

City of Las Vegas

S.V.

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
TUESDAY, JANUARY 4, 2005
4:00 P.M.

RECOMMENDING COMMITTEE - COUNCILWOMAN MONCRIEF AND COUNCILMAN WEEKLY

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.

ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- 1. Bill No. 2004-77 - ABEYANCE ITEM - Authorizes the granting of a distance-separation waiver for a tavern to be located within a regional mall. Sponsored by: Councilwoman Janet Moncrief
- 2. Bill No. 2004-82 - Expands the boundaries of the Live/Work Overlay District to include the East Fremont District, as identified in the Downtown Centennial Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
- 3. Bill No. 2004-83 - Prohibits motorized vehicles on equestrian trails, multi-use trails, and other trails not intended for motorized vehicles. Sponsored by: Councilman Michael Mack

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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:

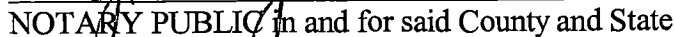
City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Court Clerk's Office Bulletin Board, City Hall Plaza
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

(Mailing required under the provisions of NRS Chapter 241)

Sharisse Yarborough, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **23rd** day of **December**, 2004, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting**, to be held on the **4th** day of **January, 2005**, 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

27 day of December, 2004



STATE OF NEVADA)
) ss
COUNTY OF CLARK)

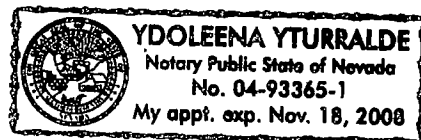
1. City Clerk's Bulletin Board, 400 Stewart Avenue, 2nd Floor Skybridge (in the walkway area next to the entrance of the Human Resources Department)
2. Court Clerk's Office Bulletin Board, City Hall Plaza, 400 Stewart Avenue (near the entrance to the Court Clerk's Office)
3. Las Vegas Library, 833 Las Vegas Blvd.
4. Clark County Government Center, 500 S. Grand Central Parkway
5. Grant Sawyer Building, 555 E. Washington Avenue

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

27 day of December, 2004

NOTARY PUBLIC in and for said County and State



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: JANUARY 4, 2005

- CALL TO ORDER

MINUTES:

PRESENT: COUNCILWOMAN MONCRIEF and COUNCILMAN WEEKLY

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and ASSISTANT DEPUTY CITY CLERK VICKY DARLING

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:06)

1-1

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JANUARY 4, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2004-77 - ABEYANCE ITEM - Authorizes the granting of a distance-separation waiver for a tavern to be located within a regional mall. Sponsored by: Councilwoman Janet Moncrief

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The City's zoning regulations generally require a distance separation between taverns, but allow the distance separation requirement to be waived in certain limited circumstances. This bill would add another such circumstance, namely, when a proposed tavern will be located within a regional mall.

RECOMMENDATION:

HELD IN ABEYANCE to 1/4/2005 Recommending Committee meeting pursuant to the 12/14/2004 Recommending Committee.

First Reading – 12/1/2004; First Publication – N/A

BACKUP DOCUMENTATION:

1. Bill No. 2004-77
2. Submitted after final agenda - Protest letter from June Ingram and Pamela Stancliffe

MOTION:

COUNCILWOMAN MONCRIEF recommended Bill 2004-77 be stricken and forwarded to the Full Council with a recommendation to strike. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

COUNCILWOMAN MONCRIEF explained that as a result of unresolved neighborhood concerns, she was recommending the bill be stricken.

TOM McGOWAN discussed with ROBERT GENZER, Director, Planning and Development Department, that the Fremont Street Experience would not qualify as a regional mall, although many of the criteria did match. The Fremont Street Experience is classified as a pedestrian mall and located in an area already exempt from distance separations. The Premium Outlet Mall would also not qualify as only a portion of it is enclosed. City staff would interpret this bill to apply only to the Meadows Mall. MR. McGOWAN expressed concern that the bill would open flood gates based on its wide applicability.

