

BILL NO. 2022-18

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF THE MUNICIPAL CODE TO REFLECT CHANGES IN THE NAMES OF SEVERAL DEPARTMENTS AND DIVISIONS WITHIN CITY GOVERNMENT; DELETE REFERENCES TO DEPARTMENTS THAT ARE TO BE ELIMINATED OR COMBINED WITH OTHER DEPARTMENTS; REFLECT THE NAMES OF DEPARTMENTS OR FUNCTIONS THAT WILL SUCCEED TO DUTIES AND RESPONSIBILITIES OF DEPARTMENTS THAT HAVE BEEN ELIMINATED; UPDATE REFERENCES TO DEPARTMENTS AND DIVISIONS WHOSE NAMES HAVE BEEN CHANGED OVER TIME; AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Tom Perrigo, Chief Operations and Development Officer

Summary: Amends various provisions of the Municipal Code to reflect changes in the names of several departments and divisions within City government; delete references to departments that are to be eliminated or combined with other departments; reflect the names of departments or functions that will succeed to duties and responsibilities of departments that have been eliminated; and update references to departments and divisions whose names have been changed over time.

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

SECTION 1: Title 2, Chapter 9, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.09.010: Subject to the provisions of Section 2.09.020, the departments of the City shall consist of the following:

[Building and Safety;] Community Development;

Economic and Urban Development;

Finance;

Fire and Rescue;

Human Resources;

[Information Technologies;] Innovation and Technology;

[Operations and Maintenance;] Neighborhood Services;

1 [Parks and Recreation;] Parks, Recreation and Cultural Affairs;

2 [Planning;]

3 Public Safety;

4 Public Works; and

5 Youth Development and Social [Innovation.] Initiatives.

6 SECTION 2: Title 2, Chapter 9, Section 15, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

8 SECTION 3: Title 2, Chapter 9, Section 20, of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **2.09.020:** From time to time the City Manager may:

11 (A) Establish and adjust divisions, offices or other units within the various departments of the
12 City, as well as offices and other units that are independent of those departments.

13 (B) Establish new departments, combine existing departments, or make other adjustments to the
14 departments listed in Section 2.09.010. Any such action by the City Manager shall be effective immediately
15 or when directed by the City Manager, [, but must be ratified by the City Council within six months following
16 such action in order to continue in effect. Sections 2.09.010 and 2.09.015] Section 2.09.010 shall be adjusted
17 periodically as deemed necessary in order to reflect action taken pursuant to this Subsection (B).

18 SECTION 4: Title 2, Chapter 42, Section 30, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **2.42.030:** (A) The officers of the Parks and Recreation Advisory Commission shall be a Chairman,
21 a Vice Chairman and a Secretary.

22 (B) Within fifteen days after the appointment of the Commission, the members shall
23 meet in regular session and select from their members the Chairman and the Vice Chairman.

24 (C) The Secretary, who shall be the Director of [Parks and Recreation] Parks, Recreation
25 and Cultural Affairs or a designee, shall have no vote on the Commission.

26 (D) The duties of the officers of the Commission shall respectively be as are usually

1 carried by such officers.

2 (E) The officers shall hold office for one year, or until their successors are selected.

3 SECTION 5: Title 2, Chapter 44, Section 30, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **2.44.030:** (A) The Planning Commission shall elect annually a Chairman from its appointed
6 members.

7 (B) [It shall have power and authority to employ technicians, clerks and a secretary, and
8 to pay for their services and for such other expenses as may be necessary and proper.] The Planning
9 Commission is authorized to use the services of City staff in connection with the performance of its duties.

10 [(C) The City Manager may appoint a Director of Planning or a Planning Engineer who
11 shall be a department head. All employees of said Department shall be governed by any appropriate civil
12 service laws pertaining to the City.]

13 SECTION 6: Title 2, Chapter 46, Section 30, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **2.46.030:** (A) The Advisory Board shall elect from among its members a Chairman and Vice-
16 Chairman, and such officers as deemed necessary or appropriate. Officers shall serve a term of one year, or
17 until a successor is elected.

18 (B) The Director of [Parks, Recreation and] Neighborhood Services, or the Director's
19 designee, shall serve ex-officio to represent the City's interests and to function as liaison between the
20 Advisory Board and the City.

21 SECTION 7: Title 2, Chapter 48, Section 10, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **2.48.010:** There is created and established the Traffic and Parking Commission of the City. Members
24 of the Commission shall serve without compensation. The Commission shall consist of:

25 (A) Nine voting members, who are:

26 (1) The Sheriff of the Las Vegas Metropolitan Police Department or [his designated

representative;] a designee;

(2) The Director of Public Works or [his designated representative;] a designee;

(3) Six members of the general public, appointed by the Mayor and confirmed by the City Council, such that one member resides in and is representative of each of the six wards into which the City is divided;

(4) One member of the general public appointed by the Mayor representing the City as a whole.

(B) Ex officio, nonvoting members, who are:

(1) The Traffic Engineer or a [designated representative from his division;] designee;

(2) The City Attorney or a [designated representative from his office;] designee;

(3) The Chief of the Department of Fire and Rescue or a [designated representative from his department;] designee;

(4) The Director of [Planning and] Community Development or a [designated representative from his department;] designee;

(5) Other staff members that the City Manager may designate.

The Traffic Engineer shall serve as Secretary of the Commission, and shall be responsible for the administration of the affairs of the Commission.

SECTION 8: Title 4, Chapter 8, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.08.010: Prior to the first Wednesday of February the heads of departments shall send to the Director of [finance] Finance an estimate of costs in detail to conduct the operations of their respective departments for ensuing fiscal year commencing July 1st.

SECTION 9: Title 4, Chapter 12, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.12.150: Officers who are authorized by this Chapter to sign instruments may use a facsimile signature produced by means of an electronic process and signature stamp in place of their handwritten signatures

1 under the circumstances described in this Section. The use of the facsimile signature described in the
2 preceding sentence may take place in cases of emergency and upon approval of the City Council, subject to
3 the following conditions:

4 (A) The electronic process shall be of such nature that the facsimile signature is secured, with
5 access thereto being controlled by the Department of [Information] Innovation and Technology in accordance
6 with recognized and appropriate technology security controls.

7 (B) The use of the facsimile signature shall be made only under the direction and supervision of
8 the officer whose signature it represents.

9 (C) All signature stamps shall at all times be kept in a safe or vault, securely locked, when not
10 in use, to prevent any misuse of the same.

11 SECTION 10: Title 4, Chapter 24, Section 80, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **4.24.080:** The City shall be divided into a number of park districts, as the same shall be depicted on
14 the map that is entitled "Park District Boundaries," copies of which are to be maintained for public inspection
15 in the Office of the City Clerk and the Department of [Leisure Services,] Parks, Recreation and Cultural
16 Affairs, and the same may from time to time be changed by number and configuration by the City Council
17 by a resolution that is duly passed, adopted and approved.

18 SECTION 11: Title 6, Chapter 2, Section 10, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.02.010:** Unless the context otherwise requires, the scope of all words in this Title shall be liberally
21 construed in order to effectuate the purposes of this Title. In particular, the following words shall have the
22 meaning ascribed to them as follows:

23 "Ancillary license" means a license issued that is incidental to a primary business.

24 "Applicant" means any person who has applied for a City business license, approval of suitability,
25 work card or any permit.

26 "Business" means any business, commercial enterprise, trade, occupation, calling, profession,

1 vocation or activity engaged in, conducted, carried on, advertised or marketed, by any person, his agent or
2 employee for the purpose of gain, benefit or advantage, either direct or indirect.

3 “Department” means the Department of [Planning.] Community Development.

4 “Director” means the Director of the Department of [Planning] Community Development and those
5 persons authorized to act in the Director’s behalf.

6 “Employee” means any person who performs services for another for hire, salary, wages or any other
7 kind of compensation, whether or not the services are casual, temporary or permanent, and whether or not
8 the contract of service is express or implied, oral or written.

9 “Establishment” means any business conducted in or upon any premises, and includes any buildings,
10 improvements, equipment and facilities used or maintained in connection with such business.

11 “Governmental entity” means an entity of Federal, State or local government whose activities are
12 exempt from Federal income taxation.

13 “Gross sales/gross revenues,” as used in connection with the determination of license fees, means
14 the total amount of the sale price of all goods sold, the total amount charged or received for the performance
15 of any act, service or employment, of whatever nature it may be, whether or not such service, act or
16 employment is performed as part of or in connection with the sale of goods, wares or merchandise for which
17 a charge is made or credit allowed, including all receipts, cash, credits or property of any kind, any amount
18 for which credit is allowed by the seller to the purchaser without any deduction therefrom on account of the
19 cost of property of any kind, any amount for which credit is allowed by the seller to the purchaser without
20 any deduction therefrom on account of the cost of property sold, cost of materials used, labor or service costs,
21 interest paid or payable, losses or any other expense whatsoever. For purposes of this definition, “goods”
22 includes without limitation beverage items. The revenue of a business that includes the sale of alcoholic
23 beverages includes revenue from alcoholic beverage sales.

24 (A) The term gross sales/gross revenue shall not include:

25 (1) Cash discounts which are allowed or taken on sales/revenue;

26 (2) Over-allowance on trade-ins of used merchandise, cars or goods which are

received in trade for the purchase of new merchandise, cars or goods. For purposes of this definition, “over-allowance” means the amount which is allowed on any trade-in which is in excess of the actual sale price of the trade-in by the dealer, whether that sale is wholesale, retail or at auction. In order for a dealer of new merchandise, cars or goods to substantiate deductions for over-allowances, a separate general ledger account must be maintained which accumulates the total over-allowances. This account must be supported by a cash receipt journal or similar journal which summarizes the daily transactions. Each daily entry must be supported by the original contract which clearly substantiates the difference between the actual sales price and the allowance which is given to the customer on the trade-in;

(3) Inventory transfers between dealers of new merchandise, cars or goods and their wholly owned leasing companies, wherein no profit is involved. In order for a dealer of new merchandise, cars or goods to substantiate deductions for inventory transfers, a separate account must be maintained in the general ledger for all merchandise, cars or goods which are transferred to its wholly owned leasing company. These transactions must be traceable to a cash receipt journal or similar journal which summarizes daily transactions. Each daily entry must be supported by paperwork which legally transfers the new merchandise, car or goods to the leasing company;

(4) Any tax on fuel or retail sales that is collected by the seller; and

(5) Except as otherwise provided in LVMC 6.95.230, any charge between a purchaser and seller where, at the time a license fee is due, the purchaser and seller are related entities as defined in Section 267 of the Internal Revenue Code.

“Health District” means the Southern Nevada Health District.

“License” means permission granted by the licensing authority to engage in the business for which the license is issued, which permission typically is evidenced by a written document.

“Licensee” means any person to whom a valid license has been issued pursuant to this Title.

“License fee” means any money required by law to be paid to obtain, renew or maintain a license.

“Metro” means the Las Vegas Metropolitan Police Department.

“Person” includes any association, corporation, firm, partnership, trust or other form of business or

1 social association or organization, as well as a natural person and the estate of a natural person.

2 “Personal representative” means any person authorized to act on behalf of the estate of a natural
3 person.

4 “Premises” means land together with all buildings, appurtenances, improvements, parking areas and
5 personal property located thereon.

6 “Primary license” means a license issued that represents the primary focus of a business.

7 “Principal” means:

8 (A) Any person who is an officer, director, trustee, personal representative or general
9 partner or who has an ownership interest in or voting control of the business equal to or greater than ten
10 percent of the entire ownership of voting control of such business. If the ownership interest or voting control
11 is held by a person other than an individual, then each officer, director, trustee, personal representative or
12 general partner of such person is a principal;

13 (B) Any person who is or will be directly engaged in the administration or supervision
14 of the business; and

15 (C) Any other person if, in the Director’s opinion, the person exercises, or is capable of
16 exercising, significant influence over the business, including, but not limited to, a natural person or corporate
17 entity that provides a source of funding for the initial capitalization and/or the ongoing payment of expenses
18 for the business.

19 “Professional” means a person who:

20 (A) Holds a license, certificate, registration, permit or similar type of authorization
21 issued by a State regulatory body as defined in NRS 622.060, or who is regulated pursuant to the Nevada
22 Supreme Court Rules; and

23 (B) Practices his or her profession for any type of compensation as an employee of a
24 professional business. The term “employee of a professional business,” for the purposes of this definition,
25 includes an owner, sole proprietor, member, partner or associate of a professional business, but does not
26 include a person who, under a contractual arrangement with a professional business, provides services for or

1 in association with that business as an independent contractor.

2 “Professional business” means a business which:

3 (A) Holds itself out as offering services regarding one or more of the professions
4 regulated by a State regulatory body as defined in NRS 622.060 or by Nevada Supreme Court Rules; and

5 (B) Provides such services through the business’s principals, professionals, or others
6 qualified under State law or Nevada Supreme Court Rules to provide such services.

7 →For purposes of licensing and the payment of business license fees, the term includes the business activities
8 of a person who provides or offers to provide such services in association with, and by means of an
9 independent contractor relationship with, another professional business providing those services.

10 “Valid unexpired license” means a license that has not been suspended or revoked before its
11 expiration date.

12 SECTION 12: Title 6, Chapter 6B, Section 30, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.06B.030:** In this Chapter the following definitions and those in Title 6 shall apply unless the context
15 clearly requires otherwise.

16 (A) “Adult nightclub” means a fixed place of business which may charge admission for entrance,
17 which advertises, or holds out to the public that adult entertainment is provided, or advertises or implies that
18 sensual or sexual entertainment is provided, and is not licensed to sell alcoholic beverages.

19 (B) “Attendant” means a natural person, who is employed by or who receives any monetary
20 consideration from an adult nightclub for soliciting the sale or purchase of any product or service, including
21 but not limited to beverages, and/or who collects entry fee, admission or cover charge.

22 (C) “Department” means the Department of [Finance and Business Services.] Community
23 Development.

24 (D) “Director” means the Director of the Department of [Finance and Business Services.]
25 Community Development.

26 (E) “Fondle or caress” means the conduct or affectionate touching that is intended to sexually

1 arouse (may include sexual conduct).

2 (F) An “offer to provide acts of sexual conduct” means to offer, propose or to solicit to provide
3 sexual conduct to a patron. Such definition includes all conversations, publications, advertisements, handbills
4 and acts which would lead a reasonable prudent person to conclude that such acts were to be provided even
5 if such acts are illegal or are purported to be illegal or unlawful.

6 (G) “Security guard” means a natural person who acts as a doorman, bouncer, or who performs
7 a function described in NRS 648.016.

8 (H) “Server” means a natural person who is employed by or who receives any monetary
9 consideration from an adult nightclub for soliciting the sale or purchase of any product or service, including
10 but not limited to beverages.

11 (I) “Sexual conduct” means the engaging in or the commission of an act of sexual intercourse,
12 oral-genital contact, or the touching of the sexual organ, pubic region, buttock or female breast of a person
13 for the purpose of arousing or gratifying the sexual desire of another person.

14 (J) “Sexual stimulation” means to excite or arouse the prurient interest or to offer or solicit acts
15 of sexual conduct as defined under “offer to provide acts of sexual conduct” as defined in this Section.

16 SECTION 13: Title 6, Chapter 20, Section 200, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.20.200:** (A) As security for performance of its rights-of-way obligations under this Chapter, a
19 VSP shall, at all times during which it holds a certificate of authority permitting the VSP to provide video
20 service within the City, provide security in the form of a letter of credit, performance bond or cash deposit,
21 delivered to the Director of the Department of Finance, [and Business Services,] in the amount of one hundred
22 thousand dollars.

23 (B) If a VSP has already posted a letter of credit, performance bond, or cash deposit for
24 one hundred thousand dollars or more in connection with its use of the City’s right-of-way for other purposes,
25 the provisions of Subsection (A) of this Section shall not apply to the VSP provided that such existing security
26 is in full force and effect during all times of VSP’s use of the right-of-way for video service purposes and the

1 terms of such security are made applicable to the VSP's use of the right-of-way for video service purposes
2 in accordance with the terms of Subsections (C), (D) and (E) of this Section.

3 (C) Any bond provided pursuant to this Section shall:

4 (1) In addition to all other costs, provide for payment of reasonable attorney's
5 fees;

6 (2) Be issued by a surety company authorized to do business in the State of
7 Nevada and listed in Department Circular 570 of the U.S. Department of the Treasury Fiscal Service
8 (Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable
9 Reinsuring Companies, Current Revision);

10 (3) Require the attorney-in-fact who executes the bond on behalf of the surety
11 to affix thereto a certified and current copy of his or her power of attorney; and

12 (4) Guarantee the performance of all of the VSP's rights-of-way obligations
13 under its certificate of authority and all applicable laws.

14 (D) The following procedures shall apply to drawing on the security required in this
15 Section:

16 (1) If a VSP fails to make timely payment of any amount due to the City, or
17 fails to compensate the City within thirty days of written notification that such amount is due for any damages,
18 costs or expenses the City suffers or incurs by reason of any act or omission of the VSP, or fails after thirty
19 days' written notice to comply with any provision of its certificate or this Code that can be remedied by
20 drawing on the security, the City may withdraw the amount thereof, with applicable interest and penalties,
21 from the security.

22 (2) Within three days of a withdrawal from the security, the City shall
23 personally deliver or send by certified mail written notification to the VSP of the amount, date and purpose
24 of such withdrawal.

25 (3) If at the time of a withdrawal from the security by the City, the amounts
26 available are insufficient to provide the total payment towards which the withdrawal is directed, the balance

of such payment shall continue as the obligation of the VSP to the City until it is paid.

(4) No later than thirty days after the delivery or mailing of notification to the VSP of a withdrawal from the security, the VSP shall restore the security to the total amount specified in Subsection (A) of this Section.

(E) Recovery by the City of any amount from the security required by this Section does not limit a VSP's obligation to provide insurance or to indemnify the City as otherwise required by this Chapter.

SECTION 14: Title 6, Chapter 26, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.26.030: Each permittee shall pay to the Department [of Business Activity] thirty-five dollars semiannually for each coin-operated amusement machine allowed under [his] the permit.

SECTION 15: Title 6, Chapter 40, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.110: Each licensee shall pay to the Department, [of Business Activity,] in advance semiannually, the following license fees:

(A) Each bridge, whist and solo	\$ 30.00
(B) Chemin de fer (baccarat)	500.00
(C) Crap table:	
(1) For one table	300.00
(2) For each table over one	500.00
(D) Sports pool (not including race books)	200.00
(E) Bingo	150.00; plus \$3.00 for each chair provided for players
(F) Panguingue	60.00
(G) Race book	800.00
(H) Racehorse information service	600.00
(I) Keno	600.00
(J) Each roulette, "21," hazard, faro bank, wheel of fortune and big six wheel	300.00
(K) Slot machines:	
(1) Establishment with five or less, each machine	50.00
(2) Establishment with more than five, each machine	60.00
(L) Stud poker and draw poker	100.00
(M) Slot machine operator	300.00
(N) Any other game	100.00

1 SECTION 16: Title 6, Chapter 58, Section 40, of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.58.040:** It is unlawful for any person to install, construct or maintain an outdoor pay telephone:

4 (A) On any private property without written permission that has been obtained from the property
5 owner;

6 (B) Within a public right-of-way or on any public property without obtaining from the owner
7 thereof, for that specific location, an appropriate encroachment permit or other approval in the form of a
8 permit, license, lease or similar arrangement;

9 (C) On any vacant property;

10 (D) On any property where there is an abandoned building;

11 (E) On residential property that is developed with fewer than eight dwelling units;

12 (F) At a location within one hundred feet of where the users of the telephone can be heard from
13 any single-family residential dwelling unit, unless the owner of the dwelling unit consents in writing to the
14 installation; or

15 (G) On any property or at any location which has been determined by Metro[,] or the Department
16 [of Finance and Business Services or the Department of Neighborhood Services] to create a nuisance under
17 this Chapter based upon prior actual use.

