

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>
TUESDAY, MAY 30, 2000
4:00 P.M.

CALL TO ORDER:

ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL.

THE FOLLOWING BILL MAY BE ELIGIBLE FOR ADOPTION AT THE 6/7/2000 CITY COUNCIL MEETING.

- 1 **Bill No. 2000-44** – Adjusts licensing and zoning provisions regarding administrative action that may be taken in connection with certain businesses protected by the First Amendment. Proposed by: City Attorney Bradford R. Jerbic
Committee: Councilmen Weekly and Mack

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 6/21/2000 CITY COUNCIL MEETING.

2. **Bill No. 2000-39** – Annexation No. A-48-99(A) -- Property Located: On the south side of the Gowan Road alignment, approximately 300 feet west of the Western Beltway; Petitioned By: Allen Fox; Acreage Approximately 5.11 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent) Sponsored By: Councilman Larry Brown
Committee: Councilmen Weekly and Mack
- 3 **Bill No. 2000-40** – Annexation No. A-49-99(A) -- Property Located: On the southwest corner of Kyle Canyon Road and U.S. 95; Petitioned By: Earlene Lund, Acreage. Approximately 1.41 acres, Zoned: R-U (County Zoning), U (SC) (City Equivalent). Sponsored By: Councilman Michael Mack
Committee: Councilmen Weekly and Mack
- 4 **Bill No. 2000-41** – Annexation No. A-50-99(A) -- Property Located: On the southeast corner of Shaumber Road and Red Coach Avenue, Petitioned By: Anthony and Mary Thomas on Behalf of Stanpark Homes; Acreage: Approximately 5.44 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent) Sponsored By: Councilman Larry Brown
Committee: Councilmen Weekly and Mack
- 5 **Bill No. 2000-42** – Amends LVMC Chapter 2.09 to list the divisions within the Department of Neighborhood Services.
Proposed by: Sharon Segerblom, Director of Neighborhood Services
Committee: Councilmen Weekly and Mack
- 6 **Bill No. 2000-43** – Updates the City's parking meter regulations to authorize the use of a cashless payment system as an alternative to the deposit of coins. Proposed by: Michael Sheldon, Director of Detention and Enforcement
Committee: Councilmen Weekly and Mack

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: A tape recording of all the proceedings will be kept on file in the Office of the City Clerk until final disposition is made. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

43✓

(Mailing required under the provisions of NRS Chapter 241)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **23rd** day of **May, 2000**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **A Recommending Committee Meeting** to be held on the **30th** day of **May, 2000** was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

City Clerk
DEPARTMENT

23rd day of May, 2000

Brenda K. Bridges
NOTARY PUBLIC in and for said County and State



STATE OF NEVADA)
) ss
COUNTY OF CLARK)

1. On the City Clerk's Bulletin Board at the Downtown Transportation Center;
2. In the Senior Citizens Center, 450 E. Bonanza Road;(Faxed)
3. Clark County Government Center, 500 S. Grand Central Parkway; (Faxed)
4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 E. Steward Avenue (near the entrance to the Court Clerk's Office);
5. On the Special Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (in the walkway area between Metro and Municipal Court); and

Denise K. Sledge
NOTARY PUBLIC in and for said County and State



RECOMMENDING COMMITTEE MEETING MINUTES
CITY HALL, 400 EAST STEWART AVENUE
8TH FLOOR CONFERENCE ROOM
TUESDAY, MAY 30, 2000
4:00 P.M

ATTENDANCE: Councilman Lawrence Weekly
Councilman Michael Mack

ALSO PRESENT: Steve Houchens, Deputy City Manager
Val Steed, Chief Deputy of Governmental Affairs

CALL TO ORDER: Councilman Weekly called the meeting to order at 4:01 p.m.

ANNOUNCEMENT MADE: Meeting noticed and posted at the following locations:

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

1. **Bill No. 2000-44 – ADJUSTS LICENSING AND ZONING PROVISIONS REGARDING ADMINISTRATIVE ACTION THAT MAY BE TAKEN IN CONNECTION WITH CERTAIN BUSINESSES PROTECTED BY THE FIRST AMENDMENT.** Proposed by: City Attorney Bradford R. Jerbic

Committee: Councilmen Lawrence Weekly and Michael Mack

Chief Deputy City Attorney Steed indicated that the intention of the subject Bill is to close the loopholes that the Ninth Circuit Court of Appeals found in the licensing ordinances through the following measures. 1) takes away the authority bestowed upon the Las Vegas Metropolitan Police Department to temporarily close a business, 2) it allows the Council's action of license revocation or suspension of erotic dance establishments to remain during court proceedings, and 3) it takes away the ability of the City to require a use permit for these uses because of the discretion associated with use permits

With respect to the third measure, he noted that although it was never the intent to allow for a sexually oriented business by means of a use permit, the zoning code is drafted in such a way that it could be interpreted as such. Therefore, further clarification was necessary. He recommended approval.

No one appeared in opposition.

There was no further discussion

Councilman Mack recommended Bill No. 2000-44 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman Weekly said that would be the order.

(4:01 - 4:03)

2. **Bill No. 2000-39** – ANNEXATION NO. A-48-99(A) – PROPERTY LOCATED: ON THE SOUTH SIDE OF THE GOWAN ROAD ALIGNMENT, APPROXIMATELY 300 FEET WEST OF THE WESTERN BELTWAY; PETITIONED BY: ALLEN FOX; ACREAGE: APPROXIMATELY 5.11 ACRES; ZONED: R-U (COUNTY ZONING), U (PCD) (CITY EQUIVALENT). Sponsored by: Councilman Larry Brown
Committee: Councilmen Lawrence Weekly and Michael Mack

Chief Deputy City Attorney Steed stated the Bill is in order.

No one appeared in opposition.

There was no further discussion.

Councilman Mack recommended Bill No. 2000-39 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman Weekly said that would be the order.

