

1 **BILL NO. 2012-27**

2 **ORDINANCE NO. 6197**

3 AN ORDINANCE TO AUTHORIZE THE REESTABLISHMENT OF CERTAIN TYPES OF
4 NONCONFORMING USES UNDER SPECIFIED CIRCUMSTANCES, AND TO PROVIDE FOR
OTHER RELATED MATTERS.

5 Sponsored by: Councilman Bob Coffin

Summary: Authorizes the reestablishment of
certain types of nonconforming uses under
specified circumstances.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
8 AS FOLLOWS:

9 SECTION 1: A parcel of land that has been used for the operation of a sexually
10 oriented business with a tavern license, but whose use for that purpose has been discontinued and
11 would now be prohibited or restricted under current zoning regulations, may be used again for the
12 operation of a sexually oriented business, tavern, or both, in accordance with the provisions of Section
13 2 of this Ordinance, but if and only if the following criteria exist:

14 (A) The previous sexually oriented business and tavern, when first established, were
15 lawfully established at that location under applicable zoning regulations, whether because no distance
16 separation limitations existed to prohibit their establishment or because the uses so established were
17 the first such uses established within the area;

18 (B) The discontinuance of the parcel for the operation of a sexually oriented
19 business with a tavern license was the result of government licensing action that made continued
20 operation impossible or not feasible; and

21 (C) Immediate reestablishment of that use of the parcel was made difficult or not
22 feasible by reason of forfeiture of the parcel to the government and the government's subsequent
23 ownership thereof.

24 SECTION 2: A parcel that meets the criteria described in Section 1 of this Ordinance
25 may be used again for the operation of a sexually oriented business, tavern, or both, but only if:

26 (A) All necessary licensing and zoning-related approvals are obtained and all zoning
27 regulations complied with, other than those that otherwise would prohibit the reestablishment of either
28 or both of those uses; and

1 (B) The use of the parcel for a sexually oriented business, tavern, or both is
2 reestablished within one year after the effective date of this Ordinance.

3 SECTION 3: The provisions of Sections 1 and 2 of this Ordinance shall apply
4 notwithstanding any provision of LVMC Title 19 to the contrary.

5 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
6 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
7 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
8 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
9 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
10 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
11 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
12 invalid or ineffective.

13 PASSED, ADOPTED and APPROVED this 20TH day of June, 2012.

14 APPROVED:

15 By Carolyn Goodman
16 CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 Vicky Skilbred
19 ~~BEVERLY K. BRIDGES, MMC~~
City Clerk By: Vicky Skilbred, CMC
Acting City Clerk

20 APPROVED AS TO FORM:

21 Val Steed 5-23-12
22 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 6th day of June, 2012, and referred to a committee for recommendation; thereafter
3 the committee reported favorably on said ordinance on the 20th day of June, 2012, which
4 as a regular meeting of said Council; that at said regular meeting, the proposed ordinance
5 was read by title to the City Council as first introduced and adopted by the following vote:

6 VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Ross, Barlow,
7 Coffin and Beers

8 VOTING "NAY": Councilmember Tarkanian

9 EXCUSED : None

10 ABSTAINED: None

11
12 APPROVED:

13 
14 CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 
17 ~~BEVERLY K. BRIDGES, MMC City Clerk~~

18 By: Vicky Skilbred, CMC
19 Acting City Clerk
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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

7940367

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/07/2012 to 06/07/2012, on the following days:

06/07/2012

BILL NO. 2012-27 AN ORDINANCE TO AUTHORIZE THE REESTABLISHMENT OF CERTAIN TYPES OF NON-CONFORMING USES UNDER SPECIFIED CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS. Sponsored by: Councilman Bob Coffin Summary: Authorizes the re-establishment of certain types of nonconforming uses under specified circumstances. At the City Council meeting of June 6, 2012 BILL NO. 2012-27 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA. PUB: June 7, 2012 LV Review-Journal
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Signed

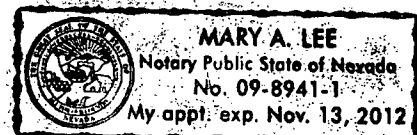
Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

7th day of *June*, 2012.

Notary Public

Mary A. Lee



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

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2296311LV

7974522

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/23/2012 to 06/23/2012, on the following days:

06/23/2012

BILL NO. 2012-27
ORDINANCE NO. 6197

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Sponsored by: Councilman Bob Coffin

Summary: Authorizes the reestablishment of certain types of nonconforming uses under specified circumstances.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of June 2012 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20th day of June 2012, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Ross, Barlow, Coffin and Beers
VOTING "NAY": Councilwoman Tarkanian
NOT VOTING: NONE
PUB: June 23, 2012
LV Review-Journal

Signed:

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

25th day of June 2012.

Notary Public

