

S.V.

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S EIGHTH FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
MARCH 4, 2008
4:00 P.M.

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.

DUPLICATE AUDIO CDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. Bill No. 2008-13 – Updates the City's firearm registration requirements to conform to State law.
Proposed by. Bradford R. Jerbic, City Attorney
4. Bill No. 2008-14 – Allows short-term residential rentals in residential districts as a conditional use
Proposed by: Bradford R. Jerbic, City Attorney
5. 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
6. ADJOURNMENT

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: 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
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S Grand Central Parkway
Grant Sawyer Building, 555 E Washington Avenue

24✓

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. Bulletin Board, City Hall Plaza, 400 Stewart Avenue (next door to Metro Records)
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

26th day of February, 2008

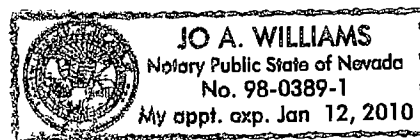
 **PAULA CLARK**
Notary Public State of Nevada
No. 00-60678-1
My appt. exp Jan. 11, 2009

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Paula Clark
SIGNATURE

Subscribed and sworn to before me this
26th day of February, 2008

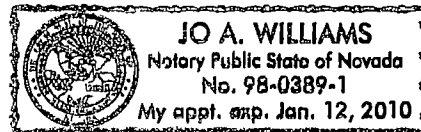
NOTARY PUBLIC in and for said County and State



STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Paula Clark
SIGNATURE


NOTARY PUBLIC in and for said County and State



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

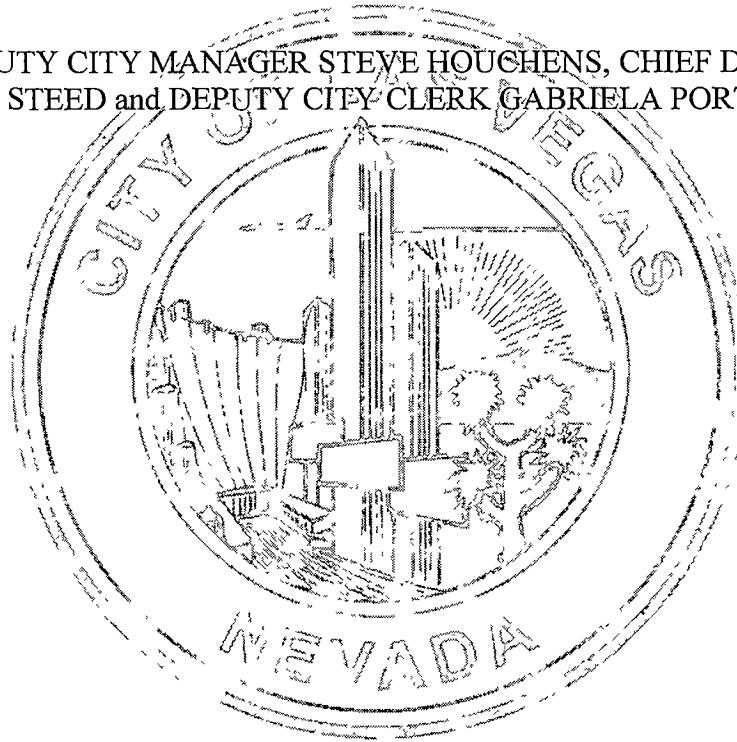
CALL TO ORDER

Minutes:

COUNCILWOMAN TARKANIAN called the meeting to order at 4:04 p.m.

PRESENT: COUNCILMEMBERS TARKANIAN and BARLOW (Councilman Wolfson was present for Item 4.)

Also Present: DEPUTY CITY MANAGER STEVE HOUGHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED and DEPUTY CITY CLERK GABRIELA PORTILLO-BRENNER