(4:03 - 4:04)

1-72

3. **Bill No. 2000-40** – ANNEXATION NO. A-49-99(A) – PROPERTY LOCATED: ON THE SOUTHWEST CORNER OF KYLE CANYON ROAD AND U.S. 95; PETITIONED BY: EARLENE LUND; ACREAGE: APPROXIMATELY 1.41 ACRES; ZONED: R-U (COUNTY ZONING), U (SC) (CITY EQUIVALENT). Sponsored by: Councilman Michael Mack
Committee: Councilmen Lawrence Weekly and Michael Mack

Chief Deputy City Attorney Steed stated the Bill is in order.

No one appeared in opposition.

There was no further discussion.

Councilman Mack recommended Bill No. 2000-40 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman Weekly said that would be the order.

(4:04 - 4:05)

1-93

4. **Bill No. 2000-41** – ANNEXATION NO. A-50-99(A) – PROPERTY LOCATED: ON THE SOUTHEAST CORNER OF SHAUMBER ROAD AND RED COACH AVENUE, PETITIONED BY: ANTHONY AND MARY THOMAS ON BEHALF OF STANPARK HOMES; ACREAGE: APPROXIMATELY 5.44 ACRES; ZONED: R-U (COUNTY ZONING), U (PCD) (CITY EQUIVALENT). Sponsored by: Councilman Larry Brown
Committee: Councilmen Lawrence Weekly and Michael Mack
Chief Deputy City Attorney Steed stated the Bill is in order.

No one appeared in opposition.

There was no further discussion.

Councilman Mack recommended Bill No. 2000-41 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman Weekly said that would be the order.

(4:05)
1-106

5. **Bill No. 2000-42 – AMENDS LVMC CHAPTER 2.09 TO LIST THE DIVISIONS WITHIN THE DEPARTMENT OF NEIGHBORHOOD SERVICES.** Proposed by: Sharon Segerblom, Director of Neighborhood Services

Committee: Councilmen Lawrence Weekly and Michael Mack

Chief Deputy City Attorney Steed stated the Bill is in order.

No one appeared in opposition.

There was no further discussion.

Councilman Mack recommended Bill No. 2000-42 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman Weekly said that would be the order.

(4:05)
1-122

6. **Bill No. 2000-43 – UPDATES THE CITY'S PARKING METER REGULATIONS TO AUTHORIZE THE USE OF A CASHLESS PAYMENT SYSTEM AS AN ALTERNATIVE TO THE DEPOSIT OF COINS.** Proposed by: Michael Sheldon, Director of Detention and Enforcement

Committee: Councilmen Lawrence Weekly and Michael Mack

Chief Deputy City Attorney Steed explained that the subject Bill is intended to bring the Code in line with current meter usage practices. The current meters allow for the use of a key as opposed to cash, but the Code has indicated for many years that coins must be used.

Al Gallego, citizen of Las Vegas, asked if any savings would be achieved through the use of a key system and how much is being spent to update the meters to take a key. Councilman Mack pointed out that the meters could take either key or cash.

Mr. Houchens interjected that the real savings would be achieved through reduced maintenance on the meters. The old mechanical meters will be replaced with electronic meters that accept both cash and keys. Councilman Mack noted that the new meters have a chip and are digital, whereas, the old meters have 121 moving parts that could break down.

Mr. Gallego cautioned that California has had a lot of problems with the new electronic meters because people would pore glue in the key slots. Consequently, it was costing more money to fix the new meters.

There was no further discussion.

Councilman Mack recommended Bill No. 2000-43 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman Weekly said that would be the order.

(4:05 – 4:07)

1-134

CITIZENS PARTICIPATION:

Al Gallego, citizen of Las Vegas, was disappointed that Mike Sheldon, Director, Detention & Enforcement Department, was not present because he wanted to direct his comments to him. He complained that City Hall does not provide adequate handicap parking for the public. Before he came to the Recommending Committee meeting, he parked where there used to be handicap parking spaces and found out that they were no longer there when he was approached immediately by a parking attendant who started writing him a citation before he even got out of his car. The City should provide separate handicap parking for the public and the employees, because the employees use all of the available handicap parking spaces. Parking is really bad at City Hall, but he is concerned that it is going to get worse while the new garage is being built

Councilman Weekly concurred with Mr. Gallego that parking around City Hall is a problem. Hopefully, the new parking garage will relieve some of those problems, especially if the current garage and some of the surrounding parking can be made available.

Mr. Gallego suggested a two-level garage be constructed under the freeway near City Hall where the employees can park. He worries about those employees, especially the ladies, who leave after 5:00 p.m. that have to walk to their cars parked under the freeway near Human Resources. It is not safe. Councilman Weekly assured Mr. Gallego that the parking problems are being addressed.

(4:07 – 4:11)

1-192

ADJOURNMENT:

The meeting adjourned at 4:11 p.m.

/gpb

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 30, 2000

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2000-44 – Adjusts licensing and zoning provisions regarding administrative action that may be taken in connection with certain businesses protected by the First Amendment. Proposed by: City Attorney Bradford R. Jerbic

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will adjust licensing and zoning provisions regarding administrative action that may be taken in connection with certain businesses protected by the First Amendment.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2000-44

BILL NO. 2000-44

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE LAS VEGAS MUNICIPAL CODE REGARDING ADMINISTRATIVE ACTION THAT MAY BE TAKEN IN CONNECTION WITH CERTAIN BUSINESSES PROTECTED BY THE FIRST AMENDMENT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: City Attorney Bradford R. Jerbic

Summary: Adjusts licensing and zoning provisions regarding administrative action that may be taken in connection with certain businesses protected by the First Amendment.

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

SECTION 1: Title 6, Chapter 2, Section 363, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.363: (A) The Director or Metro may issue an emergency order which suspends or conditions a license upon a determination that:

[(A)] (1) There has been a violation of the provisions of this Title; and
[(B)] (2) Such order is necessary for the immediate preservation of the public peace, health, safety, morals, good order or general welfare within the City.

(B) This Section does not apply to any business licensed pursuant to Chapter 6.06A or Chapter 6.35.

SECTION 2: Title 6, Chapter 6, Section 270, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.270: (A) The Director or Metro may issue an emergency order which suspends or conditions a license upon a determination that:

[(A)] (1) There has been a violation of the provisions of this Title; and
[(B)] (2) Such order is necessary for the immediate preservation of the public peace, health, safety, morals, good order or general welfare within the City.