18 SECTION 17: Title 6, Chapter 58, Section 70, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.58.070:** (A) The City is authorized to remove any private or public outdoor pay telephone which
21 has been installed or maintained in violation of this Chapter. The City shall send a written notice to the owner,
22 operator or licensee at least seven days prior to removal stating that the outdoor pay telephone is subject to
23 removal unless the owner, operator or licensee provides evidence of compliance with this Chapter or requests
24 a hearing before the Director [of Planning] or the Director's designee. Unless the Director determines that
25 the installation jeopardizes the public health, safety or welfare, the action to remove the telephone shall be
26 stayed pending resolution of any hearing that has been requested. The decision by the Director or the

1 Director's designee following the hearing shall be final.

2 (B) Any outdoor pay telephone removed by the City may be reclaimed by the owner
3 within thirty days after removal upon reimbursement to the City for removal and storage costs. Any outdoor
4 pay telephone not so reclaimed may be disposed of as unclaimed property or destroyed.

5 SECTION 18: Title 6, Chapter 70, Section 30, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.70.030:** Before a license shall be granted to any person engaged in renting automobiles, [he] the
8 applicant shall deposit with the Director [of Business Activity] an insurance policy securing payment in
9 accordance with the provisions thereof to the patrons of the insured and to other persons as hereinafter
10 provided:

11 (A) For damages because of bodily injury or death sustained by any such persons caused by
12 accident and arising out of negligence in the use or operation of such vehicles;

13 (B) For damages because of injury to or destruction of property caused by accident and arising
14 out of negligence in the use or operation of such rental vehicle, in the following amounts: As respects
15 coverage, twenty-five thousand dollars for each person and subject to that limit for each person; one hundred
16 thousand dollars for each accident; as respects property damage coverage, twenty-five thousand dollars for
17 each accident;

18 (C) No such policy of insurance shall be cancelled prior to its expiration except upon five days'
19 notice in writing to the Director. Upon the cancellation or expiration of such policy of insurance, it shall be
20 unlawful to rent or let for hire any rental vehicle covered thereby until a new policy of insurance meeting the
21 requirements of this Section has been deposited with the Director. Any such policy of insurance shall be
22 issued by a company authorized to do business in this State and shall be approved by the City Attorney as to
23 form and compliance with this Section[.]; and

24 (D) Any person renting more than one vehicle at any one time shall furnish a combined policy
25 or an additional automobile liability policy as set forth above for each vehicle so held or maintained for hire.

26 SECTION 19: Title 6, Chapter 71, Section 40, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.71.040: Except in a situation in which the [Director of Building and Safety] Department authorizes a deviation from the occupancy load for the particular facility, at least one flush water closet, one lavatory basin and one bathtub or shower that are connected to a water system and a sewer system which are in good working condition shall be supplied for each eight occupants or fraction thereof who reside within a rescue mission or shelter for the homeless, including members of the operator's family whenever they share the use of such facilities with the occupants of the mission or shelter; provided, however, that in a rescue mission or shelter for the homeless in which rooms are let to, or occupied by, males only, flush urinals may be substituted for not more than one-half the required number of water closets.

SECTION 20: Title 6, Chapter 78, Section 37, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.78.037: (A) A professional promoter who proposes a qualifying multi-vendor event and desires to have all vendors and exhibitors covered by one permit must first obtain a multi-vendor permit in accordance with this Section.

(B) Application for a multi-vendor permit under this Section must be made on a form provided by the Department and shall include the following information and documentation:

- (1) The date or dates on which the event is proposed to take place;
- (2) The location at which the event is proposed to take place;
- (3) Each contract or agreement by which the applicant has established the right to stage or operate the event at the proposed location(s);
- (4) The individual locations at which vendors and exhibitors will be stationed;
- (5) A description of the nature of the goods or services to be displayed, sold, or offered for sale by vendors and exhibitors, as well as a description of the methods such vendors and exhibitors will use in connection with vending or exhibition;
- (6) A list of each vendor and the vendor's state sales tax identification number or temporary sales tax permit number; and

1 (7) Such addition information or documentation as the Director may require in
2 order to determine the advisability of issuing a permit.

3 (C) Except as otherwise provided in this Subsection (C), an application for a multi-
4 vendor permit must be submitted at least ten business days before the desired commencement date for the
5 event. An application submitted later than the deadline described in the previous sentence will be accepted
6 and processed, but the Department shall be under no obligation to either grant or deny the application in time
7 for the desired commencement date. In its discretion, the Department may issue a temporary permit pending
8 extended review of an application, in general accordance with the provisions for temporary business licenses
9 set forth in LVMC 6.02.070.

10 (D) Except as otherwise provided in this Subsection (D) or in Subsection (E), an
11 applicant for a multi-vendor permit shall pay, in advance, a non-refundable processing fee of fifty dollars for
12 each location and a vendor fee of ten dollars per day for each vendor. Vendor fees shall not apply to:

13 (1) The sale, offer of sale, or taking orders for goods and services from a
14 wholesale or retail business licensed under this Title;

15 (2) Any charitable event conducted by or on behalf of a nonprofit organization;
16 or

17 (3) An exhibitor.

18 (E) The Director or designee may reduce the amount of vendor fees otherwise payable
19 by a permittee under this Section for:

20 (1) A City-sponsored event; or

21 (2) An event that will take place at a facility operated by the Las Vegas
22 Convention and Visitor's Authority.

23 (F) Each permittee shall be responsible for reimbursing the Department for all permit
24 related inspections conducted after the Department's normal operating hours or on weekends or holidays.
25 Inspection fees shall be assessed for a three-hour minimum at fifty dollars per hour per staff member required
26 to conduct the permit inspection. The permittee may also be charged inspection fees by other City

1 departments whose inspections are required in connection with the issuance of a permit pursuant to this
2 Chapter, including without limitation the Department of Fire and Rescue and the land use function of the
3 Department of [Planning.] Community Development. All fees shall be paid at the completion of each
4 inspection.

5 (G) In connection with a multi-vendor permit issued pursuant to this Section concerning
6 which the permittee is fully compliant, a vendor covered by the permit is exempt from the requirements
7 of Chapter 6.80A.

8 (H) A professional promoter who obtains a multi-vendor permit pursuant to this Section
9 is exempt from the special event fees and processes of LVMC Chapter 12.02 relative to activities covered by
10 the multi-vendor permit.

11 SECTION 21: Title 6, Chapter 80, Section 90, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.80.090:** Each teenage establishment location shall provide and maintain parking spaces in the number
14 that is determined by the Department [of Planning and Development] to be sufficient for that location in
15 accordance with LVMC Chapter [19.64.] 19.12. The parking area shall be surfaced with a concrete or
16 asphaltic paving and shall be electrically illuminated with a light that provides, at ground level, an intensity
17 of not less than .25 foot-candle power. Additionally, all such parking spaces shall comply with the
18 requirements of LVMC [Section 19.04.120.] Title 19.

19 SECTION 22: Title 6, Chapter 80A, Section 100, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.80A.100:** The permittee shall be responsible for reimbursing the Department for all permit related
22 inspections conducted [after normal operating hours (eight a.m. to five p.m. Monday through Friday), on
23 weekends, or on holidays.] outside of the City's normal operating hours. Inspection fees shall be assessed for
24 a three-hour minimum at fifty dollars per hour per staff member required to conduct the permit inspection.
25 The permittee may also be charged inspection fees by other City departments whose inspections are required
26 in connection with the issuance of a permit pursuant to this Chapter, including without limitation the

1 Department of Fire and Rescue and the Department of [Planning and] Community Development. All fees
2 shall be paid at the completion of each inspection.

3 SECTION 23: Title 6, Chapter 81, Section 60, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.81.060:** The Director [of the Department of Building and Safety] shall develop standards for the safe
6 construction and operation of rides and other conveyances in connection with theme parks and permanent
7 exhibitions that are licensed pursuant to this Chapter, and, in so doing, shall use, to the extent that is
8 practicable, the uniform codes that have been adopted and made a part of this Code. In addition, the Director
9 may rely upon any applicable regulation that has been adopted in any other jurisdiction and may retain, at
10 the expense of any person who requests a license under this chapter, such safety experts, structural engineers
11 and other consultants as he may deem are necessary or appropriate for the safe design, construction and
12 operation of the system for which such license is requested.

13 SECTION 24: Title 6, Chapter 81, Section 70, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.81.070:** Any license that is issued pursuant to this Chapter shall be conditions upon the promise of
16 the licensee to remove the guideway or similar structure when its use has been discontinued and to restore
17 the property on which it was constructed to the former conditions thereof and the posting of a removal and
18 restoration bond, in an amount that is determined by the Director [of Building and Safety] to be sufficient for
19 the purpose for which it is posted and in a form that is approved by the City Attorney, to ensure the
20 performance of that promise.

21 SECTION 25: Title 6, Chapter 84, Section 60, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.84.060:** (A) During the prohibited time period, no officer, employee or agent of a wedding
24 chapel, including an independent contractor, may solicit business for the chapel at a prohibited location.

25 (B) For purposes of this Section:

26 (1) "Prohibited time period" means the period commencing one hour before the

1 Clark County Marriage Bureau opens for business each day and ending one hour after the Marriage Bureau
2 closes for that day.

3 (2) "Prohibited location" means:

4 (a) Any portion of the City-owned sidewalk area along the west side of
5 Third Street for a distance of one hundred seventy feet north of the centerline of Clark Avenue, except for
6 the area described in Paragraph (1) of Subsection (C) of this Section; and

7 (b) Any portion of the City-owned sidewalk area along the north side
8 of Clark Avenue for a distance of two hundred feet west of the centerline of Third Street, except for the area
9 described in Paragraph (2) of Subsection (C) of this Section.

10 (C) The following areas, being more particularly delineated on Exhibit "A" that is
11 attached to Ordinance No. 5991, are excluded from the definition of "prohibited location" in Paragraph (2)
12 above:

13 (1) That three foot wide strip of sidewalk, adjacent to and running parallel with
14 the existing back of curb line of Third Street beginning at the Easterly curb return of Clark Avenue and said
15 Third Street and extending Northeasterly along said Third Street, fifty feet; and

16 (2) That three foot wide strip of sidewalk, adjacent to and running parallel with
17 the existing back of curb line of Clark Avenue beginning at the Westerly curb return of Third Street and said
18 Clark Avenue and extending Northwesterly along said Clark Avenue, fifty feet.

19 (D) The City shall designate on City sidewalks, with appropriate markings:

20 (1) The westerly and northerly boundaries of the prohibited locations described
21 in Paragraph (2) of Subsection (B) of this Section, and

22 (2) The locations of the areas excluded from the definition of "prohibited
23 location" pursuant to Subsection (C) of this Section.

24 (E) The provisions of this Section:

25 (1) Apply only to property owned by the City; and

26 (2) Do not affect any other property, or the application of any laws or rules that

1 govern such other property.

2 (F) Following the adoption of Ordinance No. 5991, the City shall prepare a final map or
3 diagram that depicts the prohibited locations and the areas excepted therefrom. The map or diagram shall be
4 filed with the City Clerk. A copy thereof shall be maintained in the office of the Department, [of Finance and
5 Business Services,] and copies shall be made available to the public upon request.

6 SECTION 26: Title 6, Chapter 90, Section 110, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.90.110:** Each market promoter who proposes to operate a farmers' market within a City park must
9 first obtain and maintain permission to do so from the Department of [Leisure Services.] Parks, Recreation
10 and Cultural Affairs. Each market promoter of an outdoor farmers' market on private property must first
11 obtain and maintain a valid temporary commercial permit or [a special use permit] other required approval
12 pursuant to Title 19.

13 SECTION 27: Title 6, Chapter 95, Section 20, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.95.020:** Unless the context otherwise requires, the scope of all words in this Chapter shall be liberally
16 construed in order to effectuate the purpose of this Chapter, and, in particular, the following words shall have
17 the meaning ascribed to them as follows:

18 "Adult-use cannabis cultivation facility" has the meaning ascribed to it in NRS Chapter 678A and
19 means a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related
20 supplies to adult-use cannabis retail stores, adult-use cannabis production facilities, or other adult-use
21 cannabis cultivation facilities.

22 "Adult-use cannabis distributor" has the meaning ascribed to it in NRS Chapter 678A and means a
23 business that transports cannabis or adult-use cannabis products from an adult-use cannabis establishment to
24 another adult-use cannabis establishment.

25 "Adult-use cannabis distributor transportation contractor" means a person who contracts with an
26 adult-use cannabis distributor to transport cannabis, on behalf of that distributor, from an adult-use cannabis

1 establishment to another adult-use cannabis establishment.

2 “Adult-use cannabis establishment” has the meaning ascribed to it in NRS Chapter 678A and means
3 an adult-use cannabis independent testing laboratory, an adult-use cannabis cultivation facility, an adult-use
4 cannabis production facility, an adult-use cannabis retail store, or an adult-use cannabis distributor.

5 “Adult-use cannabis independent testing laboratory” has the meaning ascribed to it in NRS Chapter
6 678A and means a facility that tests cannabis intended for the adult use of cannabis and adult-use cannabis
7 products.

8 “Adult-use cannabis production facility” has the meaning ascribed to it in NRS Chapter 678A and
9 means a business that acquires, possesses, manufactures, delivers, transfers, supplies or sells adult-use
10 cannabis products to adult-use cannabis retail stores.

11 “Adult-use cannabis retail store” has the meaning ascribed to it in NRS Chapter 678A and means a
12 business that acquires, possesses, delivers, transfers, supplies, sells or dispenses cannabis or related supplies
13 to a consumer or to another adult-use cannabis retail store.

14 “Adult-use cannabis support business” means a business that provides goods or services to an adult-
15 use cannabis establishment and receives at least fifty percent of its annual revenue from licensed adult-use
16 cannabis establishments. The term does not include a business that qualifies as an adult-use cannabis
17 distributor transportation contractor.

18 “Adult use of cannabis” has the meaning ascribed to it in NRS Chapter 678A and means the
19 possession, delivery, production or use of cannabis; the possession, delivery or use of paraphernalia used to
20 administer cannabis; or any combination thereof, in each case by a person twenty-one years of age or older.

21 “Building Official” means the Director of [Building and Safety] Community Development or the
22 Director’s designee.

23 “Cannabis” has the meaning ascribed to it in NRS Chapter 678A.

24 “Cannabis cultivation facility” or “cultivation facility” has the meaning ascribed to the former in
25 NRS Chapter 678A and means an adult-use cannabis cultivation facility or a medical cannabis cultivation
26 facility.

1 “Cannabis establishment” has the meaning ascribed to it in NRS Chapter 678A and means an adult-
2 use cannabis establishment or a medical cannabis establishment.

3 “Cannabis establishment agent” has the meaning ascribed to it in NRS Chapter 678A and means an
4 owner, officer, board member, employee or volunteer of a cannabis establishment; an independent contractor
5 who provides labor relating to the cultivation or processing of cannabis or the production of usable cannabis
6 or cannabis products for a cannabis establishment; or an employee of such an independent contractor.

7 “Cannabis independent testing laboratory” or “independent testing laboratory” has the meaning
8 ascribed to the former in NRS Chapter 678A and means an adult-use cannabis independent testing laboratory
9 or a medical cannabis independent testing laboratory.

10 “Cannabis-infused products” means adult-use edible cannabis products and medical edible cannabis
11 products as defined in NRS Chapter 678A.

12 “Cannabis product” has the meaning ascribed to it in NRS Chapter 678A and means an adult-use
13 cannabis product or a medical cannabis product.

14 “Cannabis production facility” has the meaning ascribed to it in NRS Chapter 678A and means an
15 adult-use cannabis production facility or a medical cannabis production facility.

16 “Cannabis sales facility” has the meaning ascribed to it in NRS Chapter 678A means a medical
17 cannabis dispensary or an adult-use cannabis retail store.

18 “Designated primary caregiver” has the meaning ascribed to it in NRS Chapter 678C.

19 “Dual licensee” has the meaning ascribed to it in NRS Chapter 678A and means a person or group
20 of persons who possess a current, valid medical cannabis establishment license and a current, valid adult-use
21 cannabis establishment license of the same type.

22 “Dual use cannabis business” means a dual licensee that holds a medical cannabis establishment
23 license pursuant to this Chapter and that has been issued a license to operate as a dual use cannabis business
24 pursuant to LVMC 6.95.270.

25 “Edible cannabis products” means adult-use edible cannabis products and medical edible cannabis
26 products as defined in NRS Chapter 678A.

1 “Key employee” means an employee designated by a business licensee to oversee the operations of
2 the business in the absence of the licensee.

3 “Medical cannabis cultivation facility” has the meaning ascribed to it in NRS Chapter 678A and
4 means a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related
5 supplies to medical cannabis dispensaries, medical cannabis production facilities, or other medical cannabis
6 cultivation facilities.

7 “Medical cannabis dispensary” has the meaning ascribed to it in NRS Chapter 678A and means a
8 business that acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses cannabis or
9 related supplies and educational materials to the holder of a valid registry identification card or to another
10 medical cannabis dispensary.

11 “Medical cannabis establishment” has the meaning ascribed to it in NRS Chapter 678A and means a
12 medical cannabis independent testing laboratory, a medical cannabis cultivation facility, a medical cannabis
13 production facility, or a medical cannabis dispensary.

14 “Medical cannabis independent testing laboratory” has the meaning ascribed to it in NRS Chapter
15 678A and means a facility that tests cannabis intended for the medical use of cannabis and medical cannabis
16 products.

17 “Medical cannabis product” means a medical edible cannabis product or a medical cannabis-infused
18 product.

19 “Medical cannabis production facility” has the meaning ascribed to it in NRS Chapter 678A and
20 means a business that acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells
21 medical cannabis products to medical cannabis dispensaries.

22 “Medical cannabis support business” means a business that provides goods or services to a medical
23 cannabis establishment and receives at least fifty percent of its annual revenue from licensed medical
24 cannabis establishments.

25 “Medical use of cannabis” has the meaning ascribed to it in NRS Chapter 678A and means the
26 possession, delivery, production or use of cannabis; the possession, delivery or use of paraphernalia used to

1 administer cannabis; or any combination thereof, in each case as necessary for the exclusive benefit of a
2 person to mitigate the symptoms or effects of his or her chronic or debilitating medical condition, as defined
3 in NRS 678C.030.

