

INTER-OFFICE MEMORANDUM

March 10, 1983

TO:

FILE

FROM:

CH
CAROL ANN HAWLEY
CITY CLERK

SUBJECT:

RECOMMENDING COMMITTEE MEETING
PROPOSED NEW BILL
MARCH 9, 1983

COPIES TO:

All Agenda Books for 3/16/83 City Comm. Mtg.
City Attorney
Community Planning and Development ✓
Building and Safety
Public Services
Fire Services

Business Activity
Metro

MEETING HELD:

3:00 P.M., March 9, 1983, City Manager's Conference Room,
10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas,
Nevada. Meeting adjourned at 4:00 P.M.

PRESENT:

Mayor William H. Briare
Commissioner Paul J. Christensen
Commissioner Al Levy
Commissioner Ron Lurie
Commissioner William U. Pearson
Deputy City Manager Don Saylor
City Attorney George Ogilvie
Harold P. Foster, Director, Community Planning and Development
Clay Hymer, Director, Building and Safety
Lois Solomon, City Manager's Office
Carol Ann Hawley, City Clerk
Linda M. Owens, Deputy City Clerk
Olga Scheel, Springhurst Development
Timon S. Greene, Springhurst Development
Jelindo Tiberti II, The Tiberti Company
Allan Gasho, Manager, Spanish Oaks Development
Kay Korell, Resident
Barry Becker, The Greens
John P. Ahern, Ahern Renters Center
Atty. John P. Fadgen
Al Tobin, Las Vegas SUN
James Kastelic, Las Vegas REVIEW-JOURNAL

- A. BILL NO. 83-5 - PERMITS THE USE OF "RAZOR WIRE" IN SECURITY FENCING SIX FEET OR MORE ABOVE GRADE OR GROUND IN COMMERCIAL AND INDUSTRIAL AREAS AND AROUND PUBLIC BUILDINGS AND TOWNHOUSE AND CONDOMINIUM DEVELOPMENTS.

Committee: Commissioners Christensen and Lurie



Mayor Briare welcomed citizens and invited their input during the deliberations. He showed two pictures to illustrate the use of razor wire, one of an actual installation at Spanish Oaks, and another which showed an artist's draw-in of razor wire at the subdivision at the corner of Oakey and Rancho.

The City Attorney had prepared four alternative bills dealing with razor wire and explained their various ramifications. (See his memo of 3/9/83 to the Board of Commissioners attached hereto.) One of the major purposes of this meeting was to try and arrive at a concensus of opinion regarding this bill.

Olga Scheel of the Springhurst development advised that she had contacted an insurance underwriter regarding the use of razor wire and he had indicated a possible liability for the City if the proposed ordinance was adopted.

Jelindo Tiberti, Tiberti Company, who installs razor wire stated he had talked to a manufacturer regarding a case where a burglar had been injured going over a fence where the wire was installed and had sued and the court had ruled that the criminal was responsible, not the property owner. Mr. Tiberti stated razor wire was used as an effective crime deterrent around boat and recreational parking areas inside of condominium and townhouse developments.

Barry Becker of The Greens felt the alternate bill drafts were too restrictive and that situations would continue to arise under which the wire should be permitted.

Allen Gasho of Spanish Oaks appeared on behalf of the original bill,

Kay Korell, a County resident, spoke in opposition to razor wire and felt strongly that Las Vegas should not look like the "Berlin wall." She said her cat didn't know the difference in commercial or residential.

The Commission received a letter from the Beautification Committee Executive Board indicating their opposition to the use of "Razor Wire" in residential areas (see letter attached).

Commissioner Lurie stated there were approximately 19 citations issued for razor wire violations awaiting the outcome of the matter, one of which involved the City's detention facility.

Commissioner Christensen throughout the meeting spoke in favor of the original bill. Commissioner Levy felt the bill should have amendments wherein surrounding property owners would have to be in agreeance for razor wire installations. The City Attorney advised of potential liability for the City relative to a razor wire ordinance.

Commissioner Lurie moved to instruct the City Attorney to introduce a First Amendment to this bill at the 3/16/83 Commission meeting, which would be the bill drafted as Alternative B with "public buildings" changed to "detention facilities" and added the use of razor wire in publicly-owned storage areas. The City Clerk called the roll and the motion passed with Commissioners Christensen and Levy voting "No."

