 20" West for a distance of 2537.80 feet to P. C.; thence on a curve with radius 1470 feet, Delta equals 44° 57' 47" left, length equals 1153.59 feet P. C. C.; thence continuing on a curve with radius equals 1569.79, Delta equals 45° 33' 03" left, length equals 1248.00 feet to P. O. T. at intersection with Charleston Boulevard; thence on Charleston Boulevard on a bearing South 89° 53' 30" East to a point being the South quarter (S $\frac{1}{4}$) corner of Section Thirty-three (33), Township Twenty (20) South, Range Sixty-one (61) East, M. D. B. & M., County of Clark, said strip of land further including all of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-two (32), and all of the South half (S $\frac{1}{2}$) of the southwest quarter (SW $\frac{1}{4}$) of Section Thirty-three (33), including all of that portion of the City of Las Vegas known as the Woodland Park Addition as shown by map and plat in Book 1 of Plats, Page 117, in the Recorder's Office, County of Clark. The property covered in this subsection shall be restricted to one (1) single family residence of a minimum value of Thirty-five Hundred Dollars (\$3,500.00), such dwelling of a permanent character placed in a permanent location and used by but one family.

Affidavit of Publication

STATE OF NEVADA)
 County of Clark) ss.

Dorothy D. Brimacombe being duly sworn, deposes and says: That she is general manager of LAS VEGAS AGE, a weekly newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached

Ordinance No. 286

was published in said newspaper for a period of two weeks from Oct. 22, 1943 to Oct. 29, 1943 inclusive, being the issues of said newspaper for the following dates, to-wit:

Oct. 22, 29, 1943

That said newspaper was regularly issued and circulated on each of the dates above named. That the legal charge for publishing said legal notice was \$ 148.50

Signed *Dorothy D. Brimacombe*

Subscribed and sworn to before me this 3rd day of November 1943

C. D. Bruze
 Notary Public in and for Clark County, Nevada.

My Commission Expires June 9, 1947

No building or permanent structure shall be erected, permitted or maintained in or upon the properties immediately adjoining the right of way herein described within a distance of forty (40') feet from the exterior boundary of such right of way. No advertising signs, signboards or boards or other materials containing advertising matter shall be placed upon or over or within the said right of way. No billboard, signboard, or advertising device, other than one unlighted, single or doublefaced sign not larger than twelve (12') square feet in area per face pertaining only to the sale, lease or hire of the premises or of the sale of products produced on the premises shall be erected, permitted or maintained in or upon the properties immediately adjoining the right of way herein described within a distance of eighty (80') feet of said described line measured at right angles to said line or so that no portion of said sign protrudes into or upon said right of way.

Section 2. Section 4 of Ordinance No. 264 of the City of Las Vegas, entitled: "Residence Zone No. 3," shall be and the same is hereby amended, revised and re-enacted so that the same shall read as follows:

"Section 4. RESIDENCE ZONE No. 3.

(a) All of this zone shall be restricted to residences or dwellings of a minimum value of Twenty-five Hundred Dollars (\$2,500.00); courts and apartment houses, flats or duplexes to a minimum value of Eight Hundred Dollars (\$800.00) per room, but for the purposes of this zone a bathroom shall not be considered a room; with no single building for residence purposes of a less value than Twenty-five Hundred Dollars (\$2,500.00); and no house or building shall be moved into said district that is of less value than Twenty-five Hundred Dollars (\$2,500.00) when complete and the same must be completed within ninety (90) days from the time such building is moved to such district and no building shall be occupied for living purposes until the same is entirely completed. All buildings must be set back from the street upon which the lot faces, or front street, at least twenty-five (25') feet and there shall be not more than two (2) separate residences on each fifty (50') foot lot, excepting North Fourteenth Street where said set-back shall be at least forty-five (45') feet along both sides of said North Fourteenth Street, north of Maple Avenue, as recorded in the subdivision plat of the Fourteenth Street City Addition. No tent house, shack or garage shall be erected, maintained or occupied as a dwelling house except for a maximum period of one hundred and eighty (180) days during the actual construction of a residence or dwelling on the same property, in conformity with the City Ordinances.

(b) The zone shall consist of that portion of the City of Las Vegas known as the Fourteenth Street Addition as shown by map and plat on file in Book 1 of plats, page 82, in the Clark County Recorder's office.

Section 3. Section 6 of Ordinance No. 264 of the City of Las Vegas, entitled: "Residence Zone No. 5," shall be and the same is hereby amended, revised and re-enacted so that the same shall read as follows:

"Section 6. RESIDENCE ZONE No. 5.

(a) All of the City of Las Vegas, not included in the limits of Residence Zones No. 1, 2, 3, 4, excepting therefrom those sections classified as commercial districts and industrial districts.

(b) All buildings or lots fronting and abutting on Twelfth Street shall be set back at least thirty-five (35') feet from said Twelfth Street as the same is platted and recorded in the subdivision maps of the Pioneer Heights Addition, Ladd Addition and Fairview Tract.

Further, no building or permanent structure shall be erected, permitted or maintained in or upon the property immediately adjoining the southerly projection of the center line of right of way for South Twelfth Street within a distance of seventy-five (75') feet of said center line as the same is projected southerly to the South City Limits as the continuation of Maryland Parkway as recorded in the subdivision map of Huntridge Tract No. 4, all of the above being located adjacent to the section line between Section two (2) and Section three (3) of Township twenty-one (21) South, Range Sixty-one (61) East, M. D. B. & M., Clark County.

