

EMERGENCY ORDINANCE NO. 497

1 AN EMERGENCY ORDINANCE TO AMEND SECTION 15 OF EMERGENCY ORDINANCE
2 NO. 496 ENTITLED: "AN EMERGENCY ORDINANCE CREATING SANITARY
3 SEWER IMPROVEMENT ASSESSMENT DISTRICT NO. 200-5; PROVIDING PUBLIC
4 IMPROVEMENTS BY INSTALLING A SANITARY SEWER ALONG CERTAIN STREETS
5 AND PORTIONS OF STREETS AND EASEMENTS; PROVIDING FOR SPECIAL
6 ASSESSMENTS ACCORDING TO BENEFITS TO DEFRAY THE ENTIRE COST
7 THEREOF; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL AND THE
8 REPORTING OF THE SAME TO THE BOARD OF COMMISSIONERS; PROVIDING
9 FOR FILING OF SAID ROLL WITH CITY CLERK; PROVIDING A TIME AND
10 PLACE TO REVIEW SAID ASSESSMENTS AND NOTIFICATION THEREOF; PRO-
11 VIDING FOR THE CORRECTION, AND/OR CONFIRMATION AND APPROVAL OF
12 SAID ROLL THEREAT OR THEREAFTER; PROVIDING FOR THE INDORSEMENT
13 ON SAID ROLL OF SAID CONFIRMATION AND APPROVAL; PROVIDING FOR
14 THE DELIVERY OF SAID APPROVED ROLL TO THE EX-OFFICIO CITY ASSESSOR;
15 PROVIDING THAT SAID ASSESSMENT SHALL CONSTITUTE A LIEN; PRESCRIB-
16 ING THE METHOD OF PAYING SAID ASSESSMENTS AND THE INTEREST THEREON;
17 PROVIDING FOR THE DISPOSITION OF SAID ASSESSMENTS; DIRECTING THE
18 NOTIFICATION BY MAIL WHEN AND WHERE SAID ASSESSMENT IS DUE AND
19 PAYABLE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE
20 TAKEN TOWARD MAKING SAID IMPROVEMENT IN SAID DISTRICT, TOWARD ITS
21 CREATION AND TOWARD LEVYING AND EFFECTING SPECIAL ASSESSMENTS;
22 PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMER-
23 GENCY."