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

DEPARTMENT: CITY CLERK

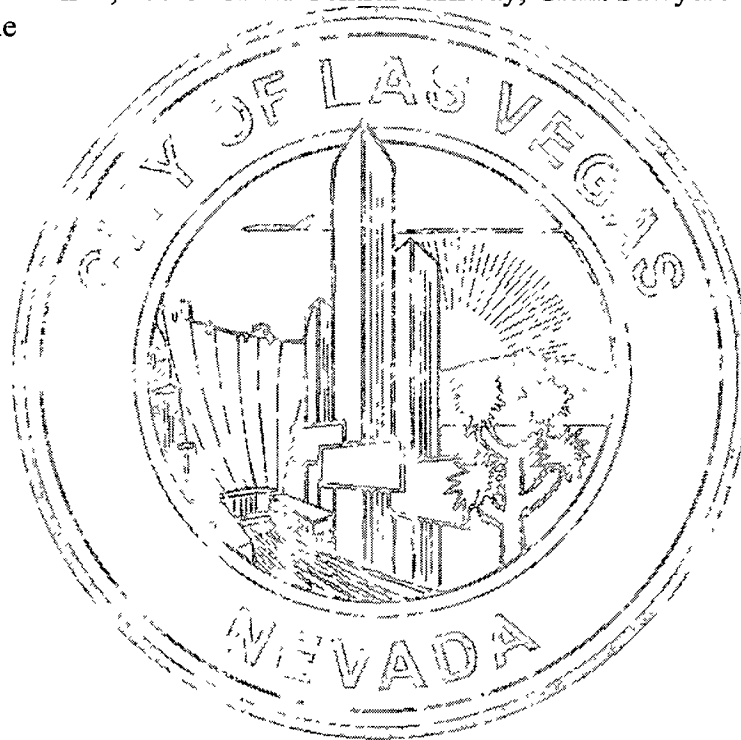
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

Minutes:

ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations: City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge Bulletin Board, City Hall Plaza (next door to Metro Records), Las Vegas Library, 833 Las Vegas Boulevard North, Clark County Government Center, 500 S Grand Central Parkway, Grant Sawyer Building, 555 E. Washington Avenue



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2008-13 – Updates the City's firearm registration requirements to conform to State law.
Proposed by: Bradford R. Jerbic, City Attorney

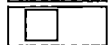
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Senate Bill 92, adopted during the 2007 Session of the Nevada Legislature, requires local governments to conform their firearm registration ordinances to State law, so that registration of a firearm within a jurisdiction is not required until after at least 60 days of residency, and registration of pistol by a resident is not required until at least 72 hours after acquisition. This bill will accomplish those changes, as well as conform the City's terminology to that of State law.

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. 2008-13

Motion made by RICKI Y. BARLOW to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

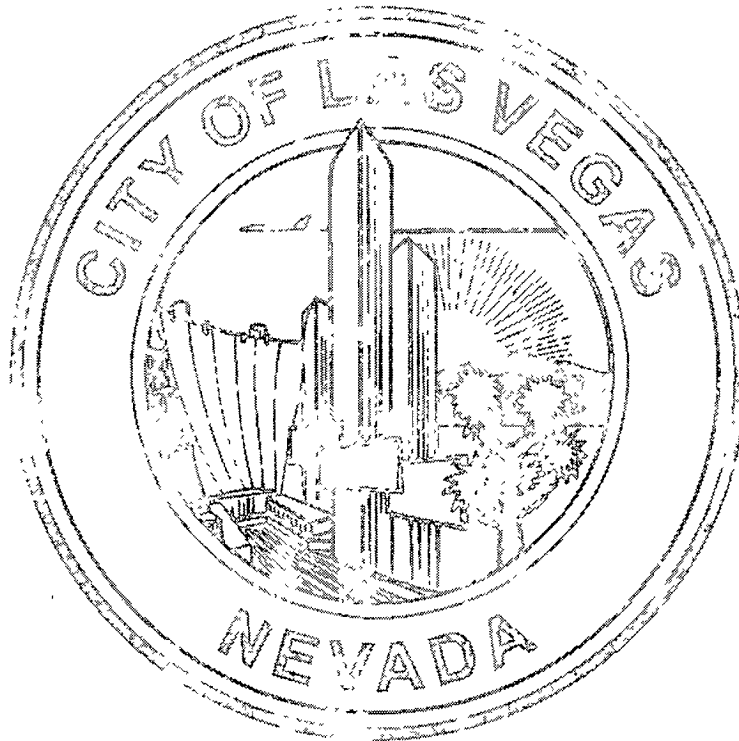
COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED paraphrased the information under the Purpose/Background section. Staff recommends approval.

RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

COUNCILWOMAN TARKANIAN questioned the reasoning behind this bill, to which CHIEF DEPUTY CITY ATTORNEY STEED replied that it was mostly driven by shows held in town that carry firearms for sale that are not registered. Upon purchase, the buyers become immediately non-compliant. This bill would give those buyers 72 hours to register the firearm. People relocating to the City that own a gun would have 60 days to become compliant. COUNCILWOMAN TARKANIAN stressed that 60 days is too long of a period.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.



1 **BILL NO. 2008-13**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO UPDATE THE CITY'S FIREARM REGISTRATION REQUIREMENTS TO
4 CONFORM TO STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Bradford R. Jerbic, City Attorney Summary: Updates the City's firearm
6 registration requirements to conform to State
law.

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

9 SECTION 1: Title 10, Chapter 66, Section 10, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **10.66.010:** As used in this Chapter; [, the words set out in this Section shall mean as follows:

12 (A)] "Dealer" means any person engaged in the business of buying or selling pistols
13 at wholesale or retail, or of accepting pledges of pistols as security for loans.

14 "Firearm" means any device designed to be used as a weapon from which a projectile
15 may be expelled through the barrel by the force of any explosion or other form of combustion.

16 "Firearm capable of being concealed" includes all firearms having a barrel less than
17 twelve inches in length.

18 [(B)] "Pistol" means [any small firearm fired by hand, loaded or unloaded, capable
19 of being concealed upon the person. The term shall include all small firearms with a barrel or barrels
20 not exceeding twelve inches in length including revolvers, automatics, derringers and like weapons
21 from which a dangerous projectile may be propelled by means of explosives, springs, gas or air, except
22 any smooth-bore pistol designed and manufactured exclusively for propelling BB shot not exceeding
23 .177 caliber by means of springs, gas or air.] a firearm capable of being concealed that is intended to
24 be aimed and fired with one hand.

25 SECTION 2: Title 10, Chapter 66, Section 60, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **10.66.060:** (A) When any sale of a pistol is made by a dealer under this Chapter, seventy-two
28 hours must elapse between the time of sale and time of delivery to the purchaser, and when delivered,

1 all pistols must be securely wrapped, must be unloaded and must be accompanied by a receipt, signed
2 by dealer, setting forth:

3 (1) The name, address and description of the purchaser or transferee;

4 (2) A complete description of the pistol, including the manufacturer, model
5 and manufacturer's serial number thereof;

6 (3) The date and time of sale and the date and time of delivery of such
7 pistol; and

8 (4) A statement notifying the purchaser or transferee that [said] the pistol
9 must be registered with the Sheriff or his designee within [twenty-four] seventy-two hours[.] if the
10 purchaser or transferee is a resident of the City.

11 (B) The [aforesaid] seventy-two-hour waiting period before delivery shall not apply
12 to the sale of a pistol to any person who, at the time of such sale, produces bona fide documentary
13 evidence that he is a member of a Federal law enforcement agency, that he is a peace officer of the
14 State or any political subdivision thereof who is regularly employed for pay by the State or such
15 subdivision, or that he currently owns a pistol which is duly registered in his name with any law
16 enforcement agency in the County, nor shall said waiting period apply to any person who requires the
17 use of a pistol in his employment and receives written permission from the Sheriff or his designee to
18 waive said waiting period; provided, however, that all of the other provisions shall apply to any of
19 such sales.

20 SECTION 3: Title 10, Chapter 66, Section 140, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **10.66.140:** (A) Any [person] resident of the City receiving title to a pistol, whether by purchase,
23 gift or other transfer, and whether from a dealer or any other person, shall, [immediately upon] within
24 seventy-two hours of such receipt, personally appear, together with such pistol, and register the same
25 with the Sheriff of the Metropolitan Police Department or his designee. It shall be unlawful to possess
26 a pistol which is not so registered.

27 (B) [No person who proves at trial that he received title to a pistol less than
28 twenty-four hours prior to an arrest or the issuance of a citation based upon a violation of this Section,

1 shall be convicted.

2 (C)] It shall be the duty of the Sheriff or his designee to register said pistol and he
3 is authorized to cooperate with other law enforcement agencies and licensed dealers in effecting
4 registration of pistols to the end that efficient registration will be secured at a minimum of cost and
5 duplication.

