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**BILL NO. 2018-54**

**ORDINANCE NO. 6659**

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF THE UNIFIED DEVELOPMENT CODE (TITLE 19) TO AUTHORIZE AS A HOME OCCUPATION THE BREEDING OF DOMESTIC DOGS AND CATS UNDER SPECIFIED CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven G. Seroka

Summary: Amends various provisions of the Unified Development Code (Title 19) to authorize as a home occupation the breeding of domestic dogs and cats under specified circumstances.

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: Title 19, Chapter 12, Section 70, is hereby amended by amending the description of the use "Animal Keeping & Husbandry" to read as follows:

**Description:** The raising, keeping and breeding of domestic or nondomestic animals. The use must be ancillary to the principal use, but may be conducted for commercial purposes. The use includes the keeping of animals for the development of animal products such as meat, fur or eggs, but does not include the keeping of animals as household pets[.] or the breeding of domestic dogs and cats pursuant to and in accordance with the Home Occupation Permit provisions of LVMC 19.16.180.

SECTION 3: Title 19, Chapter 16, Section 180, Subsection (G) is hereby amended to read as follows:

**G. Operational Standards**

1. In order to approve a Home Occupation Permit, the Director (or if appealed, the Planning Commission) must be satisfied that the proposed Home Occupation can and will comply with the following operational

1 standards:

2 a. At or upon the property, only the occupants of the dwelling unit shall be engaged in the business  
3 activity approved for the Home Occupation Permit;

4 b. No employees shall report to work at or be physically dispatched from the property,

5 c. There shall be no transacting of business or offers to transact business with customers or clients  
6 who have come to the property except in connection with: [a cottage food operation that complies with the  
7 following limitations:

8 1. Except as permitted as part of a garage or yard sale under Subsubparagraph (ii) below, no  
9 more than two customers may be present on the property at any one time;

10 ii. The outdoor sale of food items may occur with no restriction on the number of customers  
11 present, but only in accordance with the garage or yard sale provisions of LVMC 19.12.020(B)(1);]

12 i. A cottage food operation that complies with the following limitations:

13 A) Except as permitted as part of a garage or yard sale under Subsubparagraph B)  
14 below, no more than two customers may be present on the property at any one time;

15 B) The outdoor sale of food items may occur with no restriction on the number of  
16 customers present, but only in accordance with the garage or yard sale provisions of LVMC 19.12.020(B)(1);

17 or

18 ii. The breeding of domestic dogs and cats, but only to the extent in compliance with the  
19 following limitations:

20 A) No more than two customers may be present on the property at any one time; and

21 B) The use must comply with all applicable provisions of LVMC Title 7;

22 d. There shall be no signage or other advertising of any kind, whether on the property or elsewhere,  
23 which advertises the address or physical location of the property or identifies the existence of a Home  
24 Occupation on the property. A home telephone number or a post office box may be advertised by any medium  
25 other than on-site signage;

26 e. The following activities are not permitted as a Home Occupation:

1           i.     On-site repair, painting or body work pertaining to motor vehicles or trailers. Off-site  
2 repair work performed by a mobile repair service is subject to the limitations contained in the Conditional  
3 Use Regulations applicable to the use "Vehicle Parking, Storage or Repair in Residential Zoning Districts,"  
4 as found in Section 19.12.070;

5           ii.    The sale or storage of vehicles by a vehicle dealer as defined in NRS Chapter 482;

6           iii.   On-site commercial preparation of food for service on or off the premises, except as  
7 permitted for a cottage food operation;

8           iv.    The sale or storage of explosives, ammunition or firearms;

9           v.     The sale or storage of tobacco products, tobacco paraphernalia or alcoholic beverages;

10          vi.    A beauty parlor or barber shop; or

11          vii.   An ambulance or related emergency service.

