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FIRST AMENDMENT

BILL NO. 2018-4

ORDINANCE NO. 6613

AN ORDINANCE RELATING TO THE KEEPING OF CHICKENS; AMENDING PROVISIONS OF LVMC CHAPTER 19.12 TO UPDATE THE STANDARDS APPLICABLE TO THE USE "ANIMAL KEEPING & HUSBANDRY," INCLUDING THE ADDITION OF PROVISIONS TO ALLOW THE USE IN THE R-1 AND R-MH DISTRICTS AS A CONDITIONAL USE; AMENDING LVMC 7.38.050 TO MAKE RELATED ADJUSTMENTS TO ANIMAL CONTROL PROVISIONS REGARDING NEIGHBOR CONSENT; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin
(by request)

Summary: Amends provisions of LVMC Chapter 19.12 to update the standards applicable to the use "Animal Keeping & Husbandry," including the addition of provisions to allow the use in the R-1 and R-MH Districts as a conditional use, and amends LVMC 7.38.050 to make related adjustments to animal control provisions regarding neighbor consent.

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

SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 2 to 4, inclusive, of this Ordinance. The amendments are deemed to be amendments to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 12, Section 10, is hereby amended by amending the entry for the use "Animal Keeping & Husbandry" to indicate that the use is allowed as a conditional use in the R-1 and R-MH Zoning Districts. In order to reflect the amendment, the letter "C" shall be inserted in the box that represents the intersection of the row for the use "Animal Keeping & Husbandry" and the column for each of the R-1 and R-MH Zoning Districts.

SECTION 3: Title 19, Chapter 12, Section 70, is hereby amended by amending the Conditional Use Regulations for the use "Animal Keeping & Husbandry" to read as follows:

Conditional Use Regulations:

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1. With respect to domestic animals:

a. The applicant must submit to the Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.

b. No more than [3] three sheep or goats may be kept for each 20,000 square feet of land included in the building site.

c. All operations and activities shall be in accordance with LVMC Title 7.

d. No more than one horse or cow is permitted for each 7,500 square feet of lot area.

e. In the R-D Zoning District, no more than [2] two horses may be stabled on the building site, and the site must have a minimum net lot size of 18,000 square feet.

f. No cattle may be kept at any location south of Cheyenne Avenue.

g. Crowing roosters are prohibited.

h. In the R-1 and R-MH Zoning Districts, the use is limited to the keeping of chickens, in each case subject to the following limitations and requirements:

i. The lot must be developed with a single family residence.

ii. No more than ten chickens (hens) may be kept, and they must be kept solely for the production of eggs for personal consumption by the residents of the property. Chickens shall not be bred for sale or raised for slaughter.

iii. Chickens must be contained at all times within a coop with a fenced-in run that is easily cleaned, well ventilated and large enough to provide for the free movement of the chickens.

iv. Coop structures shall not be located closer than 20 feet to any primary structure on an adjacent lot.

v. Except as otherwise approved by means of a Variance, coop structures shall comply with all requirements of LVMC Chapters 19.06 and 19.12 for an Accessory Structure (Class II) other than the requirement of aesthetic compatibility.

vi. The property shall be maintained free of animal waste at all times, and shall comply with applicable requirements of LVMC Chapter 9.40 regarding odor nuisances.

2. With respect to non-domestic animals:

a. Animals shall be confined at all times within a secured, enclosed or fenced area.

b. Animals which are kept outdoors must be located at least 1,500 feet from any residential dwelling, school, individual care center licensed for more than 12 children or public park.

c. The site must have a minimum area of [2] two acres.

d. All operations and activities shall be in accordance with LVMC Title 7.

e. Non-domestic animals are prohibited in the R-1 and R-MH Zoning Districts.

3. [The use shall be conducted entirely within an enclosed space, except that up to one quarter of the area containing the use may be located in the open air for ancillary educational purposes. (C-PB, C-M and M only)] Whether animals are domestic or non-domestic:

a. All structures must comply with applicable building and fire code requirements.

b. In the C-PB, C-M and M Zoning Districts, the use shall be conducted entirely within an enclosed space, except that up to one quarter of the area containing the use may be located in the open air for ancillary educational purposes.