4 “Paraphernalia” has the meaning ascribed to it in NRS Chapter 678A and means accessories, devices
5 and other equipment that is necessary or useful for a person to engage in the medical use of cannabis or the
6 adult use of cannabis.

7 “Registry identification card” has the meaning ascribed to it in NRS Chapter 678A and means a
8 document issued by a State authority that identifies a person who is exempt from State prosecution for
9 engaging in the medical use of cannabis or the designated primary caregiver, if any, of such a person.

10 “State regulating authority” means the Department of Taxation of the State of Nevada and/or any
11 other agency assigned to administer NRS Chapters 678A to 678D, inclusive.

12 SECTION 28: Title 6, Chapter 95, Section 70, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.95.070:** (A) Each business license application shall be reviewed for completeness. An
15 application shall be deemed complete if it contains or is accompanied by the following:

- 16 (1) Each document required in LVMC 6.95.060;
- 17 (2) Proof of compliance with all applicable submittal requirements of NRS
18 Chapters 678A to 678D, inclusive, and any other regulation or requirement of the State regulating authority;
- 19 (3) Proof that the proposed location for the medical cannabis establishment or
20 adult-use cannabis establishment is consistent with the requirements of LVMC Title 19;
- 21 (4) Proof that all fees have been paid;
- 22 (5) Proof that all waivers, acknowledgements, and statements are properly
23 signed and acknowledged by or on behalf of the applicant; and
- 24 (6) Proof that each principal who is required to file an application pursuant to
25 LVMC Chapter 6.06 and to comply with the suitability requirements of that chapter has done so.

26 (B) The Department is authorized to reject and return to the applicant any application

1 that is incomplete or otherwise fails to meet the applicable requirements of this Title, NRS Chapters 678A to
2 678D, inclusive, or the regulations of the State regulating authority.

3 (C) The Director is authorized to conduct or authorize a pre-operational inspection of
4 any facility for which licensing is sought under this Chapter[.], as to both appropriateness for licensing and
5 compliance with applicable technical codes. The applicant for or licensee of such a facility is responsible for
6 the payment of the costs of all inspections. The Director may also require a pre-operational inspection of a
7 facility by the Department of Fire and Rescue, [and the Department of Building and Safety, each of] which
8 is authorized to charge the applicant or licensee the cost of those inspections.

9 (D) The Director shall determine, and may prepare a report regarding, the merits of each
10 complete business license application, the potential suitability of any and all principals, and the application's
11 compliance with the provisions of this Chapter and LVMC Title 19.

12 SECTION 29: Title 6, Chapter 98, Section 30, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.98.030:** (A) Each breeder, distributor and pet shop shall comply with the provisions of NRS
15 Chapter 574 and LVMC Title 7 that pertain to such operations.

16 (B) For purposes of enforcing this Chapter, the Director, Metro and officers and
17 employees of the City who are authorized to enforce LVMC Title 7 shall have the authority to issue citations
18 or notices of violation, and to conduct inspections, investigations and audits regarding the operation of each
19 breeder, distributor and pet shop, including without limitation the transportation of dogs and cats to and from
20 a pet shop and documentation regarding the acquisition and disposition of dogs and cats by a pet shop.

21 (C) Each pet shop shall post one or more signs no lower than three feet and no higher
22 than seven feet at each entrance and exit of the establishment indicating that concerns about the welfare of
23 animals within the establishment can be reported to the City's Animal [Control] Protection Services Division
24 at the Division's telephone number as listed on the sign. Each such sign shall contain the text and be in the
25 size and format approved by the Department. The Department will make such signs available to each pet
26 shop, but the posting of compliant signs is required whether or not actual signs have been obtained from the

1 Department.

2 SECTION 30: Title 7, Chapter 4, Section 50, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **7.04.050:** ["Animal Control Center"] "Animal Protection Services Center" means any establishment
5 authorized by the City for the confinement, maintenance, safekeeping, protection and control of all animals
6 that come into the custody of the Animal Regulation Officer in the performance of [his] official duties.

7 SECTION 31: Title 7, Chapter 4, Section 60, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **7.04.060:** ["Animal Control Officer"] "Animal Protection Services Officer" means an employee of the
10 Department of Public Safety having the power and authority to enforce the provisions of this Title.

11 SECTION 32: Title 7, Chapter 4, Section 250, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **7.04.250:** "Fees" means monies authorized by the City Council to be collected by the Animal [Control]
14 Protection Services Officer or designee for the impounding, maintenance, sale or destruction of animals.

15 SECTION 33: Title 7, Chapter 4, Section 295, of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **7.04.295:** "Hearing officer" means a person appointed by the City Manager or a designee to hear
18 appeals or make recommendations under this Title. The hearing officer may be a third party not otherwise
19 affiliated with the City or a City officer who is independent of the animal control [function.] and protection
20 functions.

21 SECTION 34: Title 7, Chapter 4, Section 300, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **7.04.300:** "Impound" means the act of taking or receiving into custody by the Animal Regulation
24 Officer any animal for the purpose of confinement in an Animal [Control] Protection Services Center
25 consistent with the provisions of this Title.

26 SECTION 35: Title 7, Chapter 8, Section 40, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.08.040: The owner of any dog, cat or ferret may obtain for the animal an exemption-from-vaccination permit from the Animal Regulation Officer, provided that:

(A) The animal is confined at all times;

(B) The facilities for confinement have been inspected and approved by an Animal [Control] Protection Services Officer;

(C) A fee of twenty-five dollars is paid for such inspection and permit per animal per year; and

(D) The owner provides a written statement, issued by a licensed veterinarian of this State, showing cause why the animal should not be vaccinated.

SECTION 36: Title 7, Chapter 8, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.08.050: Any person required to obtain any permit under any of the provisions of this Title shall permit their premises to be inspected by the Animal [Control] Protection Services Officer at any time.

SECTION 37: Title 7, Chapter 8, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.08.070: The fee provisions of Section 7.08.060 shall not apply to an animal:

(A) Which has been trained, and is actually being used, as a guide animal, hearing animal, assistance animal, or seizure alert animal; and

(B) Whose qualification under Subsection (A) has been documented to the satisfaction of the Animal [Control] Protection Services Officer.

SECTION 38: Title 7, Chapter 8, Section 180, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.08.180: A pet fancier may own, keep or possess on his or her property not more than six spayed or neutered dogs over one year of age or twelve spayed or neutered cats over eight months of age, or any combination thereof if the number of dogs does not exceed six and the combined number of animals does not exceed twelve, provided that the pet fancier has obtained from the Animal Regulation Officer a pet fancier's

1 permit. The pet fancier shall obtain a pet fancier's permit from the Animal Regulation Officer each and every
2 twelve-month period. The Animal Regulation Officer shall issue the pet fancier's permit only after inspecting
3 the applicant's property and determining that the dogs or cats, or both, will be safely confined in a completely
4 enclosed building, residence or enclosed lot and do not pose a nuisance to the public. As a part of the
5 application process, the Animal [Control] Protection Services Officer shall notify all property owners
6 contiguous to the applicant's property that the applicant has applied for a pet fancier's permit. The cost of
7 the inspection and permit shall be fifty dollars. A pet fancier who has obtained a pet fancier's permit need
8 not have his or her property rezoned for the purpose of owning, keeping or possessing such pets.

9 SECTION 39: Title 7, Chapter 16, Section 30, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **7.16.030:** Any animal which is declared to be dangerous by the Animal Regulation Officer may be
12 kept within the City, provided that:

13 (A) Within fourteen days after the owner or keeper is notified of the declaration, the area in
14 which the owner or keeper intends to keep the animal must pass an inspection by the Animal Regulation
15 Officer, and the owner or keeper must obtain from the Animal Regulation Officer a permit to keep the animal,
16 based upon such terms and conditions as the Animal Regulation Officer deems appropriate. A nonrefundable
17 inspection fee of fifty dollars will be charged the owner or keeper. For purposes of this Subsection (A), notice
18 of the declaration shall be deemed complete if it is served personally, or upon mailing by certified mail, return
19 receipt requested, sent to the last known address of the owner or keeper.

20 (B) The animal shall be kept, confined or housed within an enclosure:

21 (1) That will ensure the animal's retention and comfort, is of a size to permit the animal
22 to stand upright, and is of a dimension deemed adequate by the Animal Regulation Officer; and

23 (2) That is secure enough so that the animal cannot bite, harm or injure anyone by
24 overreaching the top of the fence or other enclosure.

25 (C) At no time shall the animal be allowed to leave the private property confines of the owner or
26 person in charge of the animal unless it is muzzled, leashed and under the effective control of an adult.

1 (D) The private property shall be adequately and properly posted with conspicuous warning
2 signs, with a listing of the name and telephone number of the owner of the animal.

3 (E) The animal must be sterilized by a licensed veterinarian. The owner or keeper shall maintain
4 all sterilization records, including the type of animal sterilized, the name of the veterinarian performing the
5 procedure, and the date the sterilization was performed.

6 (F) The animal shall be implanted with an electronic microchip from a manufacturer approved
7 by the Animal Regulation Officer. The implantation must be performed by a licensed veterinarian and must
8 conform to procedures recommended by the manufacturer. The owner or keeper shall register the microchip
9 number in a national database in accordance with instructions from the manufacturer, and shall provide the
10 number to the Animal [Control] Protection Services Officer.

11 (G) The owner or keeper shall obtain and maintain in effect a policy of liability insurance in the
12 amount of not less than fifty thousand dollars insuring against possible injuries inflicted by the dangerous
13 animal. The liability insurance shall be maintained in effect as long as the owner or keeper maintains
14 possession of the dangerous animal.

15 (H) The owner of a dangerous animal may not sell, relocate or give away the animal without first
16 obtaining prior written approval from an Animal [Control] Protection Services Officer. If such a transaction
17 is approved, the owner or transferee shall pay a nonrefundable inspection fee of fifty dollars for inspection
18 of the new location for the animal. The owner or transferee shall also have the national microchip number
19 updated in the national database to reflect the change in ownership, and shall provide evidence of the update
20 to the Animal [Control] Protection Services Officer.

21 SECTION 40: Title 7, Chapter 20, Section 10, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **7.20.010:** (A) Unless otherwise directed by the Animal Regulation Officer, and subject to the
24 provisions of Subsection (B), any dog or cat running at large wearing a current City license tag as required
25 by this Title may be returned to its owner by the Animal [Control] Protection Services Officer if the dog or
26 cat:

- (1) Is captured within a one mile radius of the owner's residence;
- (2) Has not previously been returned to its owner pursuant to this Subsection within the past six months;
- (3) Can be secured at the residence of the owner, and the owner is home and willing to take possession of the dog or cat; and
- (4) Has been spayed or neutered in accordance with Chapter 7.14, if so required by that Chapter.

(B) Any dog or cat running at large may be impounded by the Animal [Control] Protection Services Officer at the Animal [Control] Protection Services Center if the dog or cat:

- (1) Does not qualify to be returned to its owner pursuant to Subsection (A);
- (2) Is afflicted or suspected of being afflicted with rabies;
- (3) Has a history of biting;
- (4) Is a vicious animal;
- (5) Is sick or injured and the owner cannot be personally contacted or is unable to take immediate possession of the dog or cat; or
- (6) Has not been spayed or neutered in accordance with Chapter 7.14 and is required by that Chapter to be spayed or neutered, all as determined by the Animal [Control] Protection Services Officer.

(C) Upon proof of ownership, the owner shall be able to remove the dog or cat from impoundment, subject to the provisions of this Section and LVMC 7.20.080, upon payment of an impound fee of twenty-five dollars plus payment of boarding fees of ten dollars per day or part thereof; provided, however, these impound and boarding fees may be waived or partially waived if the owner is indigent and qualifies, pursuant to regulations adopted by the Animal Regulation Officer, for such waivers. Fees paid pursuant to this Subsection shall go to the credit of the City.

(D) If any such animal is licensed and the license tag has been lost, the same shall, before the release of the animal from the Animal [Control] Protection Services Center, be replaced at the expense

1 of the owner at a cost of five dollars, payable to the Animal Regulation Officer.

2 (E) If such dog or cat is unlicensed, its release shall be conditioned upon the delivery of
3 a certificate of vaccination to the Animal Regulation Officer, and the payment to said Animal Regulation
4 Officer of the license fee in accordance with the provisions of this Title, whereupon such owner so reclaiming
5 such dog or cat shall be entitled to a license and numbered license tag.

6 (F) If the dog or cat is unvaccinated, the owner shall also be required to have the dog or
7 cat vaccinated prior to release.

8 (G) If the dog or cat has not been spayed or neutered in accordance with Chapter
9 7.14 and is required by that Chapter to be spayed or neutered, the owner shall also be required to have the
10 dog or cat spayed or neutered prior to release.

11 SECTION 41: Title 7, Chapter 20, Section 20, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **7.20.020:** It is unlawful for the owner of any unspayed female dog or cat to suffer, permit, or allow
14 their dog or cat to run at large while the dog or cat is in its copulating season, and the owner of such female
15 dog or cat shall keep the same secured upon [his] the owner's premises in an adequately enclosed area or in
16 a boarding kennel so that other dogs or cats shall not have access thereto. Every female dog or cat which is
17 not kept in conformance with this Section shall be immediately seized and impounded in the Animal
18 [Control] Protection Services Center and held subject to the provisions of this Chapter.

19 SECTION 42: Title 7, Chapter 20, Section 35, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **7.20.035:** (A) Notwithstanding any other provision of this Title, a duly recognized animal welfare
22 society, humane organization or animal clinic, in order to encourage the stabilization of the community cat
23 population in the City, may, at its own expense, do the following with respect to a community cat:

24 (1) Trap the animal in a humane manner;

25 (2) Have the cat properly sterilized and vaccinated for rabies; and

26 (3) Release the cat either:

1 (a) To an Animal [Control] Protection Services Officer for adoption or
2 other disposition in accordance with law, or

3 (b) To a community cat colony within the vicinity of the cat's territory
4 in accordance with Chapter 7.22.

5 (B) The licensing requirements of this Title shall not apply to any cat that has been
6 released pursuant to Subsection (A) and to the extent that:

7 (1) The releasing organization has ear-tipped the cat or otherwise identified it
8 as a community cat that has been properly sterilized and vaccinated; and

9 (2) The releasing organization has created and maintains a record of the release.

10 (C) The Animal [Control] Protection Services Officer may impound any community cat
11 if:

12 (1) The cat poses a threat to public safety or health by reason of a disease or
13 condition which may be transmitted to other animals or humans;

14 (2) The behavior of the cat would subject its owner to liability under Chapter
15 7.36; or

16 (3) With respect to that cat, the releasing organization or the person to whom
17 the cat is released fails to comply with the requirements of this Section.

18 SECTION 43: Title 7, Chapter 20, Section 40, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **7.20.040:** (A) Any animal brought to the Animal [Control] Protection Services Center by any
21 person purporting to be the owner thereof, to be impounded or destroyed, shall be kept by the designated
22 Animal [Control] Protection Services Center for a period not less than twenty-four hours after impoundment
23 and before disposition as required by law; the person purporting to be the owner of said animal shall pay a
24 reasonable fee to be determined by the Animal Regulation Officer to personnel of the Animal [Control]
25 Protection Services Center upon the delivery of said animal.

26 (B) Any sick or injured animal impounded may be euthanized at any time after impoundment,

1 if, in the professional judgment and certification of a veterinarian, inhumane suffering may be prevented
2 thereby.

3 (C) Litters of animals up to three months of age and the nursing mothers thereof impounded by
4 the owner for purposes of adoption may be made available for adoption by the public immediately after
5 impoundment.

6 SECTION 44: Title 7, Chapter 20, Section 50, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **7.20.050:** The Animal [Control] Protection Services Officer shall capture any large or dangerous dog
9 or cat found running at large within the City.

10 SECTION 45: Title 7, Chapter 20, Section 60, of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **7.20.060:** The Animal [Control Officer or any Peace Officer] Protection Services Officer or any peace
13 officer shall have the right for just cause to enter upon any private or public property in the City in order to
14 examine or capture any animal thereon or therein; provided, however, that no such officer shall have the right
15 to enter a house or structure which is in use as a residence without having first secured a search warrant
16 therefor.

17 SECTION 46: Title 7, Chapter 20, Section 70, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **7.20.070:** The Animal Regulation Officer and any Animal [Control] Protection Services Officer shall
20 have the authority, when deemed reasonably necessary, to utilize any weapon, device or substance in order
21 to apprehend, capture, control, or subdue any animal running at large, or considered to be a threat to persons
22 or property in the immediate area.

23 SECTION 47: Title 7, Chapter 20, Section 80, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **7.20.080:** (A) Any animal impounded in the Animal [Control] Protection Services Center as
26 provided in this Title shall be kept for a minimum of seventy-two hours; provided, however, that:

1 (1) Any such animal may, after the first seventy-two hours, be released to any
2 person who shall pay all reasonable veterinary medical costs incurred by the City and any other fees and
3 charges as required in this Title;

4 (2) If ownership is proven, the owner may pick up the animal at any time
5 contingent on compliance with all provisions of this Title; and

6 (3) With respect to a community cat governed by Chapter 7.22, any contrary
7 provision of that Chapter shall govern.

8 (B) If the ownership of an animal is not proven or if such animal is not released pursuant
9 to Subsection (A) of this Section within seventy-two hours, or within the ten-day period of observation for
10 rabies as provided in Chapter 7.24, the animal may be destroyed in a humane manner in compliance with and
11 pursuant to the provisions of Sections 7.32.260 through 7.32.290, under the direction of the Animal
12 Regulation Officer.

13 (C) If the animal is on a court or Animal Regulation Officer's hold to determine if the
14 animal is vicious, the owner must pay the impound fee of twenty-five dollars plus payment of boarding fees
15 of ten dollars per day or any part thereof until the animal has been released. Payment shall go to the credit of
16 the City.

17 (D) Any sick or injured animal may be euthanized at any time after impoundment if
18 inhumane suffering may be prevented in the professional judgment and certification of the shelter services
19 or contracted veterinarian.

20 SECTION 48: Title 7, Chapter 20, Section 100, of the Municipal Code of the City of Las
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **7.20.100:** (A) In order for a person to adopt a dog or cat older than four months from the Animal
23 [Control] Protection Services Center, the dog or cat must first be sterilized.

24 (B) In order for a person to adopt any animal from the Animal [Control] Protection
25 Services Center, the animal must first be microchipped pursuant to Section 7.20.105.

26 (C) The person adopting an animal pursuant to this Section must first pay an adoption

1 fee, plus the costs of sterilization, rabies vaccination and microchipping.

2 SECTION 49: Title 7, Chapter 20, Section 110, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **7.20.110:** After the animal has been vaccinated, or the fee for vaccination has been paid, and if all the
5 conditions of this Title have been satisfied, the Animal [Control] Protection Services Officer shall release
6 such dog or cat to the owner, or to the person applying for the release of such animal as herein provided.