12          f.     A Home Occupation shall not create pedestrian, automobile or truck traffic in excess of the  
13 normal amount associated with residential uses in the district;

14          g.     A Home Occupation shall be conducted exclusively within the main dwelling or within an  
15 enclosed accessory structure which has been approved for the Home Occupation Permit, except for  
16 horticultural activities[.] and the breeding of domestic dogs and cats. No more than 25 percent of the total  
17 floor area of all enclosed structures may be devoted to the home occupation activity, and no more than 5  
18 percent of the total floor area of all enclosed structures may be devoted to the storage of stock in trade. No  
19 outside storage related to the home occupation activity is permitted;

20          h.     No more than one vehicle and one trailer that are used in connection with a Home Occupation  
21 Permit shall be parked or stored at or near the residence. The permitted vehicle and trailer are subject to the  
22 following additional limitations:

23           i.     The permitted vehicle must be a passenger vehicle with a maximum capacity of one ton;

24           ii.    Vehicles and trailers permitted by this Subparagraph (h) to be parked or stored at or near  
25 the residence do not include vehicles or trailers designed or intended solely for commercial use, including  
26 without limitation tow trucks, dump trucks, buses, taxis, limousines, food trucks or trailers, ice cream trucks

1 or trailers, forklifts, backhoes, concrete mixers and mobile sign trucks or trailers;

2           iii. The parking or storage of vehicles and trailers permitted by this Subparagraph (h) must  
3 comply with the Conditional Use Regulations applicable to the use "Vehicle Parking, Storage or Repair in  
4 Residential Zoning Districts," as found in Section 19.12.070;

5           i. The number of on-site parking spaces shall not be reduced to less than two;

6           j. There shall be no outdoor storage or use of any toxic chemicals or hazardous materials of any  
7 type or in any amount not normally found in a residential structure;

8           k. There shall be no electrical or mechanical equipment which is not normally found in a residential  
9 structure, and no equipment found on the premises shall cause a change in the fire safety or occupancy  
10 classification of the dwelling unit; and

11           l. No Home Occupation shall create or cause noise, dust, light, vibration, gas, fumes,  
12 toxic/hazardous materials, smoke, glare, electrical interference or other hazards or nuisances.

13           2. The following uses are uses that normally may be permitted by means of Home Occupation Permit if  
14 they can be conducted in compliance with the Operational Standards in Paragraph (1) of this Subsection. This  
15 is not a comprehensive list but should be used to establish appropriate types of uses for Home Occupations.

16           a. Toll-free or 900 number telephone services;

17           b. Accounting, bookkeeping, tax preparation or related services;

18           c. Appraisal, real estate or related services;

19           d. Architectural, engineering, general contractor or related professional services,

20           e. Artist, artisans, hobbyists, jeweler or related services;

21           f. Computer based businesses, desktop publishing, drafting or related services;

22           g. Consulting or related services;

23           h. Employment services;

24           i. Financial investment, brokerage or related services;

25           j. Handicrafts, gift basket assembly, floral, ceramics or related services;

26           k. Health fitness training services;

- 1 l. Home improvement and repair services;
- 2 m. Incidental office and telephone uses;
- 3 n. Information services;
- 4 o. Insurance services;
- 5 p. Interior design and decorating services;
- 6 q. Legal, court reporting or related services;
- 7 r. Internet ordering, mail order or catalog services;
- 8 s. Mobile service businesses;
- 9 t. Network marketing services;
- 10 u. Janitorial, maintenance and repair services;
- 11 v. Party planning services;
- 12 w. Photography, video or related services;
- 13 x. Secretarial, typing, answering or related services;
- 14 y. Tailoring and sewing services;
- 15 z. Teaching or related services with a maximum of two students at any one time;
- 16 aa. Travel services;
- 17 ab. Vending machine businesses;
- 18 ac. Writers, authors or related professionals; [and]
- 19 ad. Cottage food operations[.]; and
- 20 ae. The breeding of domestic dogs and cats.