SECTION 4: Title 19, Chapter 12, Section 70, is hereby amended by amending the entry for the use "Animal Keeping & Husbandry" to add, at the appropriate location, Minimum Special Use Permit Requirements for the use, reading as follows:

Minimum Special Use Permit Requirements:

*1. All operations and activities shall comply with the requirements of LVMC Title 7.

*2. All structures must comply with applicable building and fire code requirements.

*3. With respect to domestic animals:

a. Crowing roosters are prohibited.

b. In the R-1 and R-MH Zoning Districts, the use is limited to the keeping of chickens, in each case subject to the following limitations and requirements:

i. The lot must be developed with a single family residence.

ii. Chickens (hens) may be kept solely for the production of eggs for personal consumption

by the residents of the property. Chickens shall not be bred for sale or raised for slaughter.

iii. Chickens must be contained at all times within a coop with a fenced-in run that is easily cleaned, well ventilated and large enough to provide for the free movement of the chickens.

iv. The property shall be maintained free of animal waste at all times, and shall comply with applicable requirements of LVMC Chapter 9.40 regarding odor nuisances.

v. Except as otherwise approved by means of a Variance, coop structures shall comply with all requirements of LVMC Chapters 19.06 and 19.12 for an Accessory Structure (Class II) other than the requirement of aesthetic compatibility.

*4. Non-domestic animals are prohibited in the R-1 and R-MH Zoning Districts.

SECTION 5: Title 7, Chapter 38, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.38.050: (A) Except as otherwise provided in [Subsection (B),] Subsections (B) and (C), it is unlawful for any person to keep, or cause to be kept, on premises over which any such person may have control within the City:

(1) Any poultry within three hundred fifty feet of any dwelling of another person unless such other person has filed with the Animal Control Officer a written, unrevoked consent authorizing the keeping of such poultry within three hundred fifty feet of the dwelling. In the case of pigeons, this distance shall be two hundred feet from any dwelling owned by another person unless such other person has filed with the Animal Control Officer a written, unrevoked consent authorizing the keeping of the pigeons within two hundred feet of the dwelling, in which case the number of pigeons shall be limited to twelve pair over the age of twelve months;

(2) Any crowing rooster;

(3) Any poultry or birds that are not, at all times, confined within a suitable outbuilding, coop, or enclosed runway that is clean and free from offensive odors, animal wastes, rodents, flies, or any other offensive or unwholesome condition; or

(4) Any poultry within any dwelling house, basement, sub-basement, or cellar.

1 (B) A person may keep up to a maximum of three hundred carrier or racing pigeons if
2 the use complies with the provisions of Title 19. The pigeons must be confined in accordance with
3 Paragraph 3 of Subsection (A) of this Section except during limited periods necessary for exercise, training
4 or competition.

5 (C) The limitations of Paragraph (1) of Subsection (A) do not apply to the keeping of
6 chickens within the R-1 and R-MH Zoning Districts if:

7 (1) The activity complies with all applicable requirements for the keeping of
8 chickens within those districts as set forth in the provisions of LVMC 19.12.070 that pertain to animal
9 keeping and husbandry; and

10 (2) The owner of each parcel that is adjacent to the parcel on which the
11 chickens are to be kept has filed with the Animal Control Officer a written, unrevoked consent to the
12 activity.

13 SECTION 6: For purposes of Section 2.100(3) of the City Charter, Sections 19.12.010
14 and 19.12.070 are deemed to be subchapters rather than sections.

15 SECTION 7: The Department of Planning is authorized and directed to incorporate into
16 the Unified Development Code the amendments contained in Sections 2 to 4, inclusive, this Ordinance.

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

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2 SECTION 9: Whenever in this ordinance any act is prohibited or is made or declared to
3 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
4 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
5 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
6 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
7 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
8 of this ordinance shall constitute a separate offense.

9 SECTION 10: All ordinances or parts of ordinances or sections, subsections, phrases,
10 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
11 Edition, in conflict herewith are hereby repealed.