7 SECTION 50: Title 7, Chapter 20, Section 120, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **7.20.120:** If the Animal [Control] Protection Services Officer suspects that any dog or cat so
10 impounded has rabies, he shall hold such animal for inspection by a veterinarian. In the event that such animal
11 is afflicted with rabies, it shall be disposed of or confined for such time as the Health Officer shall direct.
12 Whenever the veterinarian determines that such dog or cat does not have rabies, it shall be released as
13 provided herein.

14 SECTION 51: Title 7, Chapter 22, Section 20, of the Municipal Code of the City of Las
15 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **7.22.020:** Community cat caregivers shall be entitled to maintain and care for community cats by
17 providing food, water, shelter, medical care and other forms of sustenance. In connection with the
18 implementation of this Chapter, community cat caregivers, rescue organizations, animal shelters, the Animal
19 [Control] Protection Services Center, and others are authorized to carry out TNR programs.

20 SECTION 52: Title 7, Chapter 22, Section 40, of the Municipal Code of the City of Las
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **7.22.040:** (A) If a community cat with a tipped ear is trapped and turned into the Animal [Control]
23 Protection Services Center or any other animal shelter, employees or volunteers may immediately return the
24 cat to the location where it was trapped if they determine that the cat is healthy and has been successfully
25 living outdoors. With respect to any such cat, the Animal [Control] Protection Services Center or other animal
26 shelter is exempt from the mandatory hold period in LVMC 7.20.080 and may hold any such cat for the time

limit established in the current shelter policy.

(B) If a community cat that has a microchip or identification tag is trapped and turned into the Animal [Control] Protection Services Center or any other animal shelter, the cat must be held in accordance with LVMC 7.20.080. After the mandatory hold period, such cat may be:

- (1) Returned to its owner, if known;
- (2) Processed for adoption through the regular adoption process; or
- (3) Returned to the location where it was trapped if it is healthy, is deemed to have been successfully living outdoors, and has been sterilized, vaccinated for rabies, and ear tipped.

(C) If a community cat that does not have a tipped ear or microchip or identification tag is trapped and turned into the Animal [Control] Protection Services Center or any other shelter, the Animal [Control] Protection Services Center or other animal shelter is exempt from the mandatory hold period in LVMC 7.20.080. If such cat is healthy, the cat may be:

- (1) Processed for adoption through the regular adoption process; or
- (2) Returned to the location where it was trapped if it is deemed to have been successfully living outdoors and has been sterilized, vaccinated for rabies, and ear tipped.

(D) Except in the case of extreme injury, illness or suffering, no community cat that is has been trapped and turned in to the Animal [Control] Protection Services Center or other animal shelter may be euthanized until the minimum impound period has expired.

SECTION 53: Title 7, Chapter 22, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.22.050: (A) The Animal Regulation Officer or an Animal [Control] Protection Services Officer shall have the right to trap in a humane manner any community cat that is deemed to be a threat to public health or safety. If a licensed veterinarian decides that the cat is too ill or injured or that it has an illness that presents an imminent danger to the public health or safety or to itself, or if the cat has bitten a human being, the cat may be humanely euthanized. After any applicable mandatory quarantine period, a community cat that has been found to be healthy and does not pose any other issue of public health or safety exist, the cat

1 may be returned to the location where it was trapped if it has been sterilized and vaccinated, as deemed
2 necessary.

3 (B) The Animal Regulation Officer shall have the authority to declare that a particular
4 community cat colony or community cat is in a location that is hazardous to the health and safety of the
5 public or that the colony or cat is a nuisance. A community cat that has been impounded from a colony that
6 has been declared a hazard or nuisance pursuant to this Section shall not be released to the location of the
7 colony unless the hazard or nuisance is remedied and the release has been approved by the Animal Regulation
8 Officer. The disposition provisions of LVMC 7.22.040 shall apply to any cat impounded pursuant to this
9 Section.

10 SECTION 54: Title 7, Chapter 24, Section 20, of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **7.24.020:** Any person, including the owner of an animal, who has knowledge that the animal has bitten
13 a human being has a duty to promptly report the same to the Health Officer or the Animal [Control] Protection
14 Services Officer, and to provide all pertinent information requested by them.

15 SECTION 55: Title 7, Chapter 24, Section 30, of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **7.24.030:** (A) A home confinement may be approved by the Animal [Control] Protection Services
18 Officer. If the biting animal has been properly vaccinated against rabies, it shall be the duty of the person
19 owning, possessing or having the care, custody and control of said animal to confine such animal separately
20 and securely in an enclosed building or lot for a period of ten days, and shall comply with the terms and
21 conditions of the home confinement approval by the Animal [Control] Protection Services Officer. If the
22 biting animal is considered vicious by the Animal [Control] Protection Services Officer, the owner shall
23 immediately relinquish custody of the animal upon demand by the Animal [Control] Protection Services
24 Officer, and the animal will be impounded at the Animal [Control] Protection Services Center. In the event
25 such animal develops any illness during such period of time, the owner or person having the care, custody,
26 and control must promptly notify a veterinarian, who shall make such examination as he deems necessary

1 and report to the Animal [Control] Protection Services Officer in the event said animal is deemed to have
2 rabies, and said animal shall be handled in accordance with the provisions hereof.

3 (B) The maximum period of confinement for observation of the vaccinated animal
4 confined at the Animal [Control] Protection Services Center shall be ten days, even if said animal is obtained
5 from any other governmental entity, including, but not limited to, the State, the County, the City of North
6 Las Vegas, the City of Henderson, and the City of Boulder City. If the animal is not released after the
7 maximum ten-day period, as provided by law, it may be destroyed thereafter, except when the animal has a
8 hold on it.

9 SECTION 56: Title 7, Chapter 24, Section 40, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **7.24.040:** (A) In the event the biting animal has not been vaccinated against rabies, said animal
12 shall be confined, at the owner's expense, separately, in either the animal quarters at the business premises
13 of a veterinarian, at a commercial kennel, or in the City Animal [Control] Protection Services Center for a
14 period of ten days' observation, and if not released as provided by law, may be destroyed thereafter. Such
15 animal shall not be released before suitable provisions for vaccination and licensing have been made as set
16 forth in this Title. If the biting animal is considered vicious by the Animal [Control] Protection Services
17 Officer, the animal will be impounded at the Animal [Control] Protection Services Center.

18 (B) The maximum period of confinement for observation of the unvaccinated animal
19 confined at the Animal [Control] Protection Services Center shall be ten days, even if said animal is obtained
20 from any other governmental entity, including, but not limited to, the State, the County, the City of North
21 Las Vegas, the City of Henderson, and the City of Boulder City. If the animal is not released after the
22 maximum ten-day period, as provided by law, it may be destroyed thereafter, except when the animal has a
23 hold on it.

24 SECTION 57: Title 7, Chapter 24, Section 50, of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **7.24.050:** (A) Upon the receipt by the Animal [Control] Protection Services Officer of any animal

1 believed to be afflicted with rabies, which has been bitten by any animal afflicted or suspected of being
2 afflicted with rabies, or which has been exposed to the infection of rabies, the Animal [Control] Protection
3 Services Officer shall separately confine such animal and shall immediately notify a veterinarian and the
4 Health Officer. The veterinarian or Health Officer shall thereupon make such examination of the animal as
5 may be deemed necessary. If, upon such examination, it is determined that such animal is afflicted with
6 rabies, the Animal [Control] Protection Services Officer shall be so advised.

7 (B) It shall be the duty of the Animal [Control] Protection Services Officer to keep such
8 animal suspected of having rabies confined for such time as the veterinarian or Health Officer may direct,
9 and such animal shall not be redeemed or released except upon written order signed by the Health Officer.
10 Such animal shall not be released before suitable provisions for vaccination and licensing have been made as
11 set forth in this Title.

12 (C) The cost of all examinations shall be borne by the owner of said animal.

13 SECTION 58: Title 7, Chapter 24, Section 60, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **7.24.060:** It shall be the duty of the Animal [Control] Protection Services Officer to impound any
16 animal found in or upon any public street, alley or other public place, or in or upon any lot or premises,
17 whether public or private, if such animal is known to have or suspected of having rabies, or known to have
18 been bitten by any animal having or suspected of having rabies, and such animal shall be brought immediately
19 before the Health Officer and a veterinarian for determination of whether the animal shall be destroyed or
20 impounded. If destruction of the animal is required, destruction shall be accomplished in such manner as to
21 preserve intact the head. Such head shall promptly and without delay be properly removed and packaged for
22 shipment for laboratory analysis as prescribed by the Health Officer.

23 SECTION 59: Title 7, Chapter 24, Section 70, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **7.24.070:** The maximum period of confinement for observation at the Animal [Control] Protection
26 Services Center of [a] an animal known to have or suspected of having rabies shall be ten days, even if said

1 animal is obtained from any other governmental entity, including, but not limited to, the State, the County,
2 and the cities of North Las Vegas, Henderson, and Boulder City. If the animal is not released after the
3 maximum ten-day period, as provided by law, it may be destroyed thereafter. Any other animal known to
4 have or suspected of having rabies shall be confined for observation at the Animal [Control] Protection
5 Services Center for such necessary period of time as shall be determined by the Health Officer, but in no
6 event less than ten days.

7 SECTION 60: Title 7, Chapter 24, Section 90, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **7.24.090:** Whenever any animal is bitten by another animal suspected of having rabies, the owner of
10 the bitten animal and the owner of the biting animal shall immediately notify the Health Officer and the
11 Animal [Control] Protection Services Officer who, in their discretion, may quarantine such animals for a
12 period to be determined and in such manner as prescribed by the Health Officer.

13 SECTION 61: Title 7, Chapter 24, Section 110, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **7.24.110:** If it shall appear to the Health Officer or Animal [Control] Protection Services Officer that
16 an animal has rabies, he shall forthwith impound for observation such animal until released by the Health
17 Officer.

18 SECTION 62: Title 7, Chapter 28, Section 30, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **7.28.030:** The clinic shall establish a return date by which the person submitting the animal for the
21 above operations or services shall pick up said animal or otherwise be responsible for a reasonable board and
22 care fee to commence after such return date. Failure to pick up an animal within seventy-two hours of said
23 return date shall be deemed abandonment of such animal and the Animal [Control] Protection Services Center
24 may dispose of it according to law.

25 SECTION 63: Title 7, Chapter 32, Section 20, of the Municipal Code of the City of Las
26 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **7.32.020:** Whenever an Animal [Control] Protection Services Officer finds that any animal is, or will
2 be, without proper care, the Animal [Control] Protection Services Officer may take such animal into [his]
3 protective care; and in the event of sickness, injury or abuse of the animal, the Animal [Control] Protection
4 Services Officer may take any action to prevent undue pain and suffering, including impoundment or
5 immediate destruction of the animal.

6 SECTION 64: Title 7, Chapter 32, Section 80, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **7.32.080:** (A) Any peace officer or Animal [Control] Protection Services Officer who finds an
9 animal in a motor vehicle in violation of this Chapter may break and enter the motor vehicle causing the
10 minimum damage necessary to safely remove the animal if necessary to remove the animal.

11 [(A)] (B) The [Officer] officer removing the animal shall take the animal to the Animal
12 [Control] Protection Services Center or to a veterinary clinic for safekeeping and shall, in the event the person
13 having custody cannot be otherwise contacted, leave in a prominent place in the motor vehicle a written
14 notice bearing [his] the officer's name and office, and the address where the animal may be claimed by the
15 owner thereof.

16 [(B)] (C) The animal will be surrendered to the owner if the owner claims the animal within
17 five working days from the time the animal was removed from the motor vehicle and pays all applicable
18 charges that have accrued for the maintenance of the animal.

19 [(C)] (D) Any animal impounded in the Animal [Control] Protection Services Center as
20 provided in this Title shall be kept for a minimum of seventy-two hours. After that period, the animal may
21 be released to any person, who shall pay all appropriate fees as provided in this Title.

22 SECTION 65: Title 7, Chapter 32, Section 90, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **7.32.090:** Each person who takes custody of any animal that is lost, abandoned, or apparently running
25 at large, shall report the same to the Las Vegas Animal [Control] Protection Services Center immediately
26 after taking custody thereof. For purposes of this Section, an animal shall be considered to be abandoned if:

1 (A) The person having care, custody or control of the animal leaves the animal without adequate
2 care or control on public or private property; or

3 (B) The animal has not been claimed by the agreed-upon time after having been boarded,
4 groomed, trained, handled or cared for by a professional animal handler or veterinarian.

5 SECTION 66: Title 7, Chapter 32, Section 100, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **7.32.100:** (A) Every operator of any vehicle upon the streets and ways of the City shall
8 immediately upon injury, striking, maiming or running down any animal give such aid as he is reasonably
9 able to render. In the absence of the animal's owner, he shall immediately notify the Animal [Control]
10 Protection Services Officer furnishing sufficient facts relative to such injury.

11 (B) It is the duty of such operator to remain at or near the scene until the appropriate
12 authorities arrive, and such operator shall immediately identify himself to the appropriate authority.

13 (C) Alternatively, in the absence of the animal's owner, a person may give aid by taking
14 the animal to a veterinary hospital or the Animal [Control] Protection Services Center and thereafter notifying
15 the Animal Regulation Officer. Such animal shall be deemed an uncared for animal within the meaning
16 of Section 7.32.020.

17 (D) Emergency vehicles are not required to stop but shall notify the Animal [Control]
18 Protection Services Officer, furnishing sufficient facts relative to such injury.

19 SECTION 67: Title 7, Chapter 32, Section 160, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **7.32.160:** It is unlawful to:

22 (A) Restrain a dog in violation of NRS 574.100;

23 (B) Confine an animal in any cage, coop, or fence barrier of a size deemed insufficient by the
24 Animal [Control] Protection Services Officer, or to restrict any animal by leash, cord, or chain of a length
25 deemed insufficient for that type of animal by the Animal [Control] Protection Services Officer; or

26 (C) Tether, tie, chain or use other restraint on a dog for longer than ten hours during a twenty-

1 four-hour period or at any time when the National Weather Service issues a heat advisory. This Subsection
2 (C) does not prohibit conduct permitted by NRS 574.100(4) and shall not be deemed to limit the general
3 applicability of Subsection (B).

4 SECTION 68: Title 7, Chapter 32, Section 180, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **7.32.180:** It shall be a misdemeanor for any person who has trapped an animal, or discovers any animal
7 so trapped, to dispose of it in any fashion not otherwise provided by law, but said person shall call the Animal
8 [Control] Protection Services Officer to have said animal picked up, deliver it to the Animal [Control]
9 Protection Services Center, or otherwise dispose of it as directed by the Animal [Control] Protection Services
10 Officer.

11 SECTION 69: Title 7, Chapter 32, Section 250, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **7.32.250:** (A) It shall be a misdemeanor, except as provided in Subsection (B), for any person to
14 sell or offer for sale, buy or offer to buy, barter or offer to barter, give or offer to give, or furnish any animal
15 for experimental, laboratory, vivisection, dissection or teaching purposes.

16 (B) Any person may sell or offer for sale, buy or offer to buy, barter or offer to barter,
17 give or offer to give, or furnish any animal for properly conducted scientific experiments or investigations
18 which are performed under the authority of the faculty of any regularly incorporated medical college or
19 university of this State, or under the authority of the staff of a licensed hospital or laboratory facility in the
20 course and scope of their work.

21 (C) Notwithstanding the provisions of Subsection (B), the City Animal [Control]
22 Protection Services Center shall not knowingly release an animal to any person who intends to use the animal
23 for experimental, laboratory or vivisection purposes.

24 SECTION 70: Title 7, Chapter 32, Section 270, of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **7.32.270:** No employee of a public or private Animal [Control] Protection Services Center may use

sodium pentobarbital in the euthanasia of animals unless he is certified to use those substances.

SECTION 71: Title 7, Chapter 32, Section 290, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.290: The Animal [Control Officer and any Peace Officer] Protection Services Officer and any peace officer shall have the right with probable cause to enter upon any private or public property in the City in order to examine or capture any animal thereon or therein; provided, however, that no such officer shall have the right to enter a house or structure which is in use as a residence without having first secured a search warrant therefor.

SECTION 72: Title 7, Chapter 38, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.38.010: (A) No wild animal shall be exhibited in public or private or kept anywhere within the City unless and until the owner thereof has obtained a wild animal permit from the Animal Regulation Officer.

(B) Such wild animal permit shall not be issued for the keeping or exhibiting of a wild animal until an investigation has been made to ascertain what precautions shall be reasonable and necessary to protect the health, safety and general welfare of the public and of the animal.

(C) The Animal Regulation Officer may issue a permit for each wild animal or reptile that meets the below listed conditions. The application for permit shall have attached thereto a veterinarian's certificate, certifying that said animal is properly vaccinated and possesses no health hazard to itself, other animals, or the general public, for each animal to be covered by the permit. Each permit application shall contain the following information and documentation:

- (1) Type of animal(s) to be covered by the permit;
- (2) Purpose of keeping such animals, with particular emphasis on the knowledge of such person about the animals in question, and the experience of such person in handling the animals in question;
- (3) Period and location for which the permit is requested;

1 (4) Description of the quarters in which the animal will be kept and/or exhibited,
2 including plans and specifications, where appropriate;

3 (5) Documentation from the City's [Planning and Development] Department of
4 Community Development that the location in question complies with zoning regulations and requirements
5 applicable to the keeping of wild animals;

6 (6) Circumstances, if any, under which the animal will be removed from
7 quarters;

8 (7) Name and address of applicant and any other person to be placed in charge
9 of the animal; and

10 (8) Any other conditions or restrictions as set forth by the Animal Regulation
11 Officer.

12 (D) After a review of all available information, including the permit application, the
13 criteria or standards of recognized societies or groups dealing with the animal in question, and any citizen
14 input, the Animal Regulation Officer may issue a permit for the keeping or exhibiting of such animal if, in
15 [his] the Animal Regulation Officer's considered judgment, such animal does not constitute a danger or
16 nuisance to the general public.

17 (E) A permit to keep one or more wild animals, with no exhibition intended, may be
18 issued for the period prescribed by the Animal Regulation Officer upon payment of a twenty-five-dollar fee
19 and a favorable inspection by an Animal [Control] Protection Services Officer. The permit authorizes the
20 keeping of the animal(s) only, in accordance with the conditions and restrictions imposed thereon, and does
21 not authorize exhibition. A new application and a new fee is required in order to extend the time period or to
22 change or remove any condition or restriction. The quarters for the animals must be adequate to ensure public
23 safety and the safety, health and welfare of the animals. The owner or keeper of a wild animal not intended
24 for exhibition shall:

25 (1) Have the animal implanted with an electronic microchip from a
26 manufacturer approved by the Animal Regulation Officer. The implantation must be performed by a licensed

1 veterinarian and must conform to procedures recommended by the manufacturer. The owner or keeper shall
2 register the microchip number in a national database in accordance with instructions from the manufacturer,
3 and shall provide the number to the Animal [Control] Protection Services Officer.