6 SECTION 4: Title 10, Chapter 68, Section 10, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows

8 **10.68.010:** (A) No person, except a peace officer, shall wear or in any manner carry concealed
9 upon his person any [loaded or unloaded gun, pistol or revolver, or any other dangerous or deadly
10 weapon permitted to be carried by law] firearm capable of being concealed without having, at the
11 same time, actually in his possession and upon his person, an unexpired permit so to do issued by the
12 Sheriff of the Metropolitan Police Department or his designee. The requirement to possess a permit
13 does not apply to:

14 (1) A person who has not been a resident of the City for at least sixty days;
15 or

16 (2) A firearm during the seventy-two hour period within which a person is
17 allowed to register that firearm under Section 10.66.040.

18 (B) For purposes of this Section:

19 (1) "Firearm" means any device designed to be used as a weapon from
20 which a projectile may be expelled through the barrel by the force of any explosion or other form of
21 combustion.

22 (2) "Firearm capable of being concealed" includes all firearms having a
23 barrel less than twelve inches in length.

24 SECTION 5: Title 10, Chapter 70, Section 10, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **10.70.010:** "Dangerous or deadly weapons" includes, but it not limited to:

27 (A) Any dirk or dagger;

28 (B) Any knife with a blade three inches or more in length;

1 (C) Any snap-blade or spring-blade knife, regardless of length of the blade;
2 (D) Any ice pick or similar sharp stabbing tool;
3 (E) Any straightedge razor or any razor blade fitted to a handle;
4 (F) Any dangerous or deadly weapon within the meaning of any law of this State
5 restricting the use thereof; and

6 (G) Any cutting, stabbing or bludgeoning weapon or device capable of inflicting
7 grievous bodily harm; and

8 (H) Any firearm, as defined in Section 10.66.010, other than one carried pursuant
9 to a valid permit issued by a duly authorized governmental authority or an ordinary rifle or shotgun
10 lawfully carried for purposes of hunting or other lawful sport. The permit requirement does not apply
11 to:

12 (1) A person who has not been a resident of the City for at least sixty days;
13 or

14 (2) A firearm during the seventy-two hour period within which a person is
15 allowed to register that firearm under Section 10.66.040.

16 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
17 phrase 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 the
20 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
21 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
22 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
23 invalid or ineffective.

24 SECTION 7: Whenever in this ordinance any act is prohibited or is made or declared
25 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
26 required or the failure to do any act is made or declared to be unlawful or an offense or a
27 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
28 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than

1 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
2 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

3 SECTION 8: 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 _____, 2008.

7 APPROVED:

8
9 By _____
OSCAR B. GOODMAN, Mayor

10 ATTEST:

11 _____
12 BEVERLY K. BRIDGES, CMC
City Clerk

13 APPROVED AS TO FORM:

14 Val Heed 2-7-08
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2008, 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 _____, 2008, 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 _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BEVERLY K. BRIDGES, CMC
City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2008-14 – Allows short-term residential rentals in residential districts as a conditional use. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will allow short-term residential rentals in residential districts as a conditional use, with a specification of the conditions under which the use will be allowed. Ordinance No. 5943, adopted in November, expressly prohibited such rentals. This bill is brought forward in response to concerns expressed by owners and representatives of such rentals.

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. 2008-14

Motion made by RICKI Y. BARLOW to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

BRAD JERBIC, City Attorney, explained that he was directed by the City Council to draft an ordinance less drastic than Ordinance No. 5943, which was adopted in November 2007, yet strong enough to help regulate short-term rentals. This bill is the product of a lot of work and extensive meetings with the industry, staff and people that live near houses where unwanted activity is taking place, but it was a very educational experience for all involved.

RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

Based upon those conversations, this bill includes a permit process and divides rentals into two categories, those rented by private property owners and those rented through property managers. A private property owner wishing to rent his/her property on a short-term basis must obtain a license for each occurrence, comply with all applicable ordinances and provide contact information.

Because property management companies have more expertise, a property owner wishing to rent his/her property through a property management company can obtain an annual permit for each home rented. The annual permits will have the same requirements and compliance with applicable ordinances will be required. The Business Services Division will notify the Neighborhood Response Division of all permits pulled. Non-compliance with any conditions of the permit(s) will be cause for immediate suspension/revocation, thereby enabling Code Enforcement Officers to immediately evict tenants of short-term rentals and/or issue citations.