24 THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DO
25 ORDAIN AS FOLLOWS:

26 SECTION 1. SECTION 15 OF EMERGENCY ORDINANCE NO. 496 IS
27 HEREBY AMENDED TO READ AS FOLLOWS:

28 THAT SAID ASSESSMENTS SHALL BE DUE AND PAYABLE AT THE OFFICE
29 OF THE COUNTY TREASURER OF CLARK COUNTY, NEVADA, ACTING EX-OFFICIO
30 CITY TREASURER AND EX-OFFICIO TAX COLLECTOR OF THE CITY OF LAS
31 VEGAS, NEVADA, WITHIN ONE WEEK AFTER SAID SPECIAL ASSESSMENT ROLL
32 IS CONFIRMED AND APPROVED, WITHOUT INTEREST AND WITHOUT DEMAND;
PROVIDED, THAT ALL SUCH ASSESSMENTS, OR ANY PART THEREOF, MAY AT
THE ELECTION OF THE OWNER, BE PAID IN INSTALLMENTS, WITH INTEREST,
AS HEREINAFTER PROVIDED. FAILURE TO PAY THE WHOLE ASSESSMENT,
OR ANY PART THEREOF, WITHIN SAID PERIOD OF ONE WEEK SHALL BE CON-
CLUSIVELY CONSIDERED AND HELD AN ELECTION ON THE PART OF ALL PER-
SONS INTERESTED, WHETHER UNDER DISABILITY OR OTHERWISE, TO PAY IN
SUCH INSTALLMENTS. IN CASE OF SUCH ELECTION TO PAY IN INSTALL-
MENTS, THE UNPAID ASSESSMENTS SHALL BE PAYABLE AT THE OFFICE OF
SAID EX-OFFICIO CITY TREASURER IN TEN SUBSTANTIALLY EQUAL ANNUAL
INSTALLMENTS OF PRINCIPAL, THE FIRST OF WHICH INSTALLMENTS OF
PRINCIPAL SHALL BE DUE AND PAYABLE ON OR BEFORE THE 1ST DAY OF
AUGUST, 1953, AND THE REMAINDER OF SAID INSTALLMENTS SHALL BE DUE
AND PAYABLE SUCCESSIVELY ON OR BEFORE THE SAME DAY IN EACH YEAR
THEREAFTER UNTIL PAID IN FULL, WITH INTEREST IN ALL CASES ON THE
UNPAID AND DEFERRED INSTALLMENTS OF PRINCIPAL FROM THE 1ST DAY OF
AUGUST, 1952, AT THE SAME RATE OF INTEREST AS THAT PROVIDED FOR IN
THE SPECIAL ASSESSMENT BOND TO BE HEREAFTER AUTHORIZED, SOLD,
ISSUED AND DELIVERED, BUT NOT TO EXCEED SEVEN PER CENTUM (7%) PER
ANNUM, PAYABLE ANNUALLY AT THE OFFICE OF SAID EX-OFFICIO CITY
TREASURER, THE FIRST ANNUAL PAYMENT OF INTEREST BEING DUE AND
PAYABLE ON THE SAID 1ST DAY OF AUGUST, 1953, AND THE REMAINDER OF
SAID ANNUAL INSTALLMENTS OF INTEREST BEING DUE AND PAYABLE ON THE
1ST DAY OF AUGUST IN EACH YEAR THEREAFTER. FAILURE TO PAY ANY
INSTALLMENT, WHETHER OF PRINCIPAL OR INTEREST, WHEN DUE SHALL
CAUSE THE WHOLE OF THE UNPAID PRINCIPAL TO BECOME DUE AND PAYABLE
IMMEDIATELY, AND THE WHOLE AMOUNT OF THE UNPAID PRINCIPAL AND
ACCRUED INTEREST SHALL THEREAFTER BEAR PENALTY AT THE RATE OF TEN
PER CENTUM PER ANNUM, UNTIL THE DAY OF SALE, BUT AT ANY TIME PRIOR

CITY
CLERK
FILE

1 TO THE DAY OF THE SALE, THE OWNER MAY PAY THE AMOUNT OF ALL
2 UNPAID INSTALLMENTS, (WITH INTEREST THEREON) AT TEN PER CENTUM
3 PER ANNUM,) AND ALL PENALTIES ACCRUED, AND SHALL THEREUPON BE
4 RESTORED TO THE RIGHT THEREAFTER TO PAY IN INSTALLMENTS IN THE
5 SAME MANNER AS IF DEFAULT HAD NOT BEEN SUFFERED. THE OWNER OF
6 ANY PROPERTY NOT IN DEFAULT AS TO ANY INSTALLMENT OR PAYMENT,
7 MAY, AT ANY TIME, PAY THE WHOLE OF THE UNPAID PRINCIPAL WITH
8 INTEREST ACCRUING THEREON TO THE NEXT INTEREST PAYING DATE.