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:06 - 4:08)

1 **BILL NO. 2004-77**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AUTHORIZE THE GRANTING OF A DISTANCE-SEPARATION WAIVER
4 FOR A TAVERN TO BE LOCATED WITHIN A REGIONAL MALL, AND TO PROVIDE FOR
OTHER RELATED MATTERS.

5 Sponsored by: Councilwoman Janet Moncrief Summary: Authorizes the granting of a
6 distance-separation waiver for a tavern to be
located within a regional mall.

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

9 SECTION 1: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code
10 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended so that the subdivision entitled
11 "Liquor Establishment (Tavern)" reads as follows:

12 **LIQUOR ESTABLISHMENT (TAVERN) [C-1 THROUGH M]**

13 (1) Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council
14 declares that the public health, safety and general welfare of the City are best promoted and protected
15 by generally requiring both a minimum separation between liquor establishments (tavern), and a
16 minimum separation between a liquor establishment (tavern) and certain other uses that should be
17 protected from the impacts associated with a liquor establishment (tavern). Therefore, except as
18 otherwise provided below, no liquor establishment (tavern) may be located within fifteen hundred feet
19 of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for
20 more than twelve children, or City park.

21 (2) The distance separation referred to in Paragraph (1) shall be measured with reference to the
22 shortest distance between two property lines, one being the property line of the proposed liquor
23 establishment (tavern) which is closest to the existing use to which the measurement pertains, and the
24 other being the property line of that existing use which is closest to the proposed liquor establishment
25 (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

26 (3) For the purpose of Paragraph (2), and for that purpose only:

27 (a) The "property line" of a protected use refers to the property line of a fee interest parcel
28 that has been created by an approved and recorded parcel map or subdivision map, and does not

1 include the property line of a leasehold parcel; and

2 (b) The "property line" of a liquor establishment (tavern) refers to:

3 (i) The property line of a parcel that has been created by an approved and recorded

4 parcel map or commercial subdivision map; or

5 (ii) The property line of a parcel that is located within an approved and recorded

6 commercial subdivision and that has been created by a record of survey or legal description, if:

7 (A) Using the property line of that parcel for the purpose of measuring the

8 distance separation referred to in Paragraph (1) would qualify the parcel under the distance separation

9 requirement;

10 (B) The proposed liquor establishment (tavern) will have direct access (both

11 ingress and egress) from a street having a minimum right-of-way width of one hundred feet. The

12 required access may be shared with a larger development but must be located within the property lines

13 of the parcel on which the proposed liquor establishment (tavern) will be located;

14 (C) All parking spaces required by LVMC Chapter 19.10 for the liquor

15 establishment (tavern) use will be located on the same parcel as the use; and

16 (D) The owners of all parcels within the commercial subdivision, including

17 the owner of the parcel on which the liquor establishment (tavern) will be located, execute and record

18 an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access,

19 ingress and egress throughout the commercial subdivision.

20 (4) The distance separation requirement set forth in Paragraph (1) does not apply to an

21 establishment which has a non-restricted gaming license in connection with a hotel having two

22 hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having

23 in excess of two hundred guest rooms after July 1, 1992.

24 (5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance

25 with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed liquor

26 establishment (tavern) that:

27 (a) Will be located on a parcel within the C-V District or the Downtown Casino Overlay

28 District;

1 (b) Will be located on a parcel or within a building that, pursuant to State law or City
2 ordinance, has been designated as an historic property, historic building, or landmark; [or]

3 (c) Will be located within a regional mall; or

4 [(c)] (d) Will be separated from the existing use by a street or highway with a minimum right-
5 of-way width of one hundred feet.

6 (6) The use shall conform to the provisions of LVMC Chapter 6.50.

7 SECTION 2: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate location,
9 the term "Regional Mall" and its definition, as follows:

10 "Regional Mall" means an enclosed structure with a minimum square footage of three hundred fifty
11 thousand square feet:

12 (A) That is used or intended to be used as an assemblage of various tenants,
13 including, without limitation, retail uses, personal service uses, food service uses, and other ancillary
14 uses;

15 (B) That includes a minimum of two major anchor tenants; and

16 (C) In which the typical means of access to the various uses is from inside the mall
17 structure.