CITY ATTORNEY JERBIC stated that he was very satisfied with the compromise that was reached, and he recommended approval.

COUNCILWOMAN TARKANIAN verified with CITY ATTORNEY JERBIC that the recommendations of this bill were discussed thoroughly with the members of the industry and private property owners. CITY ATTORNEY JERBIC added that this bill represents agreement from everybody.

CHERRELL TARANTINO expressed her satisfaction with the outcome of the meetings. However, she opined that a grace period should be allowed for non-licensed property managers to come into compliance, which could take as little as 30 days.

COUNCILWOMAN TARKANIAN asked if this bill could be made effective within 30 days, to which CITY ATTORNEY JERBIC answered that a specific date could be cited. However, the downside would be that the status quo would remain, meaning that there would not be any regulations for that period. It would be difficult to take applications for permits, and then later verify that the non-licensed applicants passed the licensing test.

COUNCILMAN BARLOW asked if 30 days would be enough time to become licensed. MS. TARANTINO said that a license could be obtained even faster online. People aware of this bill coming into effect are already working on obtaining a license. But, if the bill states that only private property owners and licensed property managers can apply for a permit, a grace period is moot.

CITY ATTORNEY JERBIC suggested an effective date of 4/1/2008, which would allow those that are almost licensed to take advantage of this law immediately. MS. TARANTINO agreed that an effective date of 4/1/2008 would be perfectly reasonable. However, CHIEF DEPUTY CITY ATTORNEY STEED suggested that only the property manager language possibly go into effect 4/1/2008, because, in his interpretation of this bill, the suspension of Ordinance No. 5943 would end 3/5/2008, meaning that short-term rentals would be illegal until Bill No. 2008-14 takes effect. He opined that this bill should take effect as intended, and language could be added

RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

regarding conditional uses for property managers. CITY ATTORNEY JERBIC commented that it would be better to leave the bill as is, making it possible for those licensed to take advantage of the new law as soon as it takes effect and serving as an incentive for others to become licensed sooner.

MS. TARANTINO concurred with leaving the bill as is. She noted that she just wanted to bring up the grace period because it was discussed during the meetings. Lastly, she emphasized that she was very pleased with City staff and the Council.

CITY ATTORNEY JERBIC said that he was very impressed with the cooperation and concessions of the industry. He recommended approval of this bill as written.

COUNCILMAN WOLFSON thanked everyone for participating in the meetings, as well as COUNCILWOMAN TARKANIAN for working on this with him. COUNCILWOMAN TARKANIAN said she was happy that everyone could work together. It was a learning process for all involved.

COUNCILWOMAN TARKANIAN noted that Clark County intends to be more aggressive in enforcing its laws regarding short-term rentals, which could spark an influx of applications for short-term rentals in the City. She does not want residential areas to be affected, but COUNCILMAN WOLFSON assured her that amendments would be considered should an inundation of short-term rentals occur in the City.

COUNCILWOMAN TARKANIAN noted that she wants all the members of the Council to be notified as permits are issued in their respective ward.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

1 **BILL NO. 2008-14**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE TO ALLOW SHORT-TERM RESIDENTIAL RENTALS IN RESIDENTIAL**
4 **DISTRICTS AS A CONDITIONAL USE, AND TO PROVIDE FOR OTHER RELATED**
5 **MATTERS.**

6 Proposed by: Bradford R. Jerbic, City Attorney

Summary: Allows short-term residential rentals
in residential districts as a conditional use.

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

9 **SECTION 1:** Ordinance No. 5943 and Title 19, Chapter 4, Section 80, of the
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section
11 80 reads as follows:

12 **19.04.080:** (A) Unlisted Uses. The uses permitted in this Chapter are classified on the basis
13 of common operational characteristics and land use compatibility. Uses not specifically listed in this
14 Chapter are prohibited. However, additional new and unlisted uses may be permitted by the Director
15 if the Director finds that the use is similar to other uses listed in the same zoning district.

16 (B) Appeals. An applicant who is aggrieved by the decision of the Director with
17 respect to the allowability of an unlisted use may appeal the decision to the City Council. The appeal
18 shall be filed in the office of the City Clerk, with a copy to be filed in the office of the Planning and
19 Development Department. Unless otherwise stated in the Council's action, the determination of the
20 Council with respect to the appeal shall constitute a permanent and consistent interpretative decision
21 which the Director shall apply in all future instances.