9 EACH ASSESSMENT, TOGETHER WITH INTEREST THEREON, SHALL
10 BE PLACED ON THE TAX ROLL OF CLARK COUNTY ON AND AGAINST THE
11 SEVERAL OWNERS AND PREMISES, AND THE COUNTY ASSESSOR OF CLARK
12 COUNTY, ACTING EX-OFFICIO ASSESSOR OF THE CITY OF LAS VEGAS, IS
13 HEREBY AUTHORIZED AND DIRECTED TO ENTER THE SAME ON THE TAX ROLL
14 OF SAID COUNTY AND TO EXTEND THE SAME IN A SPECIAL COLUMN FOR
15 SPECIAL ASSESSMENTS ON SAID TAX ROLL, AND THE COUNTY TREASURER
16 OF SAID COUNTY, THE EX-OFFICIO CITY TREASURER AND EX-OFFICIO
17 TAX COLLECTOR OF THE CITY OF LAS VEGAS, IS HEREBY AUTHORIZED AND
18 DIRECTED TO COLLECT THE SAME, ALL IN THE SAME MANNER AND AT THE
19 SAME TIME AS OTHER STATE AND COUNTY TAXES ARE COLLECTED.

20 SECTION 2. THAT ALL BY-LAWS, ORDERS, RESOLUTIONS AND
21 ORDINANCES, OR PARTS OF BY-LAWS, ORDERS, RESOLUTIONS AND ORDINANCES
22 IN CONFLICT WITH THIS ORDINANCE, ARE HEREBY REPEALED.

23 SECTION 3. THAT IF ANY ONE OR MORE SECTIONS, SENTENCES,
24 CLAUSES OR PARTS OF THIS ORDINANCE SHALL, FOR ANY REASON, BE
25 QUESTIONED OR BE HELD INVALID, SUCH JUDGMENT SHALL NOT AFFECT,
26 IMPAIR OR INVALIDATE THE REMAINING PROVISIONS OF THIS ORDINANCE,
27 BUT SHALL BE CONFINED IN ITS OPERATION TO THE SPECIFIC SECTIONS,
28 SENTENCES, CLAUSES OR PARTS OF THIS ORDINANCE SO HELD UNCONSTITUTIONAL
29 AND INVALID, AND THE INAPPLICABILITY AND INVALIDITY OF
30 ANY SECTION, SENTENCE, CLAUSE OR PART OF THIS ORDINANCE, IN ANY
31 ONE OR MORE INSTANCES, SHALL NOT AFFECT OR PREJUDICE IN ANY WAY
32 THE APPLICABILITY AND VALIDITY OF THIS ORDINANCE IN ANY OTHER
INSTANCES.

SECTION 4. THAT BY REASON OF THE FACT THAT THE SEWER
SYSTEM OF THE CITY OF LAS VEGAS IS INADEQUATE TO MEET THE PRESENT
AND FUTURE NEEDS OF THE CITY AND ITS INHABITANTS AND THAT IT
IS NECESSARY IMMEDIATELY TO RAISE FUNDS TO EXTEND SAID SEWER
SYSTEM, THEREFORE, IT IS HEREBY DECLARED THAT AN EMERGENCY EXISTS,
AND THAT THIS ORDINANCE IS NECESSARY FOR THE IMMEDIATE PRESERVATION
OF THE PUBLIC PEACE, HEALTH AND SAFETY.

SECTION 5. THAT THE CITY CLERK AND CLERK OF THE BOARD OF
COMMISSIONERS OF THE CITY OF LAS VEGAS, SHALL CAUSE THIS ORDINANCE
TO BE PUBLISHED ONCE A WEEK FOR TWO SUCCESSIVE WEEKS IMMEDIATELY
FOLLOWING ITS FINAL READING AND ADOPTION, IN THE LAS VEGAS REVIEW
JOURNAL, A DAILY NEWSPAPER PUBLISHED IN SAID CITY, AND THIS ORDINANCE
SHALL BECOME EFFECTIVE IMMEDIATELY FOLLOWING THE SECOND
PUBLICATION HEREOF.

PASSED, ADOPTED AND APPROVED THIS 16th DAY OF JULY, 1952.