(B) This Section does not apply to any business licensed pursuant to Chapter 6.06A or Chapter 6.35.

SECTION 3: Title 6, Chapter 6A, Section 40, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:
2 **6.06A.040:** (A) The [Las Vegas] City Council, upon notice and hearing, may suspend the license
3 of a bookstore which fails to comply with or violates any provision of this Chapter or [LVMC 19.74]
4 Title 19A until such time as the licensee may correct the items of noncompliance or violation.
5 Unrecorded gross revenue from sales of a bookstore which holds itself out to the public through
6 signs or advertising as an adult bookstore shall be presumed to have been of matter distinguished
7 or characterized by its emphasis on matter depicting or describing or relating to specified sexual
8 activities or specified anatomical areas, and if the unrecorded revenue from gross sales exceed more
9 than fifty percent of total recorded and recorded gross sales of books, magazines, films, tapes or
10 discs, the establishment shall be deemed a sexually oriented business within the meaning of [LVMC
11 19.74.] Title 19A.

12 (B) A bookstore license issued to any licensee under the provisions of this Title shall be
13 subject to revocation if such licensees maintain or carry on any business in any building or structure
14 which is structurally unsafe, or not provided with adequate egress, or which constitutes a fire hazard,
15 or which is otherwise dangerous to human life or safety, or which in its relation to existing use
16 constitutes, a hazard to safety or health by reasons of inadequate maintenance, dilapidation,
17 obsolescence or abandonment.

18 (C) In the event the bookstore license is suspended or revoked, the license suspension or
19 revocation shall be stayed for fourteen days from the date of the written notice to the licensee for the
20 licensee to seek judicial review. If the licensee seeks judicial review in a timely manner, the license
21 suspension or revocation shall be stayed until the court orders otherwise or issues a dispositive
22 ruling. The license may waive the stay provision in writing, or the City may seek sooner to enforce
23 the suspension or revocation by filing in the district court a petition for judicial review as provided
24 in NRS 43.100 or by seeking alternative relief pursuant to Chapter 34 of NRS.

25 SECTION 4: Title 6, Chapter 35, Section 140, of the Municipal Code of the City
26 of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **6.35.140:** (A) The [Las Vegas] City Council shall not act to revoke or suspend an erotic
28 dance establishment license until after:

1 (1) The licensee or is given at least ten days' written notice of the specific
2 charges;

3 (2) A hearing is held before the [Las Vegas] City Council at which time
4 the licensee may present such evidence and defense as may bear upon the question.

5 (B) The erotic dance establishment license shall be revoked or suspended if the
6 license maintains or conducts business in any building or structure which is structurally unsafe, or
7 does not provide adequate egress, or which constitutes a fire hazard, or which is otherwise dangerous
8 to human life or safety, or which in relation to existing use constitutes a hazard to safety or health,
9 or public welfare by reasons of inadequate maintenance, dilapidation or obsolescence.

10 (C) The erotic dance establishment license, shall be revoked or suspended if the
11 licensee or his, her or its employee, agent or manager has made any false, misleading or fraudulent
12 statement of material fact in the application for the license at issue or in any semi-annual report
13 required to be filed with the Department (LVMC 6.35.120) or record required to be kept for three
14 years (LVMC 6.35.120) or knowingly caused or suffered another to furnish such false, misleading
15 or fraudulent information or withhold such required information on his, her or its behalf, or violates
16 any provisions of LVMC 6.35.100.

17 (D) In the event the erotic dance establishment license is suspended or revoked,
18 the license suspension or revocation shall be stayed for fourteen days from the date of the written
19 notice to the licensee for the licensee to seek judicial review. If the licensee seeks judicial review
20 in a timely manner, the license suspension or revocation shall be stayed until the court orders
21 otherwise or issues a dispositive ruling. The licensee may waive the stay provision in writing, or the
22 City may seek sooner to enforce the suspension or revocation by filing in the district court a petition
23 for judicial review as provided by NRS 43.100 or by seeking alternative relief pursuant to Chapter
24 34 of NRS.

25 SECTION 5: Section 19A.04.040(B) of the Zoning Code of the City of Las Vegas
26 is hereby amended to read as follows:

27 **B. Special Use Permit Required.** Except as otherwise specifically provided regarding a particular
28 use, [When] when not all the itemized conditions can be met, a Special Use Permit is required for

1 the use. Special Use Permit approval may require additional conditions beyond those itemized
2 below.

3 SECTION 6: The subdivision of Section 19A.04.040(C) of the Zoning Code entitled
4 "Sexually Oriented Businesses," is hereby amended by adding thereto a new Paragraph 6, reading
5 as follows:

6 6. The Special Use Permit provisions of Section 19A.04.040(B) do not apply to a sexually
7 oriented business.

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

16 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this _____ day of _____, 2000.

20 APPROVED:

21 By _____
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:

24 _____
25 BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:

27 Val Steed 5-9-2000
28 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2000, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2000, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 _____
16 BARBARA JO RONEMUS, City Clerk
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Porn

Only

In

Zone

May 15, 2000

ph/fx: 702-877-2438

to ~~The Honorable Mayor GOODMAN~~
from Haynes, Clark & Plumb
of pages one

Dear Honorable Mayor GOODMAN:

Proposed City bill 2000-44 of May 17, 2000 agenda item #84, in our opinion, fails even to address, much less rectify the objection of the U.S. Circuit Court of Appeals for the 9th Circuit.

In re the judicial opinion in BABY TAM & CO. INC. VS City of Las Vegas 99-16809 filed 1/14/2000.

Quoting from Judge Noonan's writing for the majority decision with Justice Thompson in dissent quote, "---so long as the applicable book store licensing and zoning ordinance fails to provide for a prompt hearing and prompt decision by a judicial officer (our underline) ---." "---as we stated in BABY TAM ONE '[judicial review] necessarily has two elements---(1) consideration of dispute by judicial officer and (2) a decision---'.