Further, no buildings or permanent structure shall be erected, permitted, or maintained in or upon the property immediately adjoining the northerly projection of the center line of the right of way for North Fourteenth Street within a distance of Seventy-five (75') feet of said center line as the same is projected northerly to the North City Limits as a continuation of North Fourteenth Street as recorded in the subdivision map of the Fourteenth City Addition.

Section 4. Section 7 of Ordinance No. 264 of the City of Las Vegas, shall be and the same is hereby amended, revised and re-enacted so that the same shall read as follows:

"Section 7. That the commercial districts are hereby created and established within the said City as described as follows:

All frontage on Fremont Street from Main Street to the east City Limits of a depth not exceeding 150 feet; all frontage on Fifth Street from the south City Limits to the north property line of Stewart Street to a depth not exceeding 150 feet; all frontage on the east side of Fifth Street from the north property line of Stewart Street to the north City Limits to a depth not exceeding 150 feet; all lots fronting on First Street from Bridger Street to Stewart Street; all lots fronting on Third Street from Stewart Street to Bridger Street; all lots fronting on Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and Twelfth Streets from Stewart Street to Carson Street; all lots fronting on the south side of Stewart Street from Fifth Street to Twelfth Street; all lots fronting on the north side of Carson Street from Fifth Street to Twelfth Street; all lots fronting on Ogden Street from Fifth Street to Twelfth Street; all lots on Clark Avenue and Wilson Avenue in the original Townsite; all frontage on the east side of Main Street from Carson Street to Stewart Street to a depth not exceeding 150 feet.

No building or permanent structure shall be erected, permitted, or maintained in or upon the property immediately adjoining the right of way of Twelfth Street, between the northerly side of Carson Street and the southerly side of Stewart Street, as the same is platted in the recorded subdivision map of Ladd Addition and Fairview Tract, within a distance of ten (10') feet from the exterior boundary of said Twelfth Street, or as the same exists within the commercial zone, as described in this section."

Section 5. Section 9 of Ordinance No. 264, of the City of Las Vegas, shall be and the same is hereby amended, revised and re-enacted so that the same shall read as follows:

"Section 9. The owner of any property located within any zone established by this ordinance may file with the City Planning Commission a petition in writing to have such property excepted from some particular restriction or restrictions applicable to the zone in which such property is located.

All such petitions shall be made on forms which shall be furnished by said Commission and shall be verified by such owner and shall state fully the grounds of such petition and all facts relied upon by such petitioner, and such other facts or information as may be required by said Commission.

The Commission shall cause to be made an investigation of the matters involved in the petition for an exception, and if the Commission finds, after due investigation and consideration of the allegations in the petition and any other competent evidence involving the property in question and the other property in the vicinity thereof, that the facts are such as to entitle the petitioner to an exception, the Commission shall grant the petition excepting such property from any particular restriction or restrictions and permit the erection, alteration, reconstruction or enlargement of any building or structure thereon upon such terms and conditions as it deems proper.

If said Commission after such investigation and consideration disapproves such petition, said Commission shall cause to be mailed to such petitioner a post card notice of such disapproval and any disapproval by said Commission shall be final unless the petitioner, within thirty (30) days after the date of the mailing of such post card notice, appeals to said governing body by filing with the clerk of said governing body a written notice of such appeal.

If upon receiving such notice of appeal the governing body deems it necessary or expedient so to do, it may set the matter for hearing upon such notice to interested parties as it may deem proper. The governing body may except such property from any particular restriction or restrictions and permit the erection, alteration, reconstruction or enlargement of any building or structure thereon upon such terms and conditions as it deems proper under the particular circumstances shown to exist, if it finds that the facts are such as to entitle the petitioner to such an exception.

(b) The decision of the governing body upon an appeal from a disapproval of such a petition is final and conclusive as to all things involved in such petition.

All acts of the Planning Commission or Governing Body under the provisions of this section, shall be construed as administrative acts performed for the purpose of assuring that the intent and purpose of this ordinance shall apply in special cases and shall not be construed as amendments to the provisions of this ordinance.

(c) If all of the following are found to exist a petitioner is entitled to an exception:

(1) That the exception is necessary for the preservation of a substantial property right of the petitioner.

(2) That such exception will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity thereof.

(3) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance, and in the granting of such exception the spirit of the ordinance will be observed, public safety secured, and substantial justice done.

(d) The applicant for an exception at the time of filing his petition therefor, shall pay to the City Planning Commission a fee of Twenty-five Dollars (\$25.00) to partially cover the incidental expenses connected with the investigation of the facts involved in such petition.

Section 6. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed. But it is specifically provided that neither the amendment hereby made to said Ordinance nor any repeal hereby provided shall effect in any way any prosecution for the violation of said Ordinance pending at the time of the going into effect of this Ordinance.

Section 7. This Ordinance shall be in effect from and after its passage, adoption and publication for two successive issues in the Las Vegas Age, a weekly newspaper printed and published in the City of Las Vegas.

Section 8. The City Clerk of the City of Las Vegas is hereby authorized and directed to have this City Ordinance published in the Las Vegas Age, a weekly newspaper printed and published in the City of Las Vegas, Clark County, Nevada, for a period of two weeks, that is to say, once each week for a period of two weeks.

E. W. CRAGIN,
Mayor.

(SEAL)
ATTEST:
HELEN SCOTT REED,
City Clerk.

The above and foregoing Ordinance was proposed, read aloud in full, and adopted this 19th day of October, A. D. 1943, by the following vote:

Voting Aye: Commissioners Bates, Corradetti, Smith, Mayor Cragin.

Voting No: None.

Absent: Commissioner Clark.

HELEN SCOTT REED,
City Clerk.

Pub. Oct. 22, 1943.