18 SECTION 3: In Section 1 of this Ordinance, the brackets that follow the title of the
19 subdivision being added are not intended to indicate deleted matter, but instead are used as the means
20 of indicating the applicable districts.

21 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.050
22 and 19.20.020 are deemed to be subchapters rather than sections.

23 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
25 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

3 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

7 APPROVED:

8
9 By _____
10 OSCAR B. GOODMAN, Mayor

11 ATTEST:

12 _____
13 BARBARA JO RONEMUS, City Clerk

14 APPROVED AS TO FORM:

15 Val Steed 11-16-04
16 _____
17 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2004, 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 _____, 2005, 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
12 APPROVED:

13
14 By _____
15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

17 _____
18 BARBARA JO RONEMUS, City Clerk
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City of Las Vegas Recommending Committee
400 Stewart Avenue
Las Vegas, NV 89101

RECEIVED
CITY CLERK

December 30, 2004

2004 DEC 30 P 4:49

RE: Item #62 Bill No. 2004-77

Dear Recommending Council Members,

We feel that a nice Restaurant in a regional mall, such as Meadows Mall, would be an asset to that Mall. Several years ago, Ricardo's Restaurant was an asset.

A real nice Restaurant with sit-down meals would be great.

A Tavern where people can sit for hours drinking would not be good. People who overindulge on alcohol often drive carelessly and heedlessly in parking lots and on the streets.

Teenagers and other children are dropped off at the Mall by parents. They do not need to be exposed to gaming or reckless drunk drivers. It only takes one careless driver to kill a child..

We feel that neither a Restaurant nor Tavern should be allowed to have any alcohol or gaming on the premises. The Laws for Restriction Zones are very clear. It is too close to neighborhood schools!

Please VOTE NO on Item #62 Bill No. 2004-77.

Thank you very much.

June Ingram

June Ingram
259-3094

and

Pamela Stancliffe

Pamela Stancliffe
258-1517

Charleston Neighborhood Preservation

Submitted after final agenda

Date 12/30/04 Item #1

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: JANUARY 4, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2004-82 - Expands the boundaries of the Live/Work Overlay District to include the East Fremont District, as identified in the Downtown Centennial Plan. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact:

☒	No Impact	Amount:
☐	Budget Funds Available	Dept./Division:
☐	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

In March of this year, the City Council adopted an ordinance to establish the Live/Work Overlay District. Subsequently, at its meeting of December 1, 2004, the Council adopted an ordinance to expand the Overlay District westward to include the Las Vegas Medical District and to allow medical office uses within the Overlay District. It has now been proposed to expand the Overlay District eastward to include the East Fremont District, as identified in the Downtown Centennial Plan. This bill will accomplish the change.

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. 2004-82

MOTION:

COUNCILMAN WEEKLY recommended Bill 2004-82 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN MONCRIEF concurred.

MINUTES:

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

ROBERT GENZER, Director, Planning and Development Department, outlined that this will extend the live/work overlay district to include East Fremont to Boulder Highway. This is an area where there has been little redevelopment and the added development opportunity would benefit the area. Staff recommended do pass.

TOM McGOWAN discussed with MR. GENZER and CHIEF DEPUTY CITY ATTORNEY VAL STEED that zoning provisions allow for uses but do not mandate them. This bill would allow for development of a live/work option, but would not preclude other types of development. MR. McGOWAN noted that without some type of mandate in such development that could be enforced and monitored by the City, tenants would not be able to have equal access to the opportunity the bill would propose to provide. The City needs to further study this proposal to weigh constitutionality against equal opportunity. It would seem those who most need the opportunity could be blocked by a landlord's opposition.

RECOMMENDING COMMITTEE MEETING OF: JANUARY 4, 2005

MINUTES - Continued:

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:08 - 4:15)

1-7

BILL NO. 2004-82

ORDINANCE NO. _____

AN ORDINANCE TO EXPAND THE BOUNDARIES OF THE LIVE/WORK OVERLAY DISTRICT TO INCLUDE THE EAST FREMONT DISTRICT, AS IDENTIFIED IN THE DOWNTOWN CENTENNIAL PLAN, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer,
Director of Planning and Development

Summary: Expands the boundaries of the Live/Work Overlay District to include the East Fremont District, as identified in the Downtown Centennial Plan.