The proviso "----a decision" i.e. by a judicial officer is clearly not addressed in City Bill 2000--44 probably because it is beyond the authority of the City to do so under separation of powers standards. The City seems to be in a no-win situation with the approach it has taken.

More disturbing to us is the repeated assertion of Justice Noonan that the issue of the day is a narrow one and there are quote "----other Constitutional defects---" in the City of Las Vegas' "----licensing scheme----".

The preceeding considered, we of Pornography Only In Zone, have no confidence that City Bill 2000-44 will succeed in removing Hot Stuff from from 5100 W. Charleston Boulevard in Las Vegas, Nevada.

With Respect,

Lee Haynes

Lee Haynes ---P.O.I.Z. coordinator

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 30, 2000

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2000-39 -- Annexation No. A-48-99(A) -- Property Located: On the south side of the Gowan Road alignment, approximately 300 feet west of the Western Beltway; **Petitioned By:** Allen Fox; **Acreage:** Approximately 5.11 acres; **Zoned:** R-U (County Zoning), U (PCD) (City Equivalent). **Sponsored By:** Councilman Larry Brown

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the south side of the Gowan Road alignment, approximately 300 feet west of the Western Beltway. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 21, 2000) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2000-39 and Location Map

1 **Bill No. 2000-39**

2 **Ordinance No. _____**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE
5 LAWS AND OBLIGATIONS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED
6 MATTERS. (A-48-99(A))

7 Sponsored by:
8 Councilman Larry Brown

Summary: Annexes property described generally
as located on the south side of the Gowan Road
alignment, approximately 300 feet west of the
Western Beltway.

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

11 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby
12 extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following
13 described real property, to-wit:

14 The East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter
(NE 1/4) of the Southwest Quarter (SW 1/4) of Section 12, Township 20 South, Range
59 East, M.D.M., in the County of Clark, State of Nevada.

15 SECTION 2: That said City Council has determined and does hereby determine, that
16 said described territory meets the requirements provided by law for annexation to the City of Las
17 Vegas for the following reasons:

- 18 A. The area to be annexed was contiguous to the City's boundaries at the time the
19 annexation proceedings were instituted;
- 20 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are
21 contiguous to the City of Las Vegas;
- 22 C. The territory proposed to be annexed is not included within the boundaries of
23 another incorporated city or within the boundaries of any unincorporated town
24 as those boundaries existed as of July 1, 1983;
- 25 D. The City of Las Vegas is eligible to annex the area described in this report
26 since the landowners have signed a petition constituting one hundred percent
27 (100%) of the owners of record of individual lots or parcels of land within the
28 annexation area.

SECTION 3: The City of Las Vegas will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of said described territory shall become effective on the 30th day of June, 2000, and on such date the City of Las Vegas will have the funds appropriated in sufficient amount to finance the extension into said described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: Said described territory, together with the inhabitants and property thereof, shall, from and after the 30th day of June, 2000, be subject to all debts, laws, ordinances and regulations in force in the City of Las Vegas and shall be entitled to the same privileges and benefits as other parts of said City, and shall be subject to municipal taxes levied by the City of Las Vegas, Nevada.

SECTION 6: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed to cause to be prepared an accurate map or plat of said described territory and to record the same, together with a certified copy of this ordinance in the office of the County Recorder of Clark County,

1 Nevada, which said recording shall be done prior to the 30th day of June, 2000.

2 SECTION 7: The said described territory, which heretofore has been zoned R-U
3 (County of Clark classification), is hereby classified as U (PCD) (City of Las Vegas classification),
4 which is deemed to be the City equivalent of said County classification.

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

13 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this _____ day of _____, 2000.

17 APPROVED:

18
19 _____
OSCAR B. GOODMAN, Mayor

20 ATTEST:

21
22 _____
BARBARA JO RONEMUS, City Clerk

23
24 APPROVED AS TO FORM:

25 Val Steed 5-5-2000
26 Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day of _____, 2000, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 2000, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE". _____