12 PASSED, ADOPTED and APPROVED this 21st day of March, 2018.

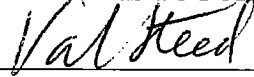
13 APPROVED:

14 By 
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 
18 LUANN D. HOLMES, MMC
City Clerk

19 APPROVED AS TO FORM:

20  3-5-18
21 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 5th day of March, 2018, and referred to a committee for recommendation; thereafter
3 the said committee reported favorably on said ordinance on the 21st day of March, 2018,
4 which was a regular meeting of said Council; that at said regular meeting, the proposed
5 ordinance was read by title to the City Council as amended and adopted by the following
6 vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers, Tarkanian, Anthony, Coffin
Seroka and Fiore

8 VOTING "NAY": None

9 EXCUSED: None

10 ABSTAINED: None

11 APPROVED:

12 
13 CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 
16 LUANN D. HOLMES, 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 0000970793

RECEIVED
CITY CLERK

2018 MAR 14 P 12: 01

Leslie McCormick, 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 03/08/2018 to 03/08/2018, on the following days:

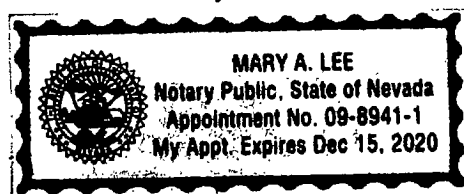
03 / 08 / 18


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 8th day of March, 2018

Notary





BILL NO. 2018-4

AN ORDINANCE RELATING TO THE KEEPING OF CHICKENS; AMENDING PROVISIONS OF LVMC - CHAPTER 19.12 TO UPDATE THE STANDARDS APPLICABLE TO THE USE "ANIMAL KEEPING & HUSBANDRY," INCLUDING THE ADDITION OF PROVISIONS TO ALLOW THE USE IN THE R-1 AND R-MH DISTRICTS AS A CONDITIONAL USE; AMENDING LVMC 7.38.050 TO MAKE RELATED ADJUSTMENTS TO ANIMAL CONTROL PROVISIONS REGARDING NEIGHBOR CONSENT; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin (by request)

Summary: Amends provisions of LVMC Chapter 19.12 to update the standards applicable to the use "Animal Keeping & Husbandry," including the addition of provisions to allow the use in the R-1 and R-MH Districts as a conditional use, and amends LVMC 7.38.050 to make related adjustments to animal control provisions regarding neighbor consent.

At the City Council meeting of February 21, 2018

BILL NO. 2018-4 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: March 8, 2018
LV Review-Journal

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 0000974631

Eileen Gallagher, 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 03/24/2018 to 03/24/2018, on the following days:

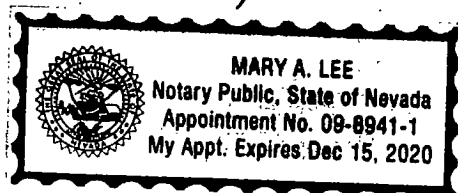
03 / 24 / 18

ISI

Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 26th day of March, 2018

Notary



FIRST AMENDMENT

**BILL NO. 2018-4
ORDINANCE NO. 6613**

AN ORDINANCE RELATING TO THE KEEPING OF CHICKENS; AMENDING PROVISIONS OF LVMC CHAPTER 19.12 TO UPDATE THE STANDARDS APPLICABLE TO THE USE "ANIMAL KEEPING & HUSBANDRY," INCLUDING THE ADDITION OF PROVISIONS TO ALLOW THE USE IN THE R-1 AND R-MH DISTRICTS AS A CONDITIONAL USE; AMENDING LVMC 7.38.050 TO MAKE RELATED ADJUSTMENTS TO ANIMAL CONTROL PROVISIONS REGARDING NEIGHBOR CONSENT; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman Bob Coffin
(by request)

Summary: Amends provisions of LVMC Chapter 19.12 to update the standards applicable to the use "Animal Keeping & Husbandry," including the addition of provisions to allow the use in the R-1 and R-MH Districts as a conditional use, and amends LVMC 7.38.050 to make related adjustments to animal control provisions regarding neighbor consent.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21st day of February, 2018, and referred to

a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21st day of March, 2018, 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 first amended and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Tarkanian, Anthony, Coffin, Seroka and Fiore
VOTING "NAY": NONE
EXCUSED: NONE

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: March 24, 2018
LV Review-Journal