MAR 1 1983
PLANNING AND
DEVELOPMENT

INTER-OFFICE MEMORANDUM

March 9, 1983

TO: Mayor William H. Briare Commissioner Paul Christensen Commissioner Al Levy Commissioner Ron Lurie Commissioner William Pearson	FROM: <i>George F. Ogilvie</i> George F. Ogilvie, City Attorney
SUBJECT: Bill No. 83-5 -- Permits the use of "razor" wire in security fencing under certain circumstances	COPIES TO: Russell Dorn, City Manager Don Saylor, Deputy City Manager Clay Hymer, Director Dept. of Building & Safety

Attached are drafts of four alternatives to Bill No. 83-5 which, if it is adopted, will permit the use of "razor" wire in security fencing six feet or more above grade or the adjacent ground around public buildings, in commercial and industrial areas and around townhouse and condominium developments under certain circumstances. These alternatives, including the original draft of the Bill (of which each of you already has a copy) may be summarized as follows:

- 1) Original draft
 - (a) Maintains the status quo with respect to barbed wire (provided that the lower strand is six feet or more above grade or the adjacent ground, permitted as of right as the top strands of security fences around public buildings and in commercial and industrial areas and, with the approval of the Planning Commission as to each development, around townhouse and condominium developments); and
 - (b) Permits "razor" wire, subject to the same conditions as pertain to barbed wire.
- 2) Alternative "A":
 - (a) Maintains the status quo with respect to barbed wire (see paragraph 1(a) above); and
 - (b) Provided that the lowest portion is six feet or more above grade or the adjacent ground

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MAR 11 1983
PLANNING AND
DEVELOPMENT

Mayor William H. Briare
Commissioner Paul Christensen
Commissioner Al Levy
Commissioner Ron Lurie
Commissioner William Pearson
March 9, 1983
Page 2

level, measured on the exterior side of the fence, and there is no extension beyond the plane of the fence toward the exterior side thereof, permits "razor" wire as the top portion of security fences around public buildings, in commercial and industrial areas and around townhouse and condominium developments only with the approval of the Planning Commission as to each installation or development and, if any such building, area or development directly abuts any property which is developed for residential purposes, other than apartments, with the approval of the owners of the residential properties.

- 3) Alternative "B" -- identical to Alternative "A", except that "razor" wire is not permitted around townhouse and condominium developments under any circumstances.
- 4) Alternative "C" -- identical to Alternative "A", except that no Planning Commission approval is required for "razor" wire around public buildings and in commercial and industrial areas (but all other conditions remain the same as in Alternative "A").
- 5) Alternative "D" -- identical to Alternative "B", except that no Planning Commission approval is required.

From the standpoint of the City's exposure to liability, I recommend Alternative "D" which applies only to commercial and industrial areas, requires the approval of the owners of any abutting residential properties (but not the approval of the Planning Commission) and provides that the lowest portion is six feet or more above grade or the adjacent ground level, measured on the exterior side of the fence, and that there is no extension beyond the plane of the fence on the exterior side thereof.

GFO/ph

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Las Vegas

Metropolitan Beautification Committee

An Advisory Board to the City & County Commissioners on Area Beauty

Chairperson Tom Rubidoux

March 8, 1983

TO: CITY COMMISSION
FROM: LAS VEGAS METROPOLITAN BEAUTIFICATION COMMITTEE
EXECUTIVE BOARD
SUBJECT: RAZOR WIRE

The Las Vegas Metropolitan Beautification Committee Executive Board wishes to go on record as being opposed to the use of razor wire in residential areas. Razor wire should only be allowed in commercial, industrial and public buildings, not in residential.

Sincerely,



Tom Rubidoux
Chairman

TR/sl

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Allied Arts Council
American Institute of Architects
Chamber of Commerce
Citizens-at-Large
Cooperative Extension Service

Federation of Garden Clubs
Jaycees
Junior League of Las Vegas
Las Vegas Rotary Club

League of Women Voters
Mesquite Club
Nevada Federation of
Women's Clubs

Nevada Sign Association
Southern Nevada Home Builders Assn
Westside Community
Development Commission
Youth for Community Pride