VOTING "NAY": _____

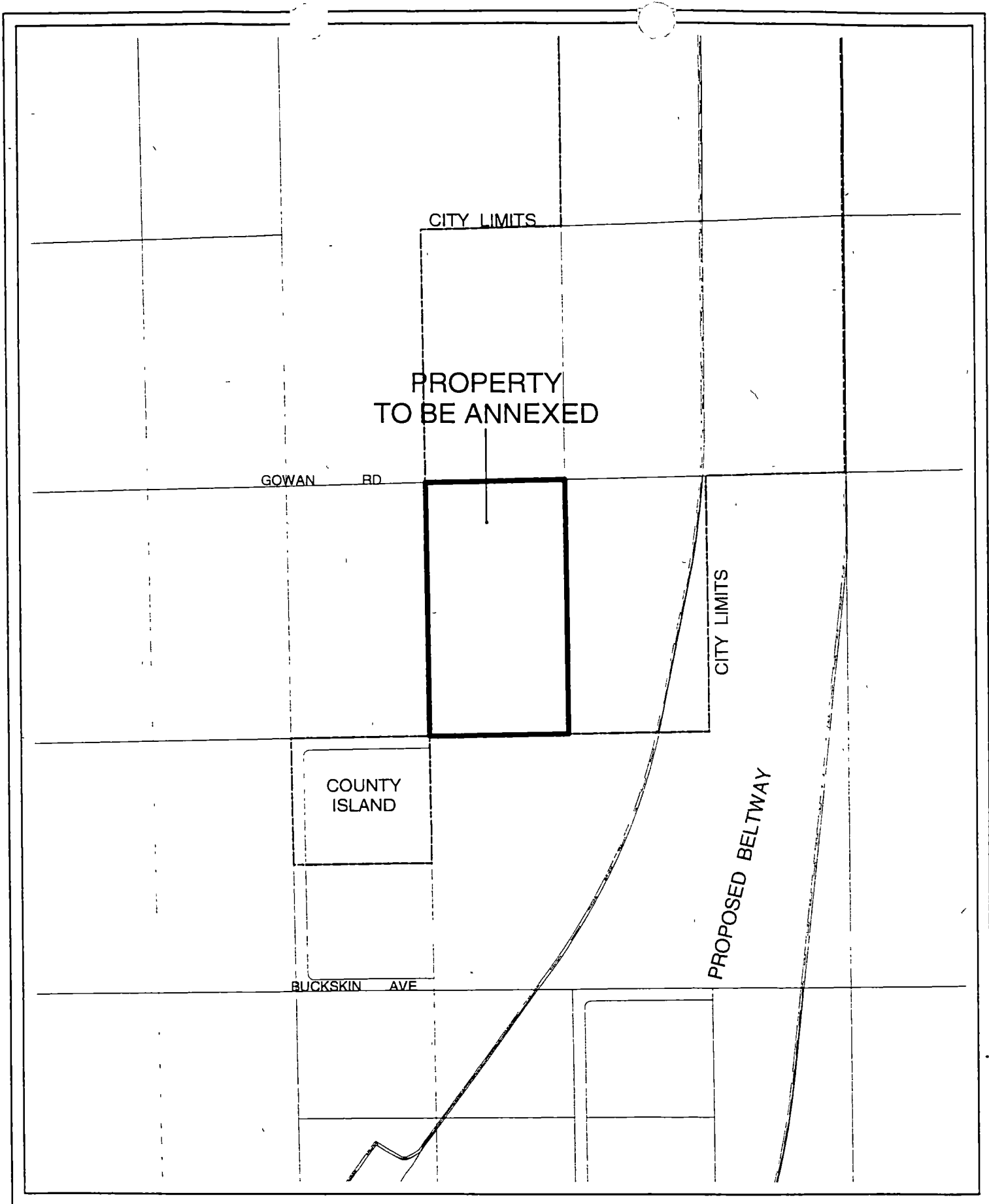
ABSENT: _____

APPROVED:

OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk



CASE: A-48-99(A)

0 300 600 Feet



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 30, 2000

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2000-40 -- Annexation No. A-49-99(A) -- Property Located: On the southwest corner of Kyle Canyon Road and U.S. 95; **Petitioned By:** Earlene Lund; **Acreage:** Approximately 1.41 acres; **Zoned:** R-U (County Zoning), U (SC) (City Equivalent). **Sponsored By:** Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the southwest corner of Kyle Canyon Road and U.S. 95. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 30, 2000) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2000-40 and Location Map

1 **Bill No. 2000-40**

2 **Ordinance No. _____**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE
5 LAWS AND OBLIGATIONS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED
6 MATTERS. (A-49-99(A))

7 Sponsored by:
8 Councilman Michael Mack

Summary: Annexes property described generally
as located adjacent to the southwest corner of
Kyle Canyon Road and U.S. 95.

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

11 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby
12 extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following
13 described real property, to-wit:

14 That portion of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of the Northeast
15 Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 1, Township 19 South,
16 Range 59 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

17 That parcel of land bounded as follows: bounded on the East by the East line of said
18 Section 1; bounded on the South by the South line of the Northeast Quarter (NE 1/4)
19 of the Southeast Quarter (SE 1/4) of said Section 1; bounded on the West by the East
20 Right-of-Way line of the "F6" FRONTAGE ROAD (100 foot wide), as shown on the
21 Nevada Department of Transportation Highway Plans of the U.S. -95 Freeway, Project
22 Number QF-095-2(12); and bounded on the North by the South Right-of-Way line of
23 the KYLE CANYON ROAD (400 foot wide), also being the South Right-of-Way line
24 of State Route 157/Highway 39 as shown on said Project Number QF-095-2(12).

25 SECTION 2: That said City Council has determined and does hereby determine, that
26 said described territory meets the requirements provided by law for annexation to the City of Las
27 Vegas for the following reasons:

- 28
- 29 A. The area to be annexed was contiguous to the City's boundaries at the time the
30 annexation proceedings were instituted;
 - 31 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are
32 contiguous to the City of Las Vegas;
 - 33 C. The territory proposed to be annexed is not included within the boundaries of
34 another incorporated city or within the boundaries of any unincorporated town

as those boundaries existed as of July 1, 1983;

D. The City of Las Vegas is eligible to annex the area described in this report since the landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels of land within the annexation area.

SECTION 3: The City of Las Vegas will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of said described territory shall become effective on the 30th day of June, 2000, and on such date the City of Las Vegas will have the funds appropriated in sufficient amount to finance the extension into said described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: Said described territory, together with the inhabitants and property thereof, shall, from and after the 30th day of June, 2000, be subject to all debts, laws, ordinances and regulations in force in the City of Las Vegas and shall be entitled to the same privileges and benefits

1 as other parts of said City, and shall be subject to municipal taxes levied by the City of Las Vegas,
2 Nevada.

3 SECTION 6: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
4 to cause to be prepared an accurate map or plat of said described territory and to record the same,
5 together with a certified copy of this ordinance in the office of the County Recorder of Clark County,
6 Nevada, which said recording shall be done prior to the 30th day of June, 2000.

7 SECTION 7: The said described territory, which heretofore has been zoned R-U
8 (County of Clark classification), is hereby classified as U (SC) (City of Las Vegas classification),
9 which is deemed to be the City equivalent of said County classification.

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

18 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
19 ...
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28 ...

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 2000.

4 APPROVED:

5
6 OSCAR B. GOODMAN, Mayor

7 ATTEST:

8
9 BARBARA JO RONEMUS, City Clerk

10
11 APPROVED AS TO FORM:

12 Val Steed 5-5-2000
13 Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day of _____, 2000, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 2000, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY". _____