ATTEST:

Louise L. Loring
CITY CLERK

Corbin
MAYOR

1 COMMISSIONERS VOTING IN FAVOR OF THE ADOPTION OF THE
2 FOREGOING EMERGENCY ORDINANCE:

3 MAYOR Laker "AYE"

4 COMMISSIONER Hunter "AYE"

5 COMMISSIONER Garrett "AYE"

6 COMMISSIONER Deesdale "AYE"

7 COMMISSIONER _____ "AYE"

8 ABSENT: Commissioner Whipple

9 THOSE VOTING AGAINST THE ADOPTION OF THE FOREGOING
10 EMERGENCY ORDINANCE: None

11 C. D. Brown
12 MAYOR

13 ATTEST:

14 Louise Dorengi
15 CITY CLERK

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

SECTION 1. Section 15 of Emergency Ordinance No. 496 is hereby amended to read as follows:

That said assessments shall be due and payable at the office of the County Treasurer of Clark County, Nevada, acting Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, Nevada, within one week after said special assessment roll is confirmed and approved, without interest and without demand; provided, that all such assessments, or any part thereof, may at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment, or any part thereof, within said period of one week shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. In case of such election to pay in installments, the unpaid assessment shall be payable at the office of said Ex-officio City Treasurer in ten substantially equal annual installments of principal, the first of which installments of principal shall be due and payable on or before the 1st day of August, 1953, and the remainder of said installments shall be due and payable successively on or before the same day in each year thereafter until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the 1st day of August, 1952, at the same rate of interest as that provided for in the special assessment bond to be hereafter authorized, sold, issued and delivered, but not to exceed seven per centum (7%) per annum, payable annually at the office of said Ex-officio City Treasurer, the first annual payment of interest being due and payable on the said 1st day of

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

SS.

A. F. Schellack, being first duly sworn, deposes and says: That he is Foreman of the LAS VEGAS REVIEW-JOURNAL, 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 *two (2)* insertions from *July 21, 1952* to *July 27, 1952*

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

July 21, 28

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

Signed

A. F. Schellack

Subscribed and sworn to before me this *28th* day of *July, 52*

Neila J. Gierhart

Notary Public in and for Clark County, Nevada

My Commission Expires April 14, 1954.

August, 1953, and the remainder of said annual installments of interest being due and payable on the 1st day of August in each year thereafter. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter bear interest thereon at ten per centum per annum, until the day of sale, but at any time prior to the day of the sale, the owner may pay the amount of all unpaid installments, with interest thereon at ten per centum per annum, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment, may, at any time, pay the whole of the unpaid principal with interest accruing thereon to the next interest paying date.

Each assessment, together with interest thereon, shall be placed on the tax roll of Clark County, on and against the several owners and premises, and the County Assessor of Clark County, acting Ex-officio Assessor of the City of Las Vegas, is hereby authorized and directed to enter the same on the tax roll of said County and to extend the same in a special column for special assessments on said tax roll, and the County Treasurer of said County, the Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, is hereby authorized and directed to collect the same, all in the same manner and at the same time as other State and County taxes are collected.

SECTION 2. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. That if any one or more sections, sentences, clauses or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specified sections, sentences, clauses or parts of this ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this ordinance shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instances.

SECTION 4. That by reason of the fact that the sewer system of the City of Las Vegas is inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to extend said sewer system; therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

SECTION 5. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review-Journal, a daily newspaper published in said City, and this Ordinance shall become effective immediately following the second publication hereof.

PASSED, ADOPTED AND APPROVED this 16th day of July, 1952.
C. D. BAKER, Mayor.

Attest:

SHIRLEY BALLINGER, City Clerk.
Commissioners voting in favor of the adoption of the foregoing Emergency Ordinance:

Mayor Baker "Aye".

Commissioner Bunker "Aye".

Commissioner Peccole "Aye".

Commissioner Jarrett "Aye".

Absent: Commissioner Whipple.

Those voting against the adoption of the foregoing Emergency Ordinance: None.

C. D. BAKER, Mayor.

Attest:

SHIRLEY BALLINGER, City Clerk.
July 21, 1952.