

1 **BILL NO. 2014-27**

2 **ORDINANCE NO. 6319**

3 AN ORDINANCE TO AMEND THE CONDITIONAL USE REGULATIONS REGARDING
4 SEXUALLY ORIENTED BUSINESSES TO EXTEND TO 18 MONTHS THE PERIOD OF TIME
5 WITHIN WHICH TO OBTAIN A BUILDING PERMIT TO REESTABLISH AND CONTINUE THE
6 USE WHEN THE USE HAS BEEN DISCONTINUED UNDER CERTAIN CIRCUMSTANCES; AND
7 TO PROVIDE FOR OTHER RELATED MATTERS.

8 Sponsored by: Councilman Bob Coffin

9 Summary: Amends the conditional use
10 regulations regarding sexually oriented
11 businesses to extend to 18 months the period of
12 time within which to obtain a building permit to
13 reestablish and continue the use when a use has
14 been discontinued under certain circumstances.

15 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
16 FOLLOWS:

17 SECTION 1: The Unified Development Code adopted as Title 19 of the Municipal Code
18 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as set forth in Section 2 of this
19 Ordinance.

20 SECTION 2: Title 19, Chapter 12, Section 70, is hereby amended by amending the entry
21 for the use "Sexually Oriented Business" so that Conditional Use Regulation 6 reads as follows:

22 6. The provisions of Regulation 4 and the provisions of Chapter [19.16] 19.14 that prohibit the
23 expansion, enlargement or alteration of an existing use as described in those provisions shall not apply to
24 an existing nude show located within the Downtown Centennial Plan area, as described in Ordinance No.
25 6051 and as amended from time to time, but only if and to the extent that the following conditions are met:

26 a. Any expansion, enlargement or alteration, including all required on-site parking, must be
27 contained entirely on the same legally-created parcel on which the use presently exists.

28 b. The expansion, enlargement or alteration must be approved by means of a Major Site
29 Development Review pursuant to LVMC 19.16.100(G)[.], unless that requirement is waived by the
30 Director.

31 c. Except as otherwise provided in Paragraph (d), the discontinuation and abandonment

1 provisions of LVMC 19.14.030(A) shall continue to apply.

2 d. For a use that is discontinued for purposes of expansion, enlargement or alteration, or in
3 connection with a foreclosure proceeding, the use shall not be considered terminated or abandoned.
4 However, the building permit [for] or permits necessary to accomplish such expansion, enlargement or
5 alteration must be obtained within [6] 18 months after operations cease and the [permit] permits must be
6 exercised completely before [the permit expires.] they expire. Otherwise, the use shall be deemed
7 abandoned, the nonconforming status lost, and the future use of the property must comply with current
8 zoning requirements.

9 e. For purposes of this Regulation 6, the expansion, enlargement or alteration of a use
10 includes the rebuilding or replacement of the building or buildings associated with the use.

11 SECTION 3: For purposes of Section 2.100(3) of the City Charter, Section 19.12.070 is
12 deemed to be a subchapter rather than a section.

13 SECTION 4: The Department of Planning is authorized and directed to incorporate into
14 the Unified Development Code the amendment set forth in Section 2 of this Ordinance.


15 SECTION 5: The City Council recognizes that there are various City ordinance
16 provisions pertaining to nonconforming uses, particularly regarding sexually oriented business, and that the
17 provisions operate independently and, when applied, could lead to conflicting results. It is the intent of the
18 Council that the benefits intended to be made available by means of this Ordinance should not be limited
19 by the strict application of other nonconforming use provisions that in the future might be identified and
20 invoked in a way that would limit the application of this Ordinance. Therefore, the enabling provisions of
21 this Ordinance shall control over any such other provisions to the extent of any conflict or inconsistency.

22 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
23 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
24 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
25 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
26 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,

1 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,
2 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

3 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
5 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this 21st day of May, 2014.

7 APPROVED:
8
9 By 
CAROLYN G. GOODMAN, Mayor

10 ATTEST:
11 
12 BEVERLY K. BRIDGES, MMC
City Clerk

13
14 APPROVED AS TO FORM:
15 Val Steed 4-21-14
16 Val Steed, Date
Deputy City Attorney

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1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 7th day of May, 2014, and referred to a committee for recommendation; thereafter
3 the committee reported favorably on said ordinance on the 21st day of May, 2014, 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": Councilmembers Anthony, Ross, Coffin and Beers

7 VOTING "NAY": Councilmembers Tarkanian and Barlow

8 EXCUSED: None

9 ABSTAINED: Mayor Goodman

10 DID NOT VOTE: None

11 APPROVED:

12 
13 _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 
16 BEVERLY K. BRIDGES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

**LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101**

**Account # 22515
Ad Number 0000181051**

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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/08/2014 to 05/08/2014, on the following days:

05 / 08 / 14

BILL NO. 2014-27

AN ORDINANCE TO AMEND THE CONDITIONAL USE REGULATIONS REGARDING SEXUALLY ORIENTED BUSINESSES TO EXTEND TO 18 MONTHS THE PERIOD OF TIME WITHIN WHICH TO OBTAIN A BUILDING PERMIT TO REESTABLISH AND CONTINUE THE USE WHEN THE USE HAS BEEN DISCONTINUED UNDER CERTAIN CIRCUMSTANCES; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin
Summary: Amends the conditional use regulations regarding sexually oriented businesses to extend to 18 months the period of time within which to obtain a building permit to reestablish and continue the use when a use has been discontinued under certain circumstances.

At the City Council meeting of May 7, 2014
BILL NO. 2014-27 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

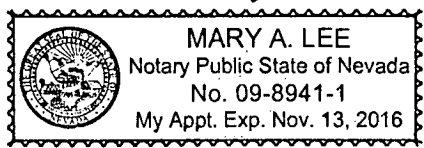
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA
PUB: May 8, 2014
LV Review-Journal

Stacey M. Lewis

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 8th day of May, 2014

Notary *Mary A. Lee*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0000197733

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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/24/2014 to 05/24/2014, on the following days:

05 / 24 / 14

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ORDINANCE NO. 6319

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use has been discontinued under certain circumstances.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of May 2014 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21st day of May 2014, 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": Councilmembers Anthony, Ross, Coffin, and Beers

VOTING "NAY": Councilmembers Tarkanian and Barlow
EXCUSED: NONE

ABSTAINING: Mayor Goodman

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: May 24, 2014
LV Review-Journal

ISI *Stacey M. Lewis*
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 27th day of May, 2014

Notary *Mary Lee*