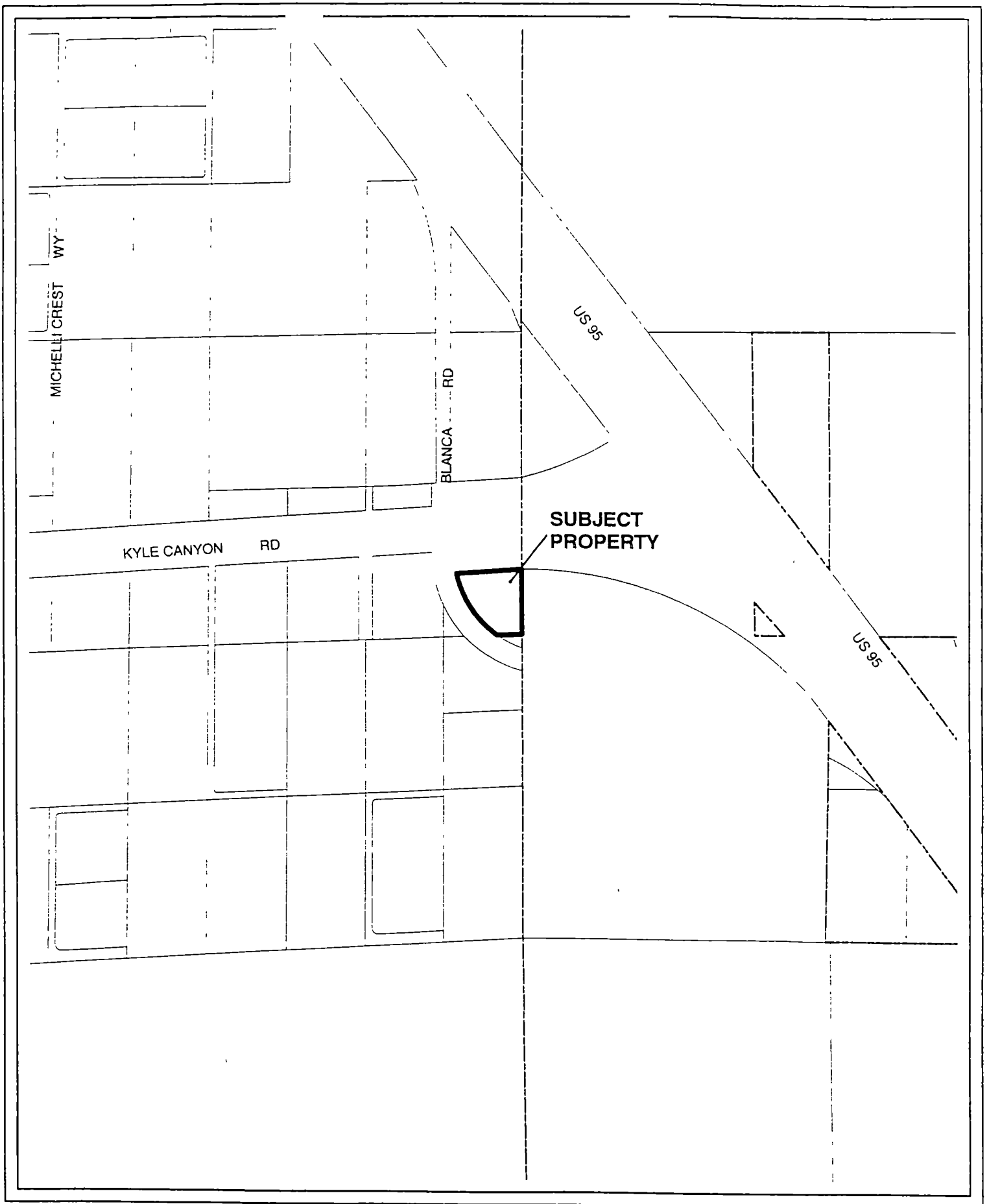
ABSENT: _____

APPROVED:

OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk



CASE: **A-49-99**

0 300 600 900 Feet



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 30, 2000

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2000-41 -- Annexation No. A-50-99(A) -- Property Located: On the southeast corner of Shaumber Road and Red Coach Avenue; **Petitioned By:** Anthony and Mary Thomas on Behalf of Stanpark Homes; **Acreage:** Approximately 5.44 acres; **Zoned:** R-U (County Zoning), U (PCD) (City Equivalent). **Sponsored By:** Councilman Larry Brown

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the southeast corner of Shaumber Road and Red Coach Avenue. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 30, 2000) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2000-41 and Location Map

1 **Bill No. 2000-41**

2 **Ordinance No. _____**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE
5 LAWS AND OBLIGATIONS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED
6 MATTERS. (A-50-99(A))

7 Sponsored by:
8 Councilman Larry Brown

Summary: Annexes property described generally
as located on the southeast corner of Shaumber
Road and Red Coach Avenue.

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

11 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby
12 extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following
13 described real property, to-wit:

14 The West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter
(SE 1/4) of the Northwest Quarter (NW 1/4) of Section 1, Township 20 South, Range
59 East, M.D.M., in the County of Clark, State of Nevada.

15 SECTION 2: That said City Council has determined and does hereby determine, that
16 said described territory meets the requirements provided by law for annexation to the City of Las
17 Vegas for the following reasons:

- 18 A. The area to be annexed was contiguous to the City's boundaries at the time the
19 annexation proceedings were instituted;
- 20 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are
21 contiguous to the City of Las Vegas;
- 22 C. The territory proposed to be annexed is not included within the boundaries of
23 another incorporated city or within the boundaries of any unincorporated town
24 as those boundaries existed as of July 1, 1983;
- 25 D. The City of Las Vegas is eligible to annex the area described in this report
26 since the landowners have signed a petition constituting one hundred percent
27 (100%) of the owners of record of individual lots or parcels of land within the
28 annexation area.

1 SECTION 3: The City of Las Vegas will provide police protection through the Las
2 Vegas Metropolitan Police Department, fire protection, street maintenance, and library services
3 immediately upon annexation. Garbage collection by the company franchised by the City will also
4 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
5 Any connection to or extension of this sewer line to serve the annexation area shall be at the expense
6 of the landowners. Other services, such as participation in the City's recreational programs, special
7 education classes and programs, public works planning, building inspections, and other City services
8 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided
9 by private utility companies and other services to the area will not be affected by annexation. Street
10 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation
11 will be installed in the presently developed areas upon the request of the property owners and at their
12 expense by means of special assessment districts. Such improvements will be extended into the
13 undeveloped areas as development takes place and the need therefor arises, and will be located
14 according to the needs of the area at that time. Such installations will also be made at the expense of
15 the property owners, either by means of special assessment districts or as prerequisites to the approval
16 of subdivision plats, building permits or other land use or development applications

17 SECTION 4: The annexation of said described territory shall become effective on the
18 30th day of June, 2000, and on such date the City of Las Vegas will have the funds appropriated in
19 sufficient amount to finance the extension into said described territory of police protection, fire
20 protection, street maintenance, street sweeping, and street lighting maintenance.

