

BILL NO. 2019-32

ORDINANCE NO. 6704

AN ORDINANCE TO AMEND LVMC 11.68.105, PERTAINING TO EXPRESSIVE ACTIVITY WITHIN THE PEDESTRIAN MALL, TO CLARIFY THAT THE USE OF AMPLIFIED SOUND IS PERMITTED IN CONNECTION WITH SUCH ACTIVITY, SUBJECT TO THE SAME MAXIMUM NOISE LEVELS THAT APPLY TO STREET PERFORMERS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends LVMC 11.68.105, pertaining to expressive activity within the Pedestrian Mall, to clarify that the use of amplified sound is permitted in connection with such activity, subject to the same maximum noise levels that apply to street performers.

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

SECTION 1: Title 11, Chapter 68, Section 105, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.68.105: (A) Expressive activity is allowed within the Pedestrian Mall without the requirement of a permit or registration, but is subject to the conditions and limitations set forth in this Section as well as [other] applicable provisions of other Titles of the Las Vegas Municipal Code.

(B) No blanket, carpet, cover, chair, crate, box, cooler, container, structure or display of any type may be erected or placed upon the Pedestrian Mall or its surface in connection with expressive activity, except that a person or organization engaging in such activity may place and use, in furtherance of that activity, one table, not to exceed three feet by three feet in size, at a location that complies with the provisions of Subsection (C) of this Section.

(C) At no time may tables allowed under Subsection (B) be located:

- (1) Within twenty feet of any building entrance or ATM;
- (2) Within ten feet of any retail kiosk or cart, but subject to the provisions of Subsection (F) of this Section;
- (3) Within ten feet of the outer perimeter of any outdoor dining area while the

1 area is being used for dining;

2 (4) Within twenty feet of any fire lane or crosswalk;

3 (5) At any location that will obstruct or impede pedestrian traffic; or

4 (6) Within forty feet of another table that has been erected or placed for
5 purposes of expressive activity.

6 (D) Coolers, storage boxes and similar items may not be placed on the ground in
7 connection with expressive activity; provided, however, that this prohibition does not apply to incidental
8 personal items such as purses or coats, or to backpacks whose capacity does not exceed two cubic feet.

9 (E) In the case of a demonstration, The Fremont Street Limited Liability Company may
10 direct that the demonstration be moved to one or more locations within the Pedestrian Mall so as not to
11 obstruct or impede pedestrian traffic, or interfere with fire lanes, crosswalk traffic, retail kiosks, special
12 events, concerts or other previously scheduled mall activities, but only upon a determination that the
13 demonstration cannot possibly be conducted in a manner that does not so obstruct, impede or interfere. Any
14 such redirection shall be to a location that is closest to, most approximates, and reaches the same audience
15 as, the original location.

16 (F) The distance limitation set forth in Paragraph (2) of Subsection (C) shall not apply
17 if and to the extent that The Fremont Street Limited Liability Company, at any given time, has established or
18 permitted more than fifty retail kiosks or carts within the Pedestrian Mall.

19 (G) Except as otherwise provided in this Subsection (G), [Nothing] nothing in this
20 Section authorizes conduct prohibited by other provisions of this Chapter or other ordinances and laws of
21 general applicability, including without limitation prohibitions relating to the obstruction of rights-of-way.
22 Notwithstanding any other provision of this Code, a person engaging in expressive activity under this Section
23 may use amplified sound in connection with that activity if it complies with the noise level limitations of
24 LVMC 11.68.107(C)(5)(b).

25 (H) The provisions of this Section do not apply to the activities of street performers
26 regulated by Section 11.68.107.

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 18th day of September, 2019, and referred to a committee for recommendation;
3 hereafter the committee reported favorably on said ordinance on the 2nd day of October,
4 2019, which as a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council and adopted by the following
6 vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Fiore, Anthony, Crear, Diaz,
8 Knudsen and Seaman

9 VOTING "NAY": None

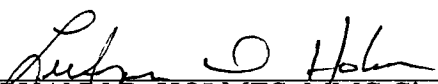
10 EXCUSED: None

11 ABSTAINED: None

12
13
14 APPROVED:

15 
16 CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 
19 LUANN D. HOLMES, MMC City Clerk

1CS D

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2019 SEP 23 A 11:39

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001069005

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 09/19/2019 to 09/19/2019, on the following days:

09 / 19 / 19

BILL NO. 2019-32

AN ORDINANCE TO AMEND LVMC 11.68.105, PERTAINING TO EXPRESSIVE ACTIVITY WITHIN THE PEDESTRIAN MALL, TO CLARIFY THAT THE USE OF AMPLIFIED SOUND IS PERMITTED IN CONNECTION WITH SUCH ACTIVITY, SUBJECT TO THE SAME MAXIMUM NOISE LEVELS THAT APPLY TO STREET PERFORMERS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by:
Bradford R. Jerbic, City Attorney

Summary: Amends LVMC 11.68.105, pertaining to expressive activity within the Pedestrian Mall, to clarify that the use of amplified sound is permitted in connection with such activity, subject to the same maximum noise levels that apply to street performers.

At the City Council meeting of
September 18, 2019

BILL NO. 2019-32 WAS READ BY
TITLE AND REFERRED TO A
RECOMMENDING COMMITTEE

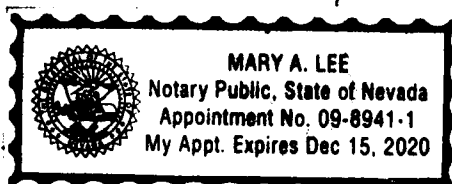
COPIES OF THE COMPLETE
ORDINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE
OFFICE OF THE CITY CLERK, 2ND
FLOOR, 495 SOUTH MAIN
STREET, LAS VEGAS, NEVADA

PUB: September 19, 2019
LV Review-Journal

ISI 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 19th day of September, 2019

Notary 



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 0001071895

RECEIVED
CITY CLERK

2019 OCT 10 P 4:07

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 10/05/2019 to 10/05/2019, on the following days:

10 / 05 / 19

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ORDINANCE NO. 6704**

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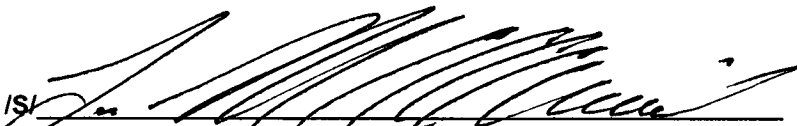
The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of September, 2019, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 2nd day of October, 2019, which was a regular meeting of 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 Fiore, Anthony, Crear, Knudsen, Seaman, and Diaz

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: October 5, 2019
LV Review-Journal

ISI 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 7th day of October, 2019

Notary 