22 (C) Conditions. When considering requests to permit a new or unlisted land use
23 as being similar to a listed use, the Planning Director or City Council shall consider the potential
24 effects of the use on adjacent properties in terms of requirements for services, visual impact, traffic
25 generation, the extent to which the use is consistent with other uses allowed in the district, and other
26 issues they deem appropriate. Based upon such consideration, the Director or Council, in approving
27 a request under this Section, may impose appropriate and reasonable conditions designed to ensure
28 compatibility and consistency of uses.

(D) Authorization of New Uses. New uses which have been permitted by the Director or City Council, pursuant to the Section shall be added by ordinance amendment on a periodic basis.

(E) Uses Expressly Prohibited. Without limiting the general applicability of Subsection (A) of this Section, the [following uses are expressly prohibited in any residential zoning district:

(1) Short-term vacation rental.] commercial use of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty-one consecutive calendar days, is prohibited except as otherwise permitted under this Title.

SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to allow the use "Short-Term Residential Rental" in residential zoning districts as a conditional use. In order to reflect the amendment, a new entry for the use "Short-Term Residential Rental" is added to the "Residential and Lodging" element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Short-Term Residential Rental	U	R-A	R-E	R-D	R-I	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	C	C	C	C	C	C	C	C	C	C	C	C									
Description: The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than 31 consecutive calendar days																					
Conditional Use Regulations: 1 The operator must obtain a permit from the Business Services Division to operate the use. The use must be operated by either the property owner or a property manager who holds a permit to engage in property management pursuant to NRS Chapter 645. For a use to be operated by the property owner, a separate permit must be obtained for each rental. For a use to be operated by a property manager, the permit shall be an annual permit, renewable annually at the discretion of the Division, subject to the provisions of Conditional Use Regulation 6. In each case the operator shall pay such fee as the Division may establish for the permit. 2 The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees. However, a permit issued under Conditional Use Regulation 1 shall be deemed to take the place of a license otherwise required by LVMC 6.46.020. 3 The use must comply with the City's noise regulations as they apply to residential uses 4 In connection with the issuance of a permit under Conditional Use Regulation 1, the Business Services Division may establish additional conditions on the use, including without limitation a time limit on outdoor activities and a limit on the number of occupants and guests that are on the premises at any one time. In addition, at any time following issuance of the permit, the Division may impose additional conditions on, or otherwise amend, the permit. The permit may be revoked or suspended immediately for noncompliance with these regulations or with applicable permit conditions, at which time the use permitted as a conditional use shall immediately cease. 5 Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area. 6 The operator shall notify the Business Services Division of any change in the operator's telephone number and other contact information. Any change in operator shall require the issuance of a new permit. 7 The operator must be available at all times to respond to law enforcement authorities and to concerns from neighborhood residents, and to take remedial action in the event of noncompliance with law or with permit conditions.																					
On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site																					

SECTION 3: Ordinance No. 5943 and Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amending by amending

1 the definition of the term "Short-term vacation rental" so that it reads as follows:

2 ["Short-term vacation rental"] "Short-Term Residential Rental" means the commercial use, or the
3 making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping
4 purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty-one
5 consecutive calendar days.

6 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010
7 and 19.20.020 are deemed to be subchapters rather than sections.

8 SECTION 5: Ordinance No. 5963 is hereby repealed.

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

17 SECTION 7: Whenever in this ordinance any act is prohibited or is made or declared
18 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
19 required or the failure to do any act is made or declared to be unlawful or an offense or a
20 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
21 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
22 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
23 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

24 ...

25 ...

26 ...

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28 ...

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2008.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steef 2-7-08
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2008, 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 _____, 2008, 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 _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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BEVERLY K. BRIDGES, CMC
City Clerk

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AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

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:

None.



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MARCH 4, 2008

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

☐ Consent ☒ Discussion

SUBJECT:

ADJOURNMENT

Minutes.

The meeting was adjourned at 4:22 p.m.

Respectfully submitted:



Gabriela Portillo-Brenner, Deputy City Clerk II

March 6, 2008