4 (2) Obtain and maintain in effect a policy of liability insurance in the amount
5 of not less than one hundred thousand dollars insuring against possible injuries inflicted by the wild animal.
6 The liability insurance shall be maintained in effect as long as the owner or keeper maintains possession of
7 the wild animal.

8 (F) A permit to exhibit one or more wild animals may be issued for the period prescribed
9 by the Animal Regulation Officer upon payment of a twenty-five-dollar fee and a favorable inspection by an
10 Animal [Control] Protection Services Officer. The permit authorizes the keeping and exhibiting of the animal
11 in accordance with this Section and with the conditions and restrictions imposed upon the permit. The twenty-
12 five-dollar fee includes an inspection of one location and the animals to be exhibited at that location. If the
13 permittee proposes to change the location or to exhibit additional animals, the Animal Regulation Officer is
14 authorized to require an additional inspection and an additional twenty-five-dollar fee. The exhibit site, the
15 quarters for the animals and the exhibition facilities must be adequate to ensure public safety and the safety,
16 health and welfare of the animals. Before and with respect to the period of any exhibition, the permittee must
17 obtain and maintain in effect liability insurance coverage for the exhibition in an amount not less than one
18 million dollars.

19 SECTION 73: Title 7, Chapter 38, Section 50, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **7.38.050:** (A) Except as otherwise provided in Subsections (B) and (C), it is unlawful for any
22 person to keep, or cause to be kept, on premises over which any such person may have control within the
23 City:

24 (1) Any poultry within three hundred fifty feet of any dwelling of another
25 person unless such other person has filed with the Animal [Control] Protection Services Officer a written,
26 unrevoked consent authorizing the keeping of such poultry within three hundred fifty feet of the dwelling. In

1 the case of pigeons, this distance shall be two hundred feet from any dwelling owned by another person
2 unless such other person has filed with the Animal [Control] Protection Services Officer a written, unrevoked
3 consent authorizing the keeping of the pigeons within two hundred feet of the dwelling, in which case the
4 number of pigeons shall be limited to twelve pair over the age of twelve months;

5 (2) Any crowing rooster;

6 (3) Any poultry or birds that are not, at all times, confined within a suitable
7 outbuilding, coop, or enclosed runway that is clean and free from offensive odors, animal wastes, rodents,
8 flies, or any other offensive or unwholesome condition; or

9 (4) Any poultry within any dwelling house, basement, sub-basement, or cellar.

10 (B) A person may keep up to a maximum of three hundred carrier or racing pigeons if
11 the use complies with the provisions of Title 19. The pigeons must be confined in accordance with Paragraph
12 (3) of Subsection (A) of this Section except during limited periods necessary for exercise, training or
13 competition.

14 (C) The limitations of Paragraph (1) of Subsection (A) do not apply to the keeping of
15 chickens within the R-1 and R-MH Zoning Districts if:

16 (1) The activity complies with all applicable requirements for the keeping of
17 chickens within those districts as set forth in the provisions of LVMC 19.12.070 that pertain to animal
18 keeping and husbandry; and

19 (2) The owner of each parcel that is adjacent to the parcel on which the chickens
20 are to be kept has filed with the Animal [Control] Protection Services Officer a written, unrevoked consent
21 to the activity.

22 SECTION 74: Title 7, Chapter 38, Section 80, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **7.38.080:** Animals running at large shall be impounded at the Animal [Control] Protection Services
25 Center for seventy-two hours, or for such other period as may be required by State or Federal law or
26 regulations, within which time the owner may prove ownership and remove such animal upon the payment

1 of a fee for its impoundment in the amount of one hundred dollars, which shall go to the credit of the City of
2 Las Vegas.

3 SECTION 75: Title 7, Chapter 40, Section 10, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **7.40.010:** Every person owning, operating or maintaining a commercial business within the City must
6 first obtain a license from the City to operate said business. The issuance of any license therefor shall at all
7 times be subject to planning and zoning regulations of the City; provided, however, that this Section as to the
8 business license shall not apply to quarters maintained by political entities for the purpose of using animals
9 in law enforcement or for animal control or protection, or to quarters maintained by veterinarians for the
10 purpose of surveillance or treatment of animals on a temporary basis.

11 SECTION 76: Title 7, Chapter 40, Section 30, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **7.40.030:** When a professional animal handler permit is applied for, a fee of fifty dollars shall be paid
14 to the Animal Regulation Officer for an inspection of the commercial breeder's facility, grooming parlor,
15 grooming school, kennel, pet shop, or dog training facility. The inspection shall be conducted by an Animal
16 [Control] Protection Services Officer to determine compliance with this Title, and if compliance is met the
17 permit shall issue. If inspection reveals that this Title or other applicable laws or regulations have not been
18 complied with, the professional animal handler permit shall be withheld and the person so applying shall
19 have ninety days within which to request a reinspection without charge. The Animal [Control] Protection
20 Services Center itself shall be exempt from the operation of this Section.

21 SECTION 77: Title 7, Chapter 40, Section 60, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **7.40.060:** A professional animal handler permit shall expire on December 31st of each calendar year,
24 and shall be renewed after the payment of the applicable fifty-dollar fee by February 1st of the following
25 year, after an inspection by an Animal [Control] Protection Services Officer.

26 SECTION 78: Title 7, Chapter 40, Section 90, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.40.090: The Animal [Control] Protection Services Officer, after proper identification, shall be permitted to enter any commercial grooming parlor, grooming school, kennel, pet shop, dog training facility or breeding establishment for the purpose of making inspections to determine compliance with this Title. The Animal [Control] Protection Services Officer shall make as many inspections as reasonably necessary for the enforcement of this Title except that the time period between inspections shall not exceed one year.

SECTION 79: Title 7, Chapter 40, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.40.110: Any person who, for pay or other compensation, causes the breeding of a male or female dog or cat or makes a dog or cat available for breeding purposes, or any person who sells or offers for sale any dog or cat shall pay an annual permit/inspection fee of fifty dollars for the privilege of engaging in such activity. However, any person who possesses a valid City permit to operate a dog kennel, cat kennel or pet shop and has paid the annual permit fee therefor shall receive a credit in the amount of the fee paid but in no event shall the amount of credit exceed the amount of tax hereunder.

(A) Each person subject to the provisions of this Section shall:

(1) Not allow the whelping of more than two litters per each female dog or cat in an eighteen-month period;

(2) Not cause the whelping of more than two litters in the permit holder's or any other person's domestic household in an eighteen-month period. Notwithstanding this provision, however, the Animal [Control] Protection Services Center is hereby authorized, upon application of a permit, to allow on a one-time basis the whelping of up to a total of three dog or cat litters in a domestic household in an eighteen-month period where the permit holder establishes within regulations promulgated by the Animal Regulation Officer that such breeding is required to protect the health of the animal. In the event a permit holder is forced to destroy a litter of dogs or cats, the Animal Regulation Officer may authorize the whelping of one additional litter of dogs or cats within the same year by the permit holder;

(3) Not have more than six adult dogs or cats over the age of one year and no more than

ten dogs or cats over the age of three months;

(4) Cause all dogs and cats prior to their sale to be immunized against common disease; in the case of dogs, against distemper, DHLD, and in the case of cats, against panleukopenia. The sale of a dog or cat shall include a signed statement from the seller attesting to the seller's knowledge of the animal's health. Such statement shall include the animal's immunization history;

(5) Not sell any dog or cat under the age of seven weeks;

(6) Furnish the Animal [Control] Protection Services Center with the animal breeder's permit number and the name, address, and telephone number of the buyer or new owner of any dog or cat sold or transferred within five days after the date of such sale or transfer.

(B) The Animal [Control] Protection Services Center shall furnish the permit holder with printed information regarding the pet care, protection and control services of the City which shall be provided by the seller to the purchaser of any dog or cat.

(C) Persons subject to this Section shall not publish or advertise the sale of any dog or cat unless said publication or advertisement is accompanied by the seller's breeder's permit number.

(D) Each permit issued hereunder shall expire one year from the date of issuance. However, it may be renewed at any time up to and including the last day of the calendar month in which it is due to expire.

(E) The payment of this permit fee shall not exempt the permit holder from compliance with any other applicable provision of the [City of Las Vegas Municipal Codes.] Municipal Code.

SECTION 80: Title 7, Chapter 42, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.42.010: For purposes of this Chapter:

"Animal care facility" means the Animal [Control] Protection Services Center or any other facility:

(A) That is operated by, or under contract with and on behalf of, any unit of state or local government; and

(B) Whose mission and practice consists, in whole or significant part, of the rescue and placement of animals in permanent homes.

1 “Animal Welfare Act and regulations” means the animal welfare provisions of 7 U.S.C. Section 2131
2 et seq. and the corresponding federal animal welfare regulations located in 9 C.F.R. Chapter I, Subchapter
3 A.

4 “Broker” means any person in the business of selling dogs or cats to pet shops, whether or not the
5 broker is also the breeder of the dogs or cats sold to pet shops.

6 “Distributor” means a person who acts as the agent or contractor of a pet shop to obtain and transport
7 dogs, cats or a combination thereof to a pet shop for purposes of sale.

8 “Microchipping” and other forms of the word shall be deemed to include both the subcutaneous
9 insertion of a registered microchip into a dog or cat and a registration that includes the animal’s date of birth,
10 the breeder’s name and address, and the breeder’s USDA license number.

11 “Nonprofit animal rescue organization” means any nonprofit organization which has tax-exempt
12 status under Section 501(c)(3) of the Internal Revenue Code and whose mission and practice consists, in
13 whole or significant part, of the rescue and placement of animals in permanent homes.

14 “USDA” means the United States Department of Agriculture.

15 “USDA license number” means the license number issued to a breeder or broker by the USDA
16 pursuant to the Animal Welfare Act and regulations.

17 SECTION 81: Title 7, Chapter 42, Section 80, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **7.42.080:** (A) The Animal [Control] Protection Services Officer, officers of the Las Vegas
20 Metropolitan Police Department, and officers and employees of the City within the Business Licensing
21 Division shall have the authority to issue citations or notices of violation, and to conduct inspections,
22 investigations and audits regarding the operation of each pet shop, including without limitation the
23 transportation of dogs and cats to and from a pet shop and documentation regarding the acquisition and
24 disposition of dogs and cats by a pet shop.

25 (B) The Animal Regulation Officer shall have the authority to develop and adopt forms,
26 reports and other items of documentation to be used by pet shops and distributors in documenting compliance

1 with this Chapter, and pet shops and distributors shall use such items of documentation as are required by the
2 Animal Regulation Officer.

3 SECTION 82: Title 7, Chapter 44, Section 40, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **7.44.040:** (A) Any person owning, possessing or having the care, custody and control of any
6 animal, who:

7 (1) Wilfully refuses, fails or neglects to furnish to the Animal Regulation
8 Officer or an Animal [Control] Protection Services Officer the information required under this Title;

9 (2) Wilfully refuses, fails or neglects to cause said animals to be registered and
10 pay said registration fee at the time and in the manner herein provided;

11 (3) Wilfully refuses, fails or neglects to perform any act or pay any other fee or
12 charge required by this Title to be performed or paid;

13 (4) Resists, interferes with or prevents the Animal Regulation Officer or an
14 Animal [Control] Protection Services Officer in the exercise of their duties; or

15 (5) Violates any of the provisions of Chapters 7.04 to 7.44, is guilty of a
16 misdemeanor.

17 (B) Any person who violates any provision of Section 7.32.010, Section
18 7.32.030, Section 7.32.120, Section 7.32.130, Section 7.32.160, or any provision of Subsections (1), (2), (3)
19 or (5) of NRS 574.100 is guilty of a misdemeanor and:

20 (1) For the first offense within the immediately preceding seven years, shall be
21 sentenced to imprisonment for a term of not less than two days nor more than six months; the performance
22 of community service of not less than forty-eight hours nor more than one hundred twenty hours, and a fine
23 of not less than two hundred dollars nor more than one thousand dollars. A term of imprisonment imposed
24 pursuant to this paragraph may be served intermittently at the discretion of the judge, except that each period
25 of confinement must be not less than four consecutive hours and must occur at a time when the person is not
26 required to be at [his] a place of employment or on a weekend;

1 (2) For the second offense or subsequent offense within the immediately
2 preceding seven years, shall be sentenced to imprisonment for a term of not less than ten days nor more than
3 six months; the performance of community service of not less than one hundred hours nor more than two
4 hundred hours, and a fine of not less than five hundred dollars nor more than one thousand dollars.

5 (C) In addition to any other fine or penalty provided in Subsection (B), a person who
6 violates any provision described in Subsection (B) shall be ordered to pay restitution for all costs associated
7 with the care and impoundment of any mistreated animal, including without limitation money expended for
8 veterinary treatment, feed and housing.

9 (D) In connection with the imposition of any sentence pursuant to this Section, the court:

10 (1) May order the defendant to surrender ownership or possession of the
11 mistreated animal;

12 (2) Except as otherwise provided in Paragraph (3) below, may enter an order
13 prohibiting the defendant from harboring, owning, possessing, keeping or exercising control over any animal;
14 from residing in any household where an animal is present; and from working at or volunteering for a
15 business, animal shelter or other place where the person may access an animal, for a period not to exceed
16 four years; and

17 (3) In a case where the mistreated animal died as a result of the mistreatment,
18 must enter an order prohibiting the defendant from harboring, owning, possessing, keeping or exercising
19 control over any animal; from residing in any household where an animal is present; and from working at or
20 volunteering for a business, animal shelter or other place where the person may access an animal, for a period
21 of at least two years and not to exceed five years, beginning either on the date of conviction or, in the case of
22 a suspended sentence, at such other time as is determined by the court.

23 (E) If a person who owns, possesses or has custody, care and control of an animal resists,
24 interferes with or prevents the Animal Regulation Officer or an Animal [Control] Protection Services Officer
25 in the exercise of their duties, or violates any of the provisions of Chapters 7.04 to 7.44, inclusive, the animal
26 may be impounded in accordance with the provisions of this Title.

1 (F) The City is authorized to treat a violation of the following provisions of this Title as
2 a civil infraction, which shall then subject the violator to a civil penalty in accordance with the provisions of
3 Sections 7.44.060 to 7.44.120, inclusive:

- 4 (1) Section 7.08.010 (relating to animal licensing);
- 5 (2) Section 7.08.090 (relating to license tags);
- 6 (3) Section 7.08.140 (relating to dog limitations);
- 7 (4) Section 7.08.160 (relating to cat limitations);
- 8 (5) Section 7.12.010 (relating to rabies vaccinations);
- 9 (6) Section 7.14.010 (relating to unspayed/unneutered animals);
- 10 (7) Section 7.20.020 (relating to unspayed female animals during copulating
11 season);
- 12 (8) Section 7.36.010 (relating to noise annoyance);
- 13 (9) Section 7.36.020 (relating to animal interference, damage, etc.);
- 14 (10) Section 7.36.030 (relating to animals at large), if the violation is witnessed
15 by the Animal Regulation Officer or an Animal [Control] Protection Services Officer;
- 16 (11) Section 7.36.040 (relating to animal waste);
- 17 (12) Section 7.36.050 (relating to animal restraint and sanitation);
- 18 (13) Section 7.38.040 (relating to hogs and pigs);
- 19 (14) Section 7.38.041 (relating to potbellied pigs);
- 20 (15) Section 7.38.042 (relating to potbellied pigs);
- 21 (16) Section 7.38.043 (relating to potbellied pigs);
- 22 (17) Section 7.38.050 (relating to poultry and birds);
- 23 (18) Section 7.38.060 (relating to rabbits);
- 24 (19) Section 7.38.070 (relating to owner responsibilities); and
- 25 (20) Section 7.38.100 (relating to wild animal permits).

26 SECTION 83: Title 7, Chapter 44, Section 50, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.44.050: Any Animal [Control Officer or Peace Officer] Protection Services Officer or peace officer shall have the right with probable cause to enter upon any private or public property in order to examine or capture any animal thereon or therein or to enforce any provision of this Title; provided, however, that no such Officer or employee, agent or servant thereof shall have the right to enter a house or structure which is in use as a residence without having first secured a search warrant therefor.

SECTION 84: Title 9, Chapter 4, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.04.020: (A) The City, through its agents and employees, is authorized to inspect property, buildings and premises to determine compliance with this Chapter. The City may assess and collect from the owner or responsible party the following inspection fees as service charges:

(1) No fee for the initial inspection.

(2) One hundred twenty dollars for the initial reinspection, if the owner or responsible party has failed to make all the repairs or corrections by the established reinspection date.

(3) An additional reinspection fee in the sum of one hundred eighty dollars per hour, with a one-hour minimum, for each additional inspection required to certify compliance with the notice of violation until each repair or correction has been completed to the satisfaction of the authorized official.

(B) Based upon a summary of service charges submitted by the authorized official, the Department of [Finance and Business Services] Community Development shall send an appropriate billing to the owner or responsible party. The Department may charge an additional ten percent administrative fee to cover administrative costs. The billing must include the date by which payment must be made in order to avoid the assessment procedures described in this Chapter.

(C) If payment is not received in a timely manner, the City may proceed to collect the service charges and administrative fees through the assessment procedures described in Section 9.04.100, or by means of any other legal or equitable remedy.

SECTION 85: Title 9, Chapter 4, Section 80, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.04.080: (A) In addition to and independent of any other proceeding or remedy authorized by this Chapter or by State law, if an owner or responsible party in violation of this Chapter fails or neglects to remove the public nuisance within the applicable time limit specified in Section 9.04.060 and has not filed a timely appeal pursuant to Section 9.04.070, the City may take any and all action necessary to abate the public nuisance. In addition, after the City has taken abatement action more than once concerning a particular parcel, the City may undertake preventative measures as part of its abatement action, which may include, without limitation, creating a dirt berm or installing a fence around the appropriate portions of the parcel, and installing appropriate signage, to prevent and discourage future nuisance activity.

(B) Except as otherwise provided in this Section, at least ten days' notice of the City's intent to take or cause abatement action under this Section must be provided to an owner or responsible party. Subject to compliance with the provisions of Paragraph (2) of Subsection (C) of Section 9.04.050, this notice requirement shall be deemed to have been met if a notice of violation indicates that such abatement action may be taken upon failure to remove a public nuisance within the time limit specified.

(C) A fifteen percent administrative fee shall be added to the cost of the contract price, if any, for each abatement action conducted to remove or correct a public nuisance.

(D) If, in the opinion of the City Manager, or a duly authorized representative, the condition of a property constitutes an imminent hazard, the City Manager or representative may order immediate abatement of the hazard without notice. The abatement work shall be limited to the minimum work necessary to remove the hazard. Before ordering abatement under this Section, the City Manager or representative shall first obtain the concurrence of at least one other City or public agency official. City and public agency officials that may concur with or request a designation of imminent hazard pursuant to this Section include, without limitation, the City Manager; the Las Vegas Metropolitan Police Department; the Southern Nevada Health District; and the Departments of Fire and Rescue, Public Works, [Planning, Community Development, Public Safety, and [Parks and Recreation.] Parks, Recreation and Cultural Affairs.