21 SECTION 4: Title 19, Chapter 18, Section 20, is hereby amended by amending the  
22 definition of the term "Animal Keeping, Husbandry" to read as follows:

23 **Animal Keeping[,] & Husbandry.** The raising, keeping and breeding of domestic or non-domestic animals.  
24 The use must be ancillary to the principal use, but may be conducted for commercial purposes The term  
25 includes the keeping of animals for the development of animal products such as meat, fur or eggs, but does  
26 not include the keeping of animals as household pets[.] or the breeding of domestic dogs and cats pursuant

1 to and in accordance with the Home Occupation Permit provisions of LVMC 19 16.180.

2 SECTION 5: For purposes of Section 2.100(3) of the City Charter, Sections 19.12.070,  
3 19.16.180 and 19.18.020 are deemed to be subchapters rather than sections.

4 SECTION 6: The Department of Planning is authorized and directed to incorporate into  
5 the Unified Development Code the amendments set forth in Sections 2 to 4, inclusive, of this Ordinance.

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

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

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

PASSED, ADOPTED and APPROVED this 21<sup>st</sup> day of November, 2018


APPROVED:

By   
CAROLYN G. GOODMAN, Mayor

ATTEST:

  
LUANN D. HOLMES, MMC  
City Clerk

APPROVED AS TO FORM:


 10-23-18  
Val Steed, Date  
Deputy City Attorney

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 7<sup>th</sup> day of November, 2018, and referred to a committee for recommendation; hereafter the committee reported favorably on said ordinance on the 21<sup>st</sup> day of November, 2018, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

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

APPROVED:  
  
\_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

ATTEST:  
  
\_\_\_\_\_  
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 0001016144**

**RECEIVED  
CITY CLERK**

**2018 NOV 14 P 12:13**

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 11/08/2018 to 11/08/2018, on the following days:

**11 / 08 / 18**

**BILL NO. 2018-54**

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF THE UNIFIED DEVELOPMENT CODE (TITLE 19) TO AUTHORIZE AS A HOME OCCUPATION THE BREEDING OF DOMESTIC DOGS AND CATS UNDER SPECIFIED CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven G. Seroka

Summary: Amends various provisions of the Unified Development Code (Title 19) to authorize as a home occupation the breeding of domestic dogs and cats under specified circumstances.

At the City Council meeting of November 7, 2018

**BILL NO. 2018-54 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE**

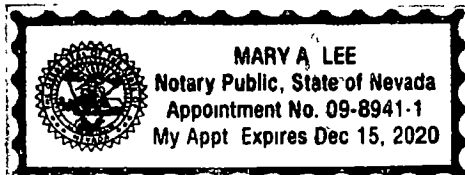
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: November 8, 2018  
LV Review-Journal

*[Signature]*  
\_\_\_\_\_  
**LEGAL ADVERTISEMENT REPRESENTATIVE**

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

Notary *[Signature]*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS

RECEIVED  
CITY CLERK

LV CITY CLERK  
495 S MAIN ST  
LAS VEGAS NV 89101

Account # 22515  
Ad Number 0001019448010 NOV 29 A 11: 59

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 11/24/2018 to 11/24/2018, on the following days

11 / 24 / 18

**BILL NO. 2018-54  
ORDINANCE NO. 6659**

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF THE UNIFIED DEVELOPMENT CODE (TITLE 19) TO AUTHORIZE AS A HOME OCCUPATION THE BREEDING OF DOMESTIC DOGS AND CATS UNDER SPECIFIED CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by Councilman  
Steven G. Seroka

Summary: Amends various provisions of the Unified Development Code (Title 19) to authorize as a home occupation the breeding of domestic dogs and cats under specified circumstances.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of November, 2018, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21st day of November, 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 introduced and adopted by the following vote.

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

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: November 24, 2018  
LV Review-Journal

*LS/ [Signature]*  
LEGAL ADVERTISEMENT REPRESENTATIVE

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

Notary *[Signature]*