21 SECTION 5: Said described territory, together with the inhabitants and property
22 thereof, shall, from and after the 30th day of June, 2000, be subject to all debts, laws, ordinances and
23 regulations in force in the City of Las Vegas and shall be entitled to the same privileges and benefits
24 as other parts of said City, and shall be subject to municipal taxes levied by the City of Las Vegas,
25 Nevada.

26 SECTION 6: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
27 to cause to be prepared an accurate map or plat of said described territory and to record the same,
28 together with a certified copy of this ordinance in the office of the County Recorder of Clark County,

1 Nevada, which said recording shall be done prior to the 30th day of June, 2000.

2 SECTION 7: The said described territory, which heretofore has been zoned R-U
3 (County of Clark classification), is hereby classified as U (SC) (City of Las Vegas classification),
4 which is deemed to be the City equivalent of said County classification.

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

13 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this ____ day of _____, 2000.

17 APPROVED:

18
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21
22 BARBARA JO RONEMUS, City Clerk

23
24 APPROVED AS TO FORM:

25 Val Heed 5-5-2000
26 Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day of _____, 2000, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 2000, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

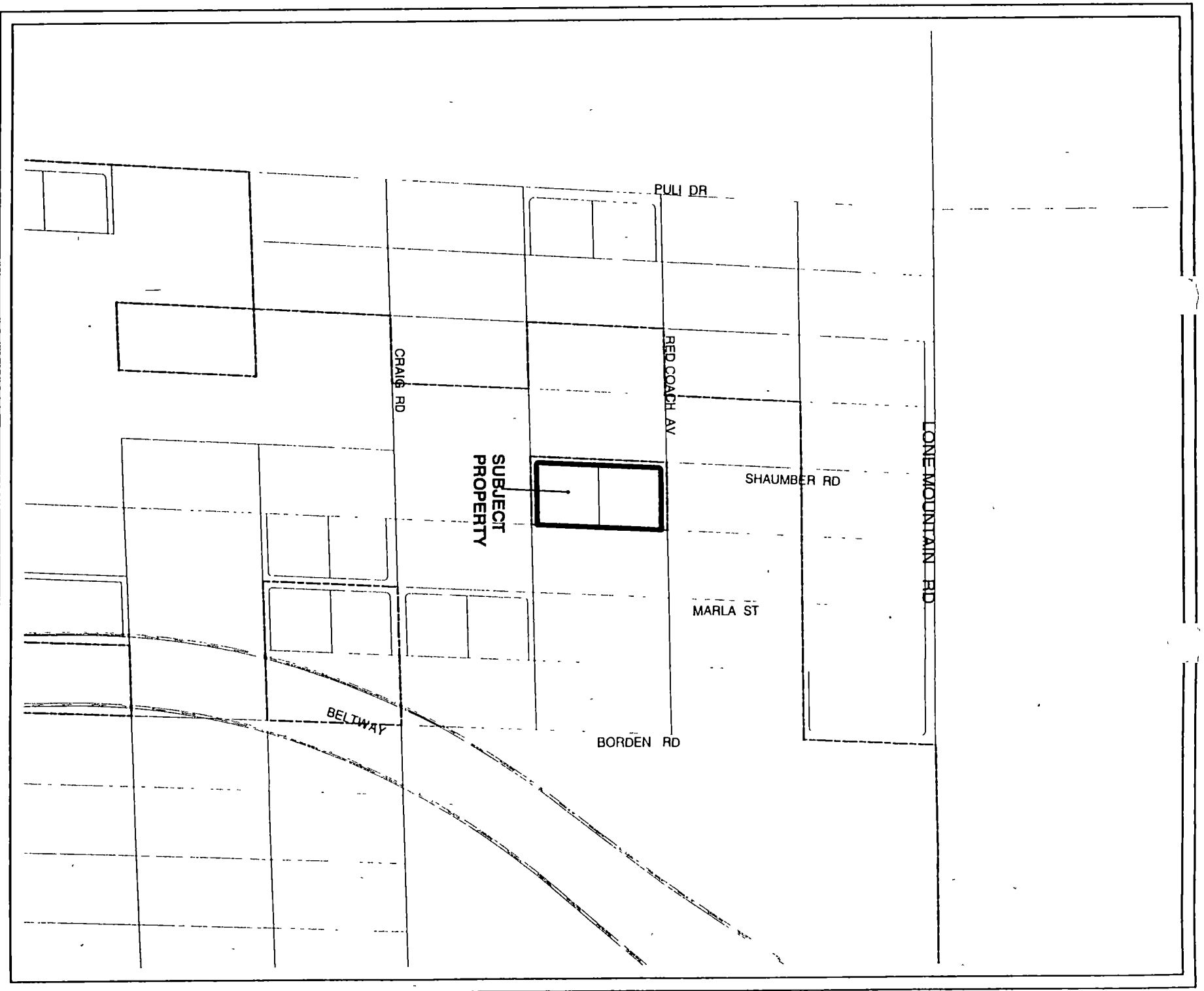
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

CASE: A-50-99

0 300 600 900 Feet



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 30, 2000

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2000-42 – Amends LVMC Chapter 2.09 to list the divisions within the Department of Neighborhood Services. Proposed by: Sharon Segerblom, Director of Neighborhood Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The ordinance which created the Department of Neighborhood Services several years ago did not include a provision to list the constituent divisions, as has been done with other departments. This bill follows up with a listing of the divisions that make up the Department of Neighborhood Services.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2000-42

1 **Bill No. 2000-42**

2 **Ordinance No. _____**

3 **AN ORDINANCE TO LIST THE DIVISIONS WITHIN THE DEPARTMENT OF**
4 **NEIGHBORHOOD SERVICES, AND TO PROVIDE FOR OTHER RELATED MATTERS.**

5 Proposed by: Sharon Segerblom,
6 Director of Neighborhood Services

Summary: Amends LVMC Chapter 2.09 to
list the divisions within the Department of
Neighborhood Services.