The City shall pay the initial cost and expense of any emergency abatement from any appropriation made

1 available for that purpose. Any costs and expenses incurred, and any fees imposed, in connection with the
2 removal of an imminent hazard may be assessed against the property or the owner in accordance with the
3 procedure described in Section 9.04.100.

4 (E) A report of abatement proceedings taken pursuant to this Section, and a separate
5 account of the abatement costs on each parcel, shall be filed with the City Clerk.

6 SECTION 86: Title 9, Chapter 8, Section 50, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **9.08.050:** It is unlawful for any person, for the purpose of disposal of solid waste, hazardous waste or
9 recyclables by burning, to kindle or maintain any bonfire, or knowingly to furnish the materials for any such
10 fire, or to authorize any such fire to be kindled or maintained in any solid waste, hazardous waste or
11 recyclables container, or on any street, alley, road, land or other public grounds or upon any private property,
12 within the City, unless a written permit to do so shall first have been secured from the Department of Fire
13 and Rescue; provided, however, that solid waste and infectious waste may be burned in an incinerator duly
14 approved by the Department of Fire and Rescue and the Department of [Building and Safety.] Community
15 Development.

16 SECTION 87: Title 9, Chapter 12, Section 80, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **9.12.080:** Upon determination by the Director of [Building and Safety] Community Development or a
19 designee that private property is maintained or allowed to remain in violation of this Chapter, the Director or
20 designee may issue an order to correct the offending condition. Such order shall be served upon the owner of
21 the property, as shown by the Clark County Assessor's records, by mailing a copy of the order by certified
22 mail, return receipt requested, to the address of the owner as shown by the records of the Clark County
23 Assessor. In the alternative, the notice may be delivered by hand to the owner of the property or the person
24 in control of the property. The order shall describe the offending condition and request correction or
25 compliance within ten days from the date of the mailing of the notice or seven days from delivery of the
26 notice by hand.

SECTION 88: Title 9, Chapter 12, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.12.100: In the event the owner fails to comply with the order and correct the conditions specified herein, the Director of [Building and Safety] Community Development or designee is authorized and empowered to cause or employ City personnel and equipment or other persons and equipment to enter upon the premises and correct the offending condition.

SECTION 89: Title 9, Chapter 16, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.16.030: The following acts, among others, are declared to be noise disturbances and noises in violation of, and unlawful under, this Chapter, but this enumeration shall not be deemed to be exclusive:

(A) The sounding of any horn or signal device on any automobile, motorcycle or bus while it is in motion except as a danger signal if another vehicle is approaching apparently out of control or, if in motion, only as a danger signal after the brakes have been or are being applied and the deceleration of the vehicle is intended, the creation by means of any such horn or signal device of any unreasonably loud or harsh sound or the sounding of such horn or device for an unnecessary and unreasonable period of time.

(B) Operating or playing, or permitting the operation or playing of, any radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound in such a manner as to create a noise disturbance:

(1) To any person who resides or works in the vicinity. The operation or playing of such radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device in such a manner or at such a volume as to be plainly audible to the human ear at a distance of fifty feet from the source of the noise shall be prima facie evidence of a violation of this Chapter; or

(2) At a distance of fifty feet from such radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device when it is played or operated in or on a motor vehicle that is on any public right-of-way or in any public space.

→This subsection shall not apply to any noncommercial spoken language that is subject to Subsection (K)

1 of this Section.

2 (C) Yelling, shouting, hooting, whistling or singing on the public streets, particularly between
3 the hours of eleven p.m. and seven a.m., or at any time or place in such a manner or at such a volume as to
4 annoy or disturb the quiet, comfort or repose of any person in any hospital, dwelling, hotel or any other type
5 of residence or of any person in the vicinity.

6 (D) The keeping of any animal, bird or fowl which, by causing frequent or long-continued noise,
7 disturbs the comfort or repose of any person in the vicinity.

8 (E) The use of any automobile or motorcycle so out of repair, so loaded or in such manner as to
9 cause loud and unnecessary grating, grinding, rattling or other noises.

10 (F) The blowing of any steam whistle that is attached to any stationary boiler except to give
11 notice of the time to begin or stop work, as a warning of fire or other danger or upon the request of the proper
12 authorities of the City.

13 (G) The discharge into the open air of the exhaust of any steam engine, stationary internal
14 combustion engine, motor vehicle or motor boat engine except through a muffler or other sound dissipation
15 device which will effectively prevent loud or explosive noises therefrom.

16 (H) The erection, including the excavation, demolition, alteration or repair of any building in any
17 new or existing residential district, or the excavation, construction or repair of any right-of-way
18 improvements in any new or existing residential district other than between the hours of seven a.m. and six
19 p.m., except in the case of urgent necessity in the interest of public health and safety and then only with a
20 permit from the designated official. Such a permit may be granted for a period not to exceed thirty days while
21 the condition of urgent necessity continues. Such a permit may be granted only upon a determination by the
22 designated official that the public health and safety will not be impaired by the performance of the work
23 between the hours of six p.m. and seven a.m. and that loss or inconvenience would otherwise result to any
24 party in interest regarding the work. Such a permit may be granted only if application therefor is made at the
25 time that the permit for such work is issued or at any time during the progress of such work. In connection
26 with the permit process described in this Subsection, the designated official may establish such forms,

1 policies and procedures as deemed necessary. For purposes of this Subsection, the “designated official”
2 means:

3 (1) For work involving buildings, the Director of [Building and Safety] Community
4 Development or a designee.

5 (2) For work involving right-of-way improvements, the City Traffic Engineer or a
6 designee.

7 (I) The creation of any excessive noise on any street that is adjacent to any school, institution
8 of learning, church or court while the same is in session, or is adjacent to any hospital, which unreasonably
9 interferes with the working or sessions thereof or the persons therein.

10 (J) The loading, unloading, opening, closing or other handling of boxes, crates, containers,
11 building materials, garbage cans or similar objects between the hours of eleven p.m. and seven a.m. in such
12 a manner as to project a noise disturbance across the boundary of any residential real property.

13 (K) The use or operation for any purpose of a loudspeaker, public address system, or sound
14 amplification device in connection with any radio, phonograph, tape recorder, microphone or similar device:

15 (1) In such a manner or at such a volume that it is plainly audible to the human ear at a
16 distance of fifty feet or more from the source of the sound;

17 (2) Between the hours of eleven p.m. and seven a.m. on any public right-of-way or in
18 any public space; or

19 (3) On a truck or other vehicle, either moving or standing, for advertising or any other
20 purpose.

21 (L) The offering for sale or selling of anything by shouting or outcry within any residential or
22 commercial area of the City.

23 (M) The repairing, rebuilding, modifying or testing of any motor vehicle, motorcycle or
24 motorboat in such a manner as to project a noise disturbance across the boundary of any residential real
25 property.

26 (N) The intentional sounding or permitting the sounding outdoors of any fire, burglar or civil

1 defense alarm, siren, whistle or similar stationary emergency signaling device except for emergency purposes
2 or for the testing, between the hours of eight a.m. and six p.m., of:

3 (1) A stationary emergency signaling device; provided, however, that each such test
4 shall be performed at the same time of day, and any such testing shall use only the minimum cycle test time,
5 which, in no event, shall exceed sixty seconds.

6 (2) The complete emergency signaling system, including the functioning of the
7 signaling device and the personnel response to the signaling device; provided, however, that such testing
8 shall not be performed more than once in each calendar month.

9 (O) The sounding or permitting the sounding of any exterior burglar alarm or any motor vehicle
10 burglar alarm unless such alarm is automatically terminated within fifteen minutes after its activation.

11 SECTION 90: Title 9, Chapter 24, Section 20, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **9.24.020:** It shall be the duty of any person who supplies water to the City and its inhabitants through
14 hydrants located upon the streets, alleys and public places in the City, whenever, by reason of repairs or work
15 or from any cause, it becomes necessary to turn the water off from any such hydrant, to notify the Chief or
16 other head of the [Fire Services Department of the City] Department of Fire and Rescue of the need to do so,
17 before the water is turned off, and the length of time such hydrant will remain without water.

18 SECTION 91: Title 9, Chapter 24, Section 30, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **9.24.030:** It is unlawful for any person, for the purpose of burning garbage, rubbish, dead animals or
21 dirt, to kindle or maintain any bonfire or knowingly to furnish the materials for any such fire, or to authorize
22 any such fire to be kindled or maintained in any garbage or rubbish receptacle, or on any street, alley, road,
23 lane or public grounds or upon any private lot; provided, however, that rubbish may be burned in an
24 incinerator duly approved by both the Chief of the Department of Fire [Services] and Rescue and the
25 [Building Inspector.] Department of Community Development.

26 SECTION 92: Title 9, Chapter 28, Section 80, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.28.080: Upon written permission of the Chief of the Department of Fire [Services,] and Rescue, fireworks to be used for exhibition purposes at fairs and celebrations may be sold and fired which otherwise are prohibited from sale to individuals, provided the individuals in charge of same are experienced in the handling of fireworks and the public attending such exhibition is kept at a safe distance. Fireworks held in storage for such exhibition must be kept in a closed box until they are removed for firing.

SECTION 93: Title 9, Chapter 28, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.28.100: All fireworks offered for sale in the City shall be of a type that has been tested and has been approved for sale and use within the City by the City Council or the Director of the Department of Fire [Services,] and Rescue.

SECTION 94: Title 9, Chapter 28, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.28.110: No person shall sell fireworks at retail in the City except recognized local charitable and fraternal organizations who have applied for and obtained a permit from the Department of Fire [Services,] and Rescue. The permit requirement is in addition to any applicable requirement of State law governing solicitations. Each applicant for a permit must pay, at the time of application, a permit fee of fifty dollars for each location.

SECTION 95: Title 9, Chapter 28, Section 112, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.28.112: (A) Upon receipt of a permit application and the required fees, the Director of the Department of Fire [Services,] and Rescue, or the Director's designee, shall approve, deny or take other appropriate action with respect to the application.

(B) The Director or the Director's designee may deny, revoke or suspend a permit for good cause, which includes, but is not limited to, the following grounds:

(1) The application is incomplete or contains false, misleading or fraudulent

1 statements with respect to any information required;

2 (2) The proposed sale would pose a threat to the health, safety or general
3 welfare of the public;

4 (3) The applicant in the past has failed to satisfy any qualification or
5 requirement imposed by this Code or by other local, state or Federal law or regulation pertaining to such
6 sales, or to comply with the conditions of a previous permit;

7 (4) The sale as proposed will be conducted in a manner contrary to a
8 qualification or requirement imposed by this Code or by other local, state or Federal law or regulation
9 pertaining to such sales;

10 (5) The structure or location of the proposed sale is determined, upon
11 inspection, not to conform with applicable standards set forth in this Chapter or other local, state or Federal
12 law or regulations;

13 (6) The applicant or permit holder fails to comply with any conditions of a
14 current permit.

15 SECTION 96: Title 9, Chapter 36, Section 60, of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **9.36.060:** (A) Except as is otherwise provided in subsection (B) of this Section, a nontransferable
18 permit for hazardous transport shall be required annually for each person who transports hazardous materials
19 in the quantities listed in subsections (A) to (C), inclusive, of Section 9.36.040.

20 (B) Producers or transporters, or both, of small quantities of specified radioactive
21 materials intended for therapeutic and biomedical research or educational purposes shall not be required to
22 obtain a permit for hazardous transport.

23 (C) Permits for hazardous transport shall be granted for:

24 (1) Hectocurie and kilocurie cobalt—sixty and cesium—one hundred thirty-
25 seven teletherapy sources employed in therapeutic radiology and biomedical research or educational purposes
26 and for medical devices designed for individual application, by way of illustration and not in limitation,

cardiac pacemakers, containing plutonium —two hundred thirty-eight, promethium—(forty-seven) or other radioactive material or wastes generated in these activities;

(2) Sealed industrial radiography sources up to one hundred curies.

(D) Any person required by this Section to obtain a permit for hazardous transport shall apply to the Department of Fire [Services] and Rescue at least sixty days prior to the intended date of movement of hazardous materials into, through, within and out of the City. In addition to such information as the Department requires, the application for a permit for hazardous transport shall include:

(1) A description of the hazardous materials to be transported, including the volumes, quantities and forms;

(2) A written statement from the shipper of hazardous materials certifying that the material described in the application is properly classified, described, packaged and labeled and is in proper condition for transportation according to the applicable Federal and State regulations;

(3) Origin, route and destination of the shipment and, if a series of shipments is planned, the number of proposed shipments and the period of time over which such shipments are planned;

(4) A copy of the route plan when the preparation of one is required by Title 49 of the Code of Federal Regulations, [Section 397.9(b);] Part 397;

(5) The name, address and telephone number of the carrier, the description, identification and registration of the motor vehicle or railcars and twenty-four-hour emergency response telephone numbers.

SECTION 97: Title 9, Chapter 36, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.070: The Department of Fire [Services] and Rescue shall deny, refuse to renew, suspend or revoke a permit for hazardous transport if:

(A) Adequate training, equipment and planning does not exist in the Department for an emergency response in the case of an accident with the specified materials.

(B) The containers to be used in the proposed shipments have been tested, in their current model,

1 in order to determine the containers' ability to withstand the effects of puncture, impact and fire that could
2 be encountered in severe accidents in the City and have been determined not to have such ability.

3 SECTION 98: Title 9, Chapter 36, Section 80, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **9.36.080:** (A) Upon the final approval by the Department of Fire [Services] and Rescue of an
6 application for a permit for hazardous transport, the applicant shall pay a reasonable fee according to a
7 schedule to be adopted by the City Council.

8 (B) The fee schedule shall reflect the costs of emergency response preparation and the
9 costs of issuing the permits and may also reflect the relative hazard and potential risk to the public of the
10 hazardous cargos to be transported within the City, based upon their volume, toxicity, combustion potential
11 and other risk factors which the Department of Fire [Services] and Rescue may consider appropriate.

12 (C) The fees collected under this Section shall be used to reimburse the costs of
13 administration of the permit program, emergency response preparation and enforcement of the rules and
14 regulations promulgated pursuant to this Chapter.

15 SECTION 99: Title 9, Chapter 36, Section 90, of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **9.36.090:** Applications for a permit for hazardous transport shall be made to the Department of Fire
18 [Services] and Rescue and shall be acted upon with thirty days after the submission to the Department. The
19 Department shall approve, deny or take such other action with respect to such application as the Department
20 considers appropriate. A single permit shall be required for each carrier for each class of hazardous materials
21 identified in Section 9.36.040.

22 SECTION 100: Title 9, Chapter 36, Section 100, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **9.36.100:** Any person aggrieved by a decision of the Department of Fire [Services] and Rescue in
25 denying, refusing to renew, suspending or revoking a permit may appeal that decision within thirty days to
26 the City Council by filing written notice of appeal with the Department. The City Council shall hear the

1 applicant at its first regular meeting following the expiration of ten days after the City Clerk receives the
2 notice of appeal.

3 SECTION 101: Title 9, Chapter 36, Section 110, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **9.36.110:** Incidents involving hazardous materials occurring within the City are required to be reported
6 immediately to the Department of Fire [Services] and Rescue, and the Department shall file a standing
7 request with the Materials Transportation Bureau of the United States Department of Transportation for
8 routine mailing to the Department of a copy of the written report required by Title 49 of the Code of Federal
9 Regulations, Section 171.16.

10 SECTION 102: Title 9, Chapter 36, Section 120, of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **9.36.120:** The Department of Fire [Services] and Rescue may temporarily suspend the operation of
13 some or any vehicle employed in carrying hazardous materials, as defined in Section 9.36.040, without notice
14 whenever road, weather, traffic or other hazardous circumstances warrant that action.

15 SECTION 103: Title 9, Chapter 36, Section 130, of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **9.36.130:** (A) The Department of Fire [Services] and Rescue is hereby authorized to designate
18 routes and to implement other restrictions for the transportation of hazardous materials into, through, within,
19 and out of, the City.

20 (B) For the purpose of applying Title 49 of the code of Federal Regulations, [Section
21 379.9(a),] Part 397, the following restrictions to the transportation of hazardous materials by truck in the City
22 are adopted:

23 (1) The use of City streets for the transportation of the hazardous materials
24 specified in Section 9.36.040, in a situation in which there is neither a point of origin nor a point of destination
25 within the City, is prohibited.

26 (2) The Department of Fire [Services] and Rescue may require advance

notification, a police escort or an inspection, or a combination thereof, of any cargo deemed to present a special risk, if an emergency response, in its judgment, may be enhanced by any such measure; provided, however, that, in all cases of radioactive shipments concerning which the U.S. Nuclear Regulatory Commission is currently required to pre-notify the Governor, the Department of Fire [Services] and Rescue shall request that advance notification also be immediately forwarded to the City.

SECTION 104: Title 9, Chapter 36, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.140: The following regulations apply to the motor vehicle transportation within the City of the materials specified in Section 9.36.040:

(A) Traffic violations of transporters of hazardous materials shall be treated as violations of these regulations and shall be subject to, in addition to criminal penalties, the penalty provided in Section 9.36.160.

(B) Except when overtaking or passing in opposite directions of travel, all vehicles transporting hazardous materials shall maintain a minimum distance of at least three hundred feet from other vehicles carrying hazardous materials. This requirement shall apply whether or not such vehicles are moving or parked except when at a destination or point of origin.

(C) Except as to any route which has been designated by the Department of Fire [Services] and Rescue as being more appropriate with respect to a particular shipment, pursuant to subsection (A) of Section 9.36.130, a transporter of hazardous materials by truck shall use only State-designated routes, listed in subsection (D) of this Section, to reach its destination or to reach a point as close as possible to the destination.

(D) For the purposes of this Chapter, the following are considered State-designated routes:

- (1) Interstate 15;
- (2) U.S. Highway 95;
- (3) U.S. Highway 93.

SECTION 105: Title 9, Chapter 36, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.150: (A) With respect to rail shipments of hazardous materials, the Department of Fire

1 [Services] and Rescue, in order to ascertain if a local hazard exists, shall collect information from all railroads
2 operating in or near the City or whose lines may present useful alternative routes to lines through the City.

3 Such information shall include:

- 4 (1) The annual volumes of specific cargos;
- 5 (2) Containers used;
- 6 (3) Routes and switchyard data on hazardous cargos handled;
- 7 (4) Accident rates and track maintenance data;
- 8 (5) Whether each railroad has utilized an acceptable methodology for
9 determining routes and yards of lowest risk for such cargos:

10 (6) The adequacy of each railroad's emergency response preparation in the
11 event of a rail accident on its main tracks or sidings or in its yards, including, but not limited to, the established
12 response times, staffing and emergency phone numbers of the nearest emergency response units, listed by
13 mileposts of rail track, and the availability of fire hydrants and other emergency resources.

14 (B) The Department of Fire [Services] and Rescue, in order to remedy a local hazard
15 related to rail shipments of hazardous cargos, may petition the Public [Services] Utilities Commission for
16 remedial legislation or rulemaking.