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

SECTION 1: Title 19, Chapter 6, Section 130, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adopting, as part thereof, the map that is attached to this Ordinance. The attached map replaces and supersedes the maps that were adopted as part of LVMC 19.06.130(C) by Ordinance Nos. 5671 and 5734. The attached map shall be included in the appropriate place in any codification of this Ordinance.

SECTION 2: For purposes of Section 2.100(3) of the City Charter, LVMC 19.06.130 is deemed to be a subchapter rather than a section.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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1 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

5 APPROVED:

6
7 By _____
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:

10 _____
11 BARBARA JO RONEMUS, City Clerk

12 APPROVED AS TO FORM:

13 Val Steep 12-2-04
14 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2004, 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 _____, 2005, 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

12

APPROVED:

13

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By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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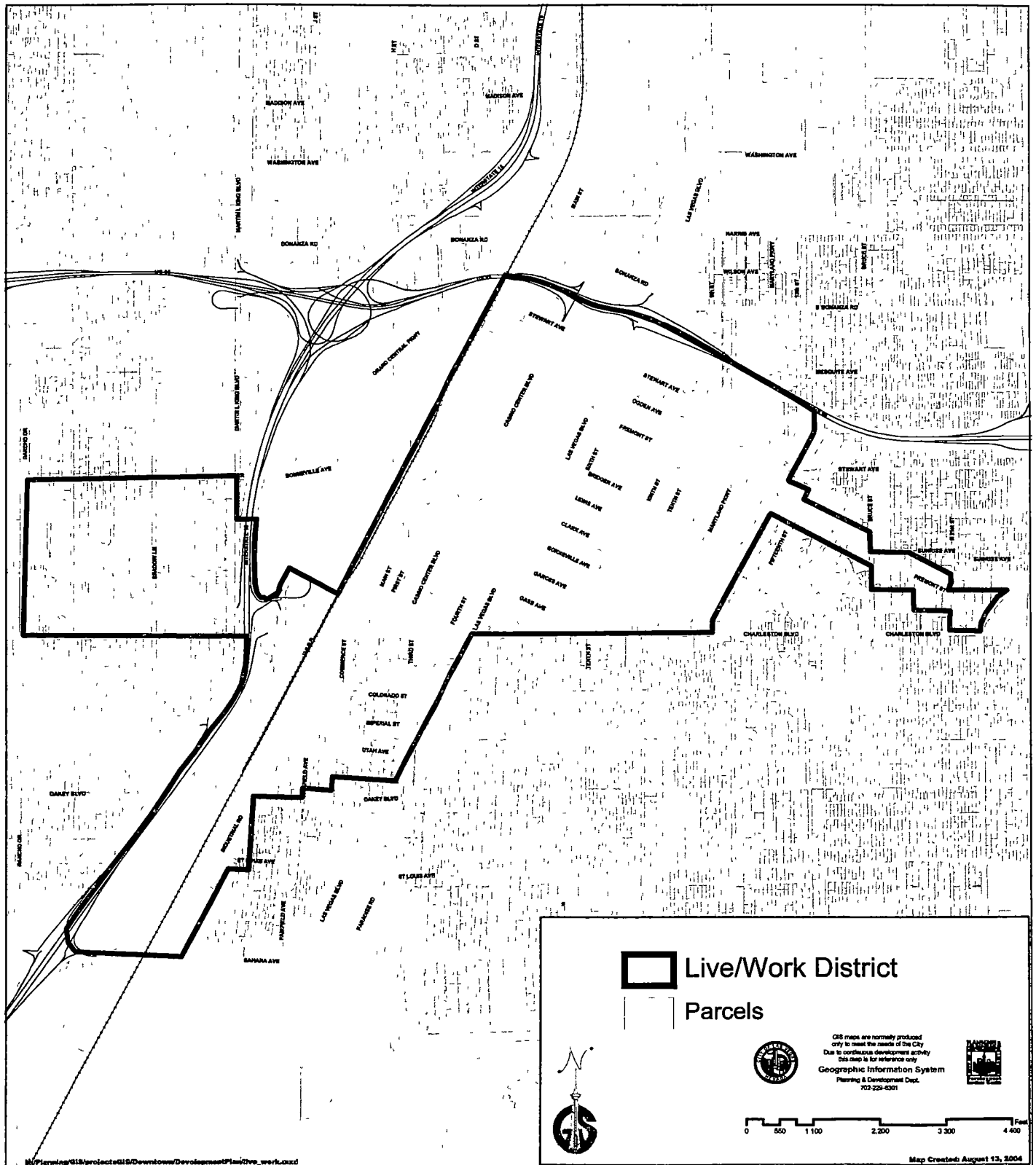
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City of Las Vegas