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

9 **SECTION 1: Title 2, Chapter 9, of the Municipal Code of the City of Las Vegas, Nevada,**
10 **1983 Edition, is hereby amended to add a new section, reading as follows:**

11 The Department of Neighborhood Services shall consist of the following divisions:

- 12 (A) Administrative Services;
- 13 (B) Neighborhood Development;
- 14 (C) Neighborhood Planning & Support;
- 15 (D) Neighborhood Response.

16 **SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase**
17 **in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or**
18 **ineffective by any court of competent jurisdiction, such decision shall not affect the validity or**
19 **effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of**
20 **the City of Las Vegas hereby declares that it would have passed each section, subsection,**
21 **subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or**
22 **more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared**
23 **unconstitutional, invalid or ineffective.**

24 **SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,**
25 ...
26 ...
27 ...
28 ...

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this _____ day of _____, 2000.

4 APPROVED:

5
6 By _____
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8
9 _____
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Valsted 5-5-2000
12 _____
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2000, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2000, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12 By _____
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 _____
16 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 30, 2000

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2000-43 – Updates the City's parking meter regulations to authorize the use of a cashless payment system as an alternative to the deposit of coins. Proposed by: Michael Sheldon, Director of Detention and Enforcement

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City's parking meters are equipped to accept as "payment" either the deposit of coins or the insertion of a "key" which records a debit-like transaction. This bill will update the City Code to acknowledge the key-related technology.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2000-43

BILL NO. 2000-43

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY'S PARKING METER REGULATIONS TO AUTHORIZE THE USE OF A CASHLESS PAYMENT SYSTEM AS AN ALTERNATIVE TO THE DEPOSIT OF COINS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Michael Sheldon, Director
Detention and Enforcement

Summary: Updates the City's parking meter regulations to authorize the use of a cashless payment system as an alternative to the deposit of coins.

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

SECTION 1: Title 11, Chapter 54, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.54.060: (A) Except in a period of emergency determined by an officer of the Department of Fire [Services] and Rescue or the Metropolitan Police Department, or in compliance with the directions of a Police Officer or traffic-control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the parking meter space, immediately [deposit or cause to be deposited in the meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter. The operator of such vehicle, after the deposit of the proper coin, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon. Failure to deposit such proper coin, and to set the timing mechanism in operation when so required, shall constitute a violation of this Chapter.] activate the meter in accordance with this Section. Failure to activate a meter in accordance with this Section is a violation of this Chapter.

(B) For purposes of this Section, activation of the meter consists of paying the amount required to set in operation the timing mechanism of the meter. Payment of the amount required for operation of the meter is accomplished by depositing the required amount in United States coin. In the case of meters which have been installed and approved by the City for use in connection with an authorized cashless payment system, payment may be made by inserting a key or card which has been authorized for use with that system and which properly records payment by means of a debit or similar

1 transaction.

2 [(B)] (C) Upon [deposit of such coin and the setting of the timing mechanism in operation
3 when so required,] activation of the parking meter in accordance with this Section, the parking space
4 may be lawfully occupied by such vehicle during the period of time which has been prescribed for the
5 part of the street in which said parking space is located[;] and for the period during which the parking
6 meter is activated; provided, however, that any person placing a vehicle in a parking meter space
7 adjacent to a meter which indicates that unused time [has been left in the meter by the previous
8 occupant of the space] remains on the meter shall not be required to [deposit a coin] make additional
9 payment so long as his occupancy of said space does not exceed the indicated unused parking time.

10 SECTION 2: Title 11, Chapter 54, Section 180, of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **11.54.180:** The [coins deposited in] revenue generated by parking meters [are required and] shall
13 be used to defray the expense of proper regulation of traffic and parking upon the public streets of the
14 City, to provide for the cost of supervision, regulation and control of the parking of vehicles in parking
15 meter zones and other areas in which parking is restricted, and to cover the cost of purchase,
16 supervision, protection, inspection, installation, operation, maintenance, control and use of parking
17 meters as well as the public areas in the vicinity of the parking meters and the zones in which parking
18 is restricted.

19 SECTION 3: Title 11, Chapter 54, Section 200, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **11.54.200:** It shall be a violation of the provisions of this Chapter for any person:

22 (A) To cause, allow, permit or suffer any vehicle registered in the name of or operated by
23 such person, contractor or agency to be parked overtime, or beyond the period of legal parking time
24 established for any parking meter zone as herein described, or to [deposit in] activate any parking
25 meter [any coin] for the purposes of parking beyond the maximum legal parking time for the particular
26 parking meter zone.

27 (B) To permit any vehicle to remain or be placed in any parking space adjacent to any
28 parking meter while said meter is displaying a signal indicating that the vehicle occupying such

1 parking space has already been parked beyond the period prescribed for such parking space[.]or
2 beyond the period for which the meter was activated.

3 (C) To park any vehicle across any line or marking of a parking meter space or in such
4 position that the vehicle is not entirely within the area designated by such lines or markings.

5 SECTION 4: Title 11, Chapter 54, Section 205, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **11.54.205:** It is a misdemeanor for any person:

8 (A) To deface, injure, tamper with, open or wilfully break, destroy, remove, or impair the
9 usefulness of any parking meter installed under the provisions of this Chapter, except as otherwise
10 provided in this Chapter.

11 (B) To deposit or cause to be deposited in any parking meter any slugs, device or metal
12 substances, or other substitute for lawful coins.

13 (C) To attempt to activate any parking meter by means of a key or card which is not
14 authorized for use in that meter.

15 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
16 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
17 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
18 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
19 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
20 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
21 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
22 invalid or ineffective.

23 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
24 ...
25 ...
26 ...
27 ...
28 ...

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 2000.

4 APPROVED:

5 By _____
6 OSCAR B. GOODMAN, Mayor

7 ATTEST:

8 _____
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed 5-5-2000
12 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2000, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2000, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 _____
16 BARBARA JO RONEMUS, City Clerk

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