17 SECTION 106: Title 9, Chapter 36, Section 160, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **9.36.160:** In addition to criminal penalties, in the event of a hazardous materials incident, as described
20 in Title 49 of the Code of Federal Regulations, Sections 171.15 and 171.16, requiring the response of the
21 Department of Fire [Services] and Rescue and others to control the incident, the transporter shall be liable to
22 the City for the payment of all costs and expenses which the Department incurs in and about the use of its
23 employees, apparatus and materials in the control and neutralization of the incident.

24 SECTION 107: Title 9, Chapter 40, Section 40, of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **9.40.040:** In the case of an odor episode that qualifies under Subsection (D) of Section 9.40.020, where

1 the source of the odor is a medical marijuana establishment licensed pursuant to LVMC Chapter 6.95 and the
2 operator or owner disagrees with the objective measurement, an authorized official may require the operator
3 or property owner to conduct air monitoring, at the operator's or owner's cost, in accordance with the
4 Department of [Building and Safety's] Community Development's Odor Standard and Testing Protocol for
5 Measuring Exterior Odors at Medical Marijuana Cultivation and/or Production Facilities.

6 SECTION 108: Title 10, Chapter 10, Section 10, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **10.10.010:** It shall be unlawful for any person to willfully make to the Las Vegas Metropolitan Police
9 Department or the Department of Fire [Services of the City] and Rescue any false, misleading or unfounded
10 report, for the purpose of interfering with the operation of the Metropolitan Police Department or the
11 Department of Fire [Services,] and Rescue, or with the intention of misleading any Peace Officer, or any
12 member of the Department of Fire [Services of the City,] and Rescue, or to in any other manner interfere
13 with the operations of the Metropolitan Police Department, or of the Department of Fire [Services of the
14 City.] and Rescue. Any person violating any of the provisions of this Section shall be guilty of a
15 misdemeanor.

16 SECTION 109: Title 10, Chapter 12, Section 10, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **10.12.010:** It shall be unlawful for any person to interfere with the alarm boxes of the Metropolitan
19 Police Department or Department of Fire [Services] and Rescue, or with the telephones, telephone or
20 telegraph wires, or signal system or apparatus of either of such departments. Any person violating the
21 provisions of this Section shall be guilty of a misdemeanor.

22 SECTION 110: Title 10, Chapter 78, Section 40, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **10.78.040:** (A) The following are authorized to remove or cause to be removed, to a designated
25 garage or storage area, any motor vehicle which is being displayed in violation of this Chapter if the vehicle
26 has not been removed, or compliance with this Chapter achieved, within twenty-four hours after a written

notice to remove is attached to the vehicle:

- (1) Officers of the Las Vegas Metropolitan Police Department;
- (2) Officers of the Department of Public Safety;
- (3) Parking enforcement officers assigned to the Department of Economic and Urban Development; and
- (4) Employees of the Department of [Building and Safety] Community Development who are assigned responsibility for code enforcement.

(B) The costs of vehicle removal and storage pursuant to Subsection (A) shall be borne by the owner or operator of the vehicle.

SECTION 110.5: Title 10, Chapter 86, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10.86.040: (A) The Director of [the Office of Community] Neighborhood Services, or a designee, will immediately notify the Department of Public Safety and Metro when all of the following locations reach maximum occupancy:

- (1) The Courtyard Homeless Resource Center;
- (2) The Las Vegas Rescue Mission; and
- (3) Publicly funded emergency shelters located within the City's jurisdiction.

(B) Notwithstanding any other provision of this Code, no arrest may be made nor any criminal penalty imposed for a violation of this Chapter if the violation occurs after the notification described in Subsection (A) of this Section. The suspension of this Chapter, described in the preceding sentence, will terminate at six a.m. immediately following the notification described in Subsection (A) of this Section, and enforcement of this Chapter resumes.

SECTION 111: Title 11, Chapter 22, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.22.160: (A) Except as otherwise provided in this Section, it is unlawful for:

- (1) A customer or potential customer of a motor vehicle dealership to test-drive

1 a vehicle on a residential street;

2 (2) An employee of a motor vehicle dealership to allow a customer or potential
3 customer of the dealership to test-drive a vehicle on a residential street; or

4 (3) A principal or employee of an auto repair facility to test-drive a customer's
5 vehicle on a residential street.

6 (B) The prohibitions contained in Subsection (A) of this Section do not apply to the test-
7 driving of a vehicle on a residential street if the test-driving of vehicles on that particular street by customers
8 or potential customers of a motor vehicle dealership, or by principals or employees of an auto repair facility,
9 has been approved by the Department of [Planning] Community Development in connection with the
10 Department's approval of a test-driving plan submitted by that dealership or auto repair facility.

11 (C) For purposes of this Section:

12 (1) "Residential street" means a street within a residential area that has a right-
13 of-way width of less than eighty feet.

14 (2) "Test-drive a vehicle," with respect to a customer, potential customer, or
15 employee of a motor vehicle dealership, means to test-drive a vehicle that is being offered for sale or lease
16 by that dealership.

17 (3) "Test-drive a vehicle," with respect to a principal or employee of an auto
18 repair facility, means to test-drive a customer vehicle.

19 (4) "Test-drive a vehicle on a residential street" does not include the necessary
20 use of a residential street to gain access to, or return to, a street that is not a residential street, provided that
21 travel on the residential street for that limited purpose does not exceed a speed of fifteen miles per hour.

22 (D) A dealership whose employees allow customers or potential customers of the
23 dealership to test-drive vehicles on a residential street in violation of this Section, or in violation of an
24 approved test-driving plan, is subject to disciplinary action against the dealership's business license, as well
25 as action to revoke any associated Special Use Permit or Site Development Plan.

26 (E) An auto repair facility whose principals or employees test-drive vehicles on a

1 residential street in violation of this Section, or in violation of an approved test-driving plan, is subject to
2 disciplinary action against the facility's business license, as well as action to revoke any associated Special
3 Use Permit or Site Development Plan.

4 SECTION 112: Title 11, Chapter 48, Section 100, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **11.48.100:** No person shall operate any vehicle, or any combination of vehicles coupled together, which
7 exceed seventy feet in length upon any street, highway or alley within the City except as follows:

8 (A) Such over-length vehicles are allowed on those routes described in Schedule 29-1, and as
9 may be amended from time to time by resolution of the Board. Said Schedule 29-1 shall be kept in the office
10 of the City Clerk for public inspection, and copies thereof may be obtained from the City Clerk or from the
11 Traffic Engineer for the City.

12 (B) Such over-length vehicles are allowed on those routes or streets, other than those described
13 in Schedule 29-1, for which the Department of Public [Services] Works has issued a permit. Upon receipt of
14 a written application and the payment of a fifty dollar application fee, the Department of Public [Services]
15 Works may issue a temporary permit authorizing the operation of such over-length vehicle on the routes or
16 streets stated therein; provided, that the Department of Public [Services] Works determines that such
17 operation will not unduly threaten the safety and convenience of persons or property. Such permit may
18 contain limitations as to the origin, destination, time or specific routes of travel, and such other limitations as
19 the Director of Public [Services] Works considers necessary to protect the interest of the public. If an
20 application is denied, the applicant may appeal the denial to the Board by filing a written notice of appeal
21 with the City Clerk within fifteen days following notice of denial. The notice of denial becomes effective
22 upon its deposit in the U.S. mails addressed to the applicant at the address as shown on the application.

23 SECTION 113: Title 11, Chapter 52, Section 335, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **11.52.335:** (A) When hours of closure have been established for a park and signs have been posted
26 therein specifying the hours of closure, no person shall park a motor vehicle in the park, on a parking lot

1 therein, or in any publicly maintained parking lot immediately adjacent thereto during the hours of closure.

2 (B) No person shall park a motor vehicle on any surface area of a park except those
3 portions which are either paved or, if unpaved, are specifically designated for the parking of vehicles.

4 (C) The prohibitions contained in Subsections (A) and (B) of this Section do not apply
5 to the parking of a vehicle in connection with a duly authorized park improvement or maintenance activity,
6 or to parking which is specifically authorized by the City's Department of [Parks and Recreation] Parks,
7 Recreation and Cultural Affairs, or the Department of Public Safety.

8 SECTION 114: Title 11, Chapter 58, Section 10, of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **11.58.010:** The Department of Public [Services] Works may, at its discretion, upon application in
11 writing, issue a special permit in writing authorizing the applicant to operate or move a vehicle, combination
12 of vehicles, special self-propelled equipment, special mobile equipment, or load thereon of a size or weight
13 in excess of the legal maximums, in the following instances:

14 (A) Continuous special permits may be issued for the operation or movement of a vehicle or
15 combination of vehicles of a size or weight in excess of the legal maximum when such vehicle or combination
16 of vehicles does not exceed one hundred forty-four inches in overall width, or when the total gross weight
17 imposed on any single axle or group of two or more consecutive axles does not exceed the legal maximum
18 weight for such vehicle or combination of vehicles by more than twenty-five percent.

19 (B) Single-trip special permits may be issued for the operation or movement of vehicles or
20 combinations of vehicles of an overall width in excess of one hundred forty-four inches, or when the total
21 gross weight of such vehicle or combination of vehicles exceeds by more than twenty-five percent the legal
22 maximum weight for such vehicle or combination of vehicles; provided, however, that in the event several
23 movements to and from the same points in the City with the same vehicles or combinations of vehicles may
24 be required, continuous special permits for that specific operation may be issued.

25 (C) Continuous or single-trip special permits may be issued for the operation or movement of
26 special self-propelled equipment, such as truck cranes, truck shovels, loaders and similar equipment, of a size

1 or weight in excess of the legal maximums.

2 SECTION 115: Title 11, Chapter 58, Section 20, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **11.58.020:** In issuing any of the special permits provided for in Section 11.58.010, the Department of
5 Public [Services] Works may impose such conditions thereon, such as routes to be followed, place of
6 operation or movement, time of operation or movement or other matters, as it shall deem necessary or proper
7 to protect the streets, highways and alleys from damage or to minimize the inconvenience or delays to the
8 general public.

9 SECTION 116: Title 11, Chapter 58, Section 40, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **11.58.040:** Nothing contained in Sections 11.58.010 through this Section shall be deemed to authorize
12 the issuance of special permits for the movement of buildings or other structures of a size or weight in excess
13 of legal maximums, within, into or through the City. In the event such a permit is sought, application therefor
14 shall be made to the Sheriff and to the Chief of the Department of Fire [Services] and Rescue in accordance
15 with Section 11.58.060 et seq.

16 SECTION 117: Title 11, Chapter 58, Section 50, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **11.58.050:** If, after the issuance of a continuous special permit by the Department of Public [Services,]
19 Works, pursuant to the provisions of Section 11.58.010 et seq., such Department determines that the traffic
20 authorized by such continuous special permit has caused substantial highway distress, then such permit may
21 be revoked summarily, but such revocation shall not operate to prevent a subsequent filing of a new
22 application for another continuous special permit.

23 SECTION 118: Title 11, Chapter 58, Section 60, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **11.58.060:** The Sheriff and Chief of the Department of Fire [Services] and Rescue may, in their
26 discretion, upon application in writing filed with their respective departments at least forty-eight hours in

1 advance of the requested movement, issue a special permit in writing authorizing the applicant to operate or
2 move a vehicle, combination of vehicles or special mobile equipment for the purpose of transporting a
3 building or other structure of a size or weight in excess of the legal maximums set forth in this Chapter,
4 within, into or through the City. Such permits shall be issued on a single trip basis only.

5 SECTION 119: Title 11, Chapter 58, Section 70, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **11.58.070:** In issuing such special permits as are contemplated in Section 11.58.060, the Sheriff and
8 Chief of the Department of Fire [Services] and Rescue may impose such conditions thereon, such as routes
9 to be followed, place of operation or movement, time of operation or movement or other matters, as they
10 shall deem necessary or proper to protect the streets, highways and alleys from excessive damage or to
11 minimize the dangers, inconveniences or delays to the general public.

12 SECTION 120: Title 11, Chapter 58, Section 90, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **11.58.090:** Before a special permit may be issued under Section 11.58.060, the applicant shall first have
15 obtained from the Department of [Building and Safety] Community Development the permit required
16 in Chapter 16.04 of this Code and shall have paid to and deposited with the Director of the Department of
17 [Business Activity] Community Development the license fee and bond required by Chapter 6.02.

18 SECTION 121: Title 11, Chapter 58, Section 100, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **11.58.100:** Every special permit or a photocopy thereof, issued pursuant to this Chapter, shall:

21 (A) Be carried in each vehicle, combination of vehicles, special self-propelled equipment or
22 special mobile equipment to which it refers.

23 (B) Be open to inspection at all times by any officer of the Metropolitan Police Department or
24 agent of the Department of Public [Services.] Works.

25 SECTION 122: Title 12, Chapter 2, Section 100, of the Municipal Code of the City of Las
26 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **12.02.100:** (A) Upon receipt of an application, the approval authority shall review the application
2 as well as forwarding a copy to other departments and agencies as deemed appropriate, which may include
3 without limitation:

4 (1) Office of Administrative Services;

5 (2) Public Works;

6 (3) Business Licensing Division;

7 (4) [Building and Safety,] The building code-related function of Community
8 Development, if applicable;

9 (5) Fire and Rescue;

10 (6) [Planning,] The land use function of Community Development; and

11 (7) Metro.

12 (B) Receipt of an application shall be acknowledged by or on behalf of the approval
13 authority shortly after receipt thereof. Action to approve, deny or return the application as incomplete shall
14 be taken by the approval authority, and written notice thereof provided, within a reasonable time following
15 receipt of the application. The approval authority may consider information contained in the application as
16 well as additional information otherwise available.

17 (C) Except as otherwise provided in Subsections (D) and (E), the approval authority is
18 the administrative services official.

19 (D) The approval authority for a residential block party is the Director of Public Works.

20 (E) The approval authority for a Tier 3 special event that proposes the closure of multiple
21 streets on multiple days is the City Council. For purposes of receiving and processing an application up until
22 the time of Council action, the administrative services official shall act on behalf of the City Council.

23 (F) No vendor other than a special event vendor is authorized to vend at a special event
24 unless the special event permit issued therefor pursuant to this Section specifically lists that vendor as an
25 approved vendor for the event.

26 SECTION 123: Title 12, Chapter 2, Section 230, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12.02.230: This Chapter may be enforced:

(A) By the Las Vegas Metropolitan Police Department, the Business Licensing Division of the [Planning Department,] Department of Community Development, the code enforcement function of the City, or any other department or function of the City specifically assigned to its enforcement by the City Manager; and

(B) By means of either a criminal prosecution or a civil proceeding in accordance with the provisions of LVMC 6.02.400 to 6.02.460, inclusive. In the case of a civil proceeding, any reference to the “Department” in LVMC 6.02.400 to 6.02.460, inclusive, shall pertain to the department or function assigned to enforce this Chapter.

SECTION 124: Title 13, Chapter 4, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.04.090: The Director of the Department of [Operations and Maintenance] Public Works is authorized to determine and to designate hours of cleaning for public sidewalks. The Director, or a designee, must place appropriate signs or markings to give notice of designated hours of cleaning. During such designated and noticed hours of cleaning, no person shall sit, lie, sleep, camp, or otherwise obstruct the cleaning of the designated public sidewalks by the Department of [Operations and Maintenance.] Public Works.

SECTION 125: Title 13, Chapter 32, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.32.020: (A) Except as otherwise provided in this Section or another provision of this Code, it is unlawful for any person to erect, place or maintain any obstruction, or to cause or permit any obstruction to encroach within, upon, or over any public right-of-way, including any public street, public sidewalk, or public alley. Each day any unauthorized obstruction is allowed to remain after ten days’ notice to remove the obstruction shall constitute a separate offense. Such notice may be provided by:

(1) Any officer of the Las Vegas Metropolitan Police Department;

(2) Any officer or employee of the Department of [Building and Safety]

1 Community Development or the Department of Public Works; or

2 (3) Any other officer or employee of the City who has been specifically
3 authorized to enforce this Section.

4 (B) An obstruction otherwise prohibited by Subsection (A) may be permitted by means
5 of an encroachment agreement approved by the City in accordance with this Section. The agreement must be
6 in a form prepared by, or otherwise acceptable, to the City. Approval by the City of an encroachment
7 agreement:

8 (1) Is entirely within the City's discretion;

9 (2) Is contingent upon a determination by the Director of Public Works (or
10 designee) that the obstruction or encroachment can be accomplished without negatively impacting traffic,
11 public safety, pedestrian safety, or the use of and access to utility facilities; and

12 (3) May be denied based on plans for future improvements to the affected right-
13 of-way, street, sidewalk or alley.

14 (C) An encroachment agreement under this Section:

15 (1) May include conditions reasonably calculated to mitigate any impact,
16 including without limitation a time limit, provisions regarding ongoing maintenance, and appropriate
17 remedial measures; and

18 (2) May be required to be recorded against property that is benefitted by the
19 agreement.

20 (D) Except as otherwise provided in Subsections (E) and (F), the approval authority for
21 an encroachment agreement under this Section shall be the Director of [Building and Safety] Community
22 Development (or designee). Typical items qualifying under this Subsection (D) include:

23 (1) Encroachments related to a Site Development Plan Review under Title 19;

24 (2) Encroachments for monitoring wells;

25 (3) Encroachments necessary for compliance with a building-related code; and

26 (4) Other minor encroachments related to signage, outdoor dining, landscaping,

1 fencing, and similar minor intrusions into public right-of-way.

2 (E) The approval authority for the following items shall be the City Council:

3 (1) Encroachments which, in the judgment of the Director of [Building and
4 Safety] Community Development (or designee), are of a significant nature, character or size so as to warrant
5 consideration by the City Council; and

6 (2) Encroachments concerning which a member of the City Council, prior to
7 administrative approval of an agreement pursuant to Subsection (D), has requested that the encroachment be
8 considered by the City Council.

9 (F) In the case of encroachment agreements to be forwarded to the City Council for
10 consideration pursuant to Subsection (E), the Director of [Building and Safety] Community Development (or
11 designee) shall schedule the encroachment agreement for Council consideration at the next regular meeting
12 of the City Council that is reasonably available.

13 (G) If the Director of [Building and Safety] Community Development (or designee)
14 denies administrative approval of an encroachment agreement pursuant to Subsection (D), the person seeking
15 encroachment approval may appeal the decision to the City Council within ten days after the denial decision
16 is made. The appeal shall be in writing, shall be filed with the Director or designee, and shall state the factual
17 basis for the appeal. The Director or designee shall schedule the matter for consideration by the City Council
18 within thirty days following receipt of the appeal. The decision by the City Council shall be final.

19 (H) Encroachment agreements approved administratively pursuant to Subsection (D)
20 shall be signed by the Director of [Building and Safety] Community Development (or designee). Agreements
21 approved by the City Council shall be signed by the Mayor.