LIVE/WORK OVERLAY DISTRICT



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JANUARY 4, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2004-83 - Prohibits motorized vehicles on equestrian trails, multi-use trails, and other trails not intended for motorized vehicles. Sponsored by: Councilman Michael Mack

Fiscal Impact:

☒	No Impact	Amount:
☐	Budget Funds Available	Dept./Division:
☐	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

In accordance with planning documents that have been adopted by the City, equestrian trails, multi-use trails, and other types of trails are not intended for use by motorized vehicles. This bill will implement those plans by prohibiting the operation of motorized vehicles on these trails, except in certain limited circumstances.

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. 2004-83

MOTION:

COUNCILMAN WEEKLY recommended Bill 2004-83 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN MONCRIEF concurred.

MINUTES:

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that the City adopted plans for both equestrian and multi-use trails which motor vehicles are not intended to utilized. This bill will prohibit motorized vehicles on the trails with exceptions for emergency vehicles, maintenance vehicles or motorized mobility impairment vehicles.

No one spoke in opposition.

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:15 - 4:16)

1-272

BILL NO. 2004-83

ORDINANCE NO. _____

AN ORDINANCE TO PROHIBIT MOTORIZED VEHICLES ON EQUESTRIAN TRAILS, MULTI-USE TRAILS, AND OTHER TRAILS NOT INTENDED FOR MOTORIZED VEHICLES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Michael Mack

Summary: Prohibits motorized vehicles on equestrian trails, multi-use trails, and other trails not intended for motorized vehicles.

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

SECTION 1: Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, consisting of the provision set forth as Section 2 of this Ordinance.

SECTION 2: (A) Except as otherwise provided in Subsection (B), it is unlawful to operate a motorized vehicle upon or within a right-of-way that:

(1) Has been designated on an official trails plan as an equestrian trail, multi-use trail, or other trail not intended for use by motorized vehicles;

(2) Has been dedicated to the City for use as such a trail; and

(3) Has been posted with appropriate signs to indicate that motorized vehicles are prohibited.

(B) The provisions of Subsection (A) do not apply to:

(1) An emergency vehicle;

(2) Any vehicle that is being used in connection with maintenance of the right-of-way; or

(3) Any motorized wheelchair or other device that is designed for and used by a mobility-impaired person.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

1 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
2 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
3 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
4 invalid or ineffective.

5 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared
6 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
7 required or the failure to do any act is made or declared to be unlawful or an offense or a
8 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
9 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
10 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
11 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

12 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this ____ day of _____, 2005.

16 APPROVED:

17
18 By _____
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21 _____
22 BARBARA JO RONEMUS, City Clerk

23 APPROVED AS TO FORM:

24 Val Steed 12-2-04
25 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2004, 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 _____, 2005, 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

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: JANUARY 4, 2005

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

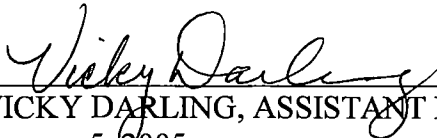
TOM McGOWAN thanked the Committee for the opportunity to participate the effective meetings held by this Committee and to have input into the system.

(4:16 - 4:17)

1-311

THE MEETING ADJOURNED AT 4:17 P.M.

Respectfully submitted:



VICKY DARLING, ASSISTANT DEPUTY CITY CLERK
January 5, 2005