22 (I) Nothing in this Section shall apply to obstructions or improvements installed or
23 made available:

24 (1) By or on behalf of the City, or pursuant to a franchise or formal regulatory
25 action by the City; or

26 (2) By another governmental agency acting in accordance with an interlocal or

1 cooperative agreement with the City, if the Director of [Building and Safety] Community Development
2 determines that the provisions of that agreement are an adequate substitute for the requirements of this
3 Section.

4 (J) For purposes of this Section, “obstruction” means a structure, installation, amenity
5 or improvement of any kind. The term also includes a bicycle, scooter or similar means of conveyance that
6 is made available for consumer use as part of a commercial enterprise. For purposes of this Section, as well
7 as other provisions of this Title and the Municipal Code, “encroachment agreement” includes any document
8 or agreement, however named, that by its terms authorizes an encroachment within or obstruction upon a
9 public right-of-way. Any such document or agreement may be called an encroachment agreement,
10 encroachment permit, occupancy agreement, occupancy permit, license agreement, or similar term, whether
11 or not in each case preceded by the term “right-of-way,” and designed in each case to correspond to the rights
12 being granted. Unless otherwise provided in the document or agreement:

13 (1) The rights granted by, and limitations described in, the document or
14 agreement are intended as, and shall be deemed to be, an exercise of the City’s Charter authority and
15 responsibility to regulate the use of public rights-of-way, prevent the unlawful use thereof, and minimize the
16 extent to which they are encumbered by encroachments or obstructions.

17 (2) The rights granted by, and limitations described in, the document or
18 agreement are not intended, and shall not be deemed to be, an exercise of the City’s authority to convey an
19 interest in land or to authorize any use of a public right-of-way that interferes with, or is inconsistent with,
20 the principal purposes and intended use of that right-of-way.

21 (3) Any document identified as a license agreement or granting a license does
22 not constitute a real property license as recognized at common law and shall be deemed to grant only those
23 rights specified in the document.

24 (4) The document or agreement does not constitute or substitute for any
25 building or construction-related permit that is otherwise required by or under the Municipal Code.

26 (K) The Director of [Building and Safety] Community Development (or designee) is

1 authorized to create and disseminate such materials and publications as deemed necessary or appropriate in
2 order to reduce confusion among the public and City staff regarding the relationship and roles of
3 encroachment agreements under this Section and construction-related permits governed by other provisions
4 of this Code.

5 SECTION 126: Title 13, Chapter 36, Section 10, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **13.36.010:** As used in this Chapter:

8 “Camping or lodging” means an unpermitted lodging, dwelling, residence, shelter or other similar
9 structure, or a settlement of possessions, that is kept or maintained in a defined area, or is kept or maintained
10 under circumstances where the owners or occupants knew or should have known that the area would be
11 viewed by park patrons, park security or law enforcement officers as intended for non-recreational use to the
12 exclusion of other citizens, patrons or members of the public. The term includes without limitation any of the
13 following activities:

- 14 (A) Laying down bedding for the purpose of sleeping;
- 15 (B) Using a tent, shelter or structure for the purpose of sleeping; or
- 16 (C) Using a vehicle for purposes of sleeping.

17 “Department” means the Department of Parks, Recreation and [Neighborhood Services] Cultural
18 Affairs or, for purposes of issuing permits, such other department or function of the City that the City
19 Manager may designate.

20 “Director” means the Director of the Department, or the Director’s designee.

21 “Hours of closure,” with respect to a park or recreational facility, means the hours during which that
22 park or recreational facility is closed, either as indicated on signs that have been posted pursuant to
23 LVMC 13.36.110(B) or, as applicable, the prima facie hours of closure described in LVMC 13.36.110(C).

24 “Indoor recreation center” means a building owned or operated by or on behalf of the City and
25 dedicated to public use for indoor recreational activities.

26 “Park” means an outdoor area owned or operated by or on behalf of the City and dedicated to public

1 use for recreational purposes.

2 “Public plaza” means:

3 (A) Boulder Plaza, located at Main Street and Boulder Avenue;

4 (B) Centennial Plaza, located at Fourth Street and Lewis Avenue; and

5 (C) Any other open outdoor area that is:

6 (1) Owned or operated by or on behalf of the City;

7 (2) Designed for use as a gathering place for the public or for public enjoyment
8 of cultural activities; and

9 (3) Designated as a public plaza by resolution of the City Council.

10 “Recreational facility” means an outdoor facility, together with associated structures and amenities,
11 owned or operated by or on behalf of the City and dedicated to public use for recreational purposes. The term
12 includes a recreational trail and a trailhead.

13 “Recreational trail” means a paved or unpaved pathway with several entrance and exit points that
14 has been designated and dedicated for public use for recreational purposes.

15 “Trailhead” means the beginning point of a recreational trail, including any improvements or
16 amenities that have been established at that location for the benefit of users.

17 SECTION 127: Title 13, Chapter 52, Section 20, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **13.52.020:** Whenever in this Chapter the following words or phrases are used, they shall have the
20 respective meanings assigned to them in the following definitions:

21 (A) “Approved poles” means shaved wood poles with a light-gray finish. Poles of other types
22 and finish may be used by agreement between the utility and the Director of Public [Services.] Works.

23 (B) “Commercial development” means a multiple-store complex consisting of five or more
24 stores within the complex, such as, but not necessarily limited to, shopping centers.

25 (C) “Commission” means the Public [Service] Utilities Commission of the State.

26 (D) “Overhead distribution lines” means the poles, overhead wires and associated overhead

1 structures, but not limited to, poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms,
2 braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and
3 appurtenances, located aboveground upon, along, across or over the public streets, alleys and ways of the
4 City and used or useful in supplying electric, communication or similar or associated services.

5 (E) "Replace" means and includes any reconstruction, re-erection or relocation of the overhead
6 distribution lines.

7 (F) "Subdivision" means any land, vacant or improved, which is divided into five or more lots,
8 parcels, sites, units or plots for the purpose of transfer or development, or any proposed transfer or
9 development, or any building or buildings constructed for occupancy by five or more tenants for commercial
10 or industrial purposes on the same parcel of land.

11 (G) "Utility" means and includes all persons or entities supplying electric, communication or
12 similar or associated service by way of electrical means or devices.

13 SECTION 128: Title 13, Chapter 52, Section 110, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **13.52.110:** If a utility is not for whatever reason required to replace existing overhead distribution lines
16 with an underground distribution line, then any utility obtaining a permit to replace a one-half-mile section,
17 or more, of an existing overhead distribution line shall use or install approved poles. Where the continuity of
18 alignment is broken by the intersection with a major thoroughfare, freeway or expressway, street or railroad
19 overpass or underpass, railroad crossing, change in alignment of a street or a pole line, or the end of a pole
20 line, or by City-owned property, the Department of Public [Services] Works may require the replacement of
21 a quarter-mile section with approved poles.

22 SECTION 129: Title 13, Chapter 52, Section 130, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **13.52.130:** The provisions of this Chapter shall not apply to any municipal facilities or equipment
25 installed under the supervision of, and to the satisfaction of, the Director of Public [Services,] Works,
26 including, but not necessarily limited to, poles and appurtenances used for street lighting purposes and poles

1 and appurtenances containing fire alarm boxes.

2 SECTION 130: Title 13, Chapter 56, Section 60, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **13.56.060:** Whenever the owner has failed to install a new sidewalk, maintain or repair an existing
5 sidewalk, or maintain the transition strip as required by this Chapter, the Director of Public [Services] Works
6 may notify the abutting property owner in writing that he has thirty days in which to remedy the situation or
7 to file an appeal with the City Council. The notice shall also state that in the event the property owner fails
8 to take appropriate action or file an appeal to the City Council that a lien may be imposed by the City against
9 the property for the cost of remedying the situation.

10 SECTION 131: Title 13, Chapter 56, Section 80, of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **13.56.080:** If after the expiration of thirty days from the date of receipt of the written notice required
13 by Section 13.56.060, the property owner has refused or failed to install new sidewalk as required by Section
14 13.56.030, maintain or repair existing sidewalk as required by Section 13.56.040 or to maintain the transition
15 strip as required by Section 13.56.050, and the property owner has not appealed the written notice from the
16 Department of Public [Services] Works as provided under Section 13.56.060, then such refusal or failure and
17 lack of appeal shall be reported to the City Council. The City Council shall determine if the remedial action,
18 as recommended by the Department of Public [Services,] Works, is necessary and if so, the City Council may
19 instruct and authorize the Director of Public [Services] Works to proceed with remedial action.

20 SECTION 132: Title 13, Chapter 56, Section 90, of the Municipal Code of the City of Las
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **13.56.090:** In the event of hearing as provided by Section 13.56.060, the property owner may present
23 evidence for consideration by the City Council. After considering the presentations and evidence of both the
24 property owner and the Department of Public [Services,] Works, the City Council shall determine if remedial
25 action on the part of the property owner is necessary to the health, safety, welfare or benefit of the public. If
26 such action is found to be necessary to the public health, safety, welfare or benefit, then the property owner

1 shall be notified of the decision of the City Council that remedial action shall be commenced and completed
2 within ten days from the date of notification of the City Council's decision and that failure to complete such
3 action shall result in the Department of Public [Services] Works proceeding with such remedial action and a
4 lien being placed against the property of the abutting property owner for the costs incurred by the City of Las
5 Vegas.

6 SECTION 133: Title 13, Chapter 56, Section 100, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **13.56.100:** Subsequent to the completion of the work, the Director of Public [Services] Works shall
9 forward to the property owner a statement as to cost incurred by the City in connection with the remedial
10 action and informing the property owner that failure to pay the amount stated therein within thirty days from
11 the date of the statement shall result in a lien being assessed against the property of the property owner.

12 SECTION 134: Title 13, Chapter 56, Section 120, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **13.56.120:** The construction of new sidewalk, or the maintenance or repair of existing sidewalk, shall
15 be in accordance with the Standard Plans, Specifications and Drawings on file in the office of the Department
16 of [Engineering Services.] Public Works. Upon completion of the construction, maintenance or repair, the
17 sidewalk shall be inspected and approved by the Department of [Engineering Services.] Public Works.

18 SECTION 135: Title 13, Chapter 56, Section 130, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **13.56.130:** It is unlawful for any person including the owner of property abutting the public right-of-
21 way, or the agent, servant, contractor or employee of the owner, to construct new sidewalk or to repair
22 existing sidewalk located within the public right-of-way within the City without first obtaining a permit from
23 the Director of [Engineering Services.] Public Works.

24 SECTION 136: Title 13, Chapter 56, Section 140, of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **13.56.140:** It is unlawful for any person including the owner of property abutting the public right-of-

1 way, or the agent, servant, contractor or employee of the owner, to construct new sidewalk or to repair
2 existing sidewalk located within the public right-of-way within the City if the construction or repair does not
3 comply with the Standard Drawings, Plans and Specifications on file in the office of the Department of
4 [Engineering Services,] Public Works, comply with the survey lines or grades submitted by the property
5 owner and approved by the Department of [Engineering Services,] Public Works, or comply with any other
6 conditions contained in the permit issued by the Department of [Engineering Services,] Public Works. Any
7 approval of the survey lines or grades submitted by the property owner or his agent, servant, contractor or
8 employee does not relieve the property owner for the accuracy of said survey lines and grades.

9 SECTION 137: Title 14, Chapter 4, Section 200, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **14.04.200:** The number of equivalent residential units from which sewer connection fees will be
12 calculated shall be determined by the Department of [Building and Safety] Community Development in
13 accordance with the schedule set forth at LVMC 14.04.020. For purposes of calculating the fees in
14 accordance with this Section and LVMC 14.04.210, the customer class and the number and type of fixture
15 shall be determined from the submitted construction documents. Credit will be given for fixtures removed
16 on an ERU for ERU basis.

17 SECTION 138: Title 14, Chapter 4, Section 210, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **14.04.210:** Subject to the annual evaluations provided for in Section 14.04.220, connection fees within
20 the City shall be determined as follows:

- 21 (A) User's class is determined.
- 22 (B) According to ERU schedule the number of ERU's for the user is determined.
- 23 (C) The occupancy fee for sewer connections is calculated by multiplying the number of ERU's
24 by one thousand seven hundred and sixty-six dollars.
- 25 (D) The occupancy fee for sewer connection set forth in Subsection (C) of this Section shall be
26 increased by the Director of Finance [and Business Services] on the first day of January, 2008, and annually

1 thereafter, in an amount equal to the annual charge rate of the preceding fiscal year, multiplied by the lesser
2 of five percent or the average percentage for the preceding five years of increase in the Consumer Price Index
3 for All Urban Consumers for All Items, U.S. City Average (1967=100) that is published by the Bureau of
4 Labor Statistics, United States Department of Labor.

5 SECTION 139: Title 14, Chapter 4, Section 290, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **14.04.290:** (A) No sewer may be connected to, and no wastewater may be discharged into, the
8 municipal sewer system unless and until the construction of the sewer and its connection to the system have
9 been inspected and approved by the Director of [Building and Safety] Community Development or a
10 designee.

11 (B) The applicant or its contractor shall notify the Department of [Building and Safety,]
12 Community Development, either verbally or in writing, at least twenty-four hours before the construction
13 work is to be inspected that the work is ready for inspection, and no work that cannot be visually inspected
14 shall be accepted. A representative of the applicant or its contractor shall be present during the inspection by
15 personnel of the Department of [Building and Safety.] Community Development.

16 SECTION 140: Title 16, Chapter 4, Section 20, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **16.04.020:** The Director of the Department of [Building and Safety of the City, or his] Community
19 Development, or an authorized representative, is designated as the Building Official referred to in the City's
20 Building Code.

21 SECTION 141: Title 16, Chapter 18, Section 30, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **16.18.030:** (A) For new construction, initial testing for compliance with Section 16.18.010 will be
24 performed by the Department of Fire and Rescue or its authorized designee. A certificate of occupancy may
25 be withheld by the Department of [Building and Safety] Community Development if a structure fails to
26 comply.

1 (B) For existing construction, initial testing and periodic testing for compliance (annual
2 or otherwise) will be performed by the Department of Fire and Rescue or its authorized designee,
3 independently or in conjunction with regular inspection procedures.

4 SECTION 142: Title 16, Chapter 33, Section 30, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **16.33.030:** (A) Except as otherwise provided in LVMC 16.33.070, any mortgagee who holds a
7 mortgage on specified property shall inspect that property or cause it to be inspected in accordance with this
8 Section. If the inspection reveals that the property is not being occupied by the mortgagor or by persons who
9 are occupying the property with the mortgagor's consent, the mortgagee shall register the property with the
10 Department of [Planning] Community Development on forms to be provided by the Department, or with
11 another department, person or entity designated by the Department, on forms approved by the Department or
12 the designee. In connection with that registration, the mortgagee shall also designate in writing a property
13 manager to inspect, maintain and secure the property. A separate inspection, registration and designation are
14 required for each specified property.

15 (B) Registration pursuant to Subsection (A) shall contain, at a minimum, the following
16 information:

17 (1) The name and mailing address of the mortgagee, and the physical address
18 of the mortgagee if the mailing address is a post office box.

19 (2) A direct contact name, phone number, and email address (if available), for
20 purposes of contacting the mortgagee.

21 (3) The name, address, phone number, and email address (if available) of the
22 property manager.

23 (4) The current disposition and occupancy status of the property.

24 (C) Any property manager designated pursuant to this Section must be located within
25 Nevada and must be:

26 (1) A duly-licensed property management company or property preservation

company;

(2) A department or section of a mortgagee that is devoted to property management or preservation; or

(3) A service provider specifically employed by a mortgagee to provide property management or preservation within the City.

(D) The obligations listed in Subsection (A) shall be fulfilled within the following time frames:

(1) The property inspection must occur no later than fifteen calendar days following:

(a) The occurrence of the notice of default event regarding the property; or

(b) Receipt of notice from the City or another governmental agency that the property qualifies as abandoned residential property or may be in danger of so qualifying.

(2) The property registration and designation of a property manager must occur no later than ten calendar days after the inspection.

(E) A property inspection required by Subsection (A) may be conducted by the City pursuant to LVMC 16.33.100, upon request.

(F) With respect to each specified property, the mortgagee and its designated property manager shall be responsible for inspecting and maintaining the property on a monthly basis until the parcel no longer qualifies under the definition of "specified property."

SECTION 143: Title 16, Chapter 33, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.33.070: A mortgagee's obligation under this Chapter regarding inspection and maintenance of a specified property may be waived by the Director of [Planning] Community Development or the Director's designee if the mortgagee can demonstrate to the satisfaction of the Director or designee that:

(A) The mortgage documents either expressly prohibit the mortgagee and its agents from

entering the property for those purposes or do not authorize such entry in order to protect the mortgagee's interests in the property; and

(B) There is a reasonable possibility, based on articulable evidence, that:

(1) The obligor under the mortgage or an authorized occupant of the premises will report as a trespass an entry on the premises by or on behalf of a mortgagee; or

(2) The obligor under the mortgage will assert against the mortgagee, whether in a foreclosure proceeding or otherwise, a claim that such entry is a breach of the mortgage documents or constitutes an illegal or unauthorized entry on the property.

SECTION 144: Title 16, Chapter 33, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.33.080: (A) It is unlawful for a person or other responsible party under this Chapter to violate any provision of this Chapter.

(B) The provisions of this Chapter may be enforced by the Las Vegas Metropolitan Police Department, officers and employees of the Department of [Building and Safety,] Community Development, and any other officer or employee designated by the City Manager.

(C) The provisions of this Chapter may be enforced by means of:

(1) Criminal prosecution;

(2) To the extent adaptable, the same civil process that is available under LVMC Chapter 9.04 for the abatement of nuisances;

(3) An civil action in a court of competent jurisdiction to compel compliance;
or

(4) Any other civil mechanism established by the City Council for use in connection with this Chapter.

(D) In addition to any enforcement remedy otherwise available, the Director of [Building and Safety] Community Development or a designee shall have the authority to require a responsible party to implement additional maintenance and/or security measures as may be reasonably required to arrest the

1 decline of the property.

2 SECTION 145: Title 16, Chapter 33, Section 100, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **16.33.100:** For purposes of NRS 107.130(4) pertaining to the inspection of properties for purposes of
5 an expedited sale under deed of trust:

6 (A) The Code Enforcement Division of the Department of [Planning] Community Development
7 is designated as the agency to perform the services and functions required by NRS 107.130.

8 (B) If the beneficiary of a deed of trust pertaining to residential property located within the City
9 reasonably believes that the property may be abandoned (as referenced in NRS 107.130), the beneficiary or
10 an agent may request a certification relative to abandonment from the Code Enforcement Division, on a form
11 provided by the Division for that purpose.

12 (C) In response to a request pursuant to Subsection (B), the Code Enforcement Division shall
13 perform the inspection, notice and certification functions required and authorized by NRS 107.130 regarding
14 the property that is the subject of the request, and shall do so in accordance with and subject to the provisions
15 of NRS 107.130.

16 (D) The Code Enforcement Division is authorized to charge a fee of three hundred dollars for
17 performing the services and functions described in Subsection (C) and may condition its performance on
18 receipt of that fee.

19 SECTION 146: Ordinance No. 6289 and the Unified Development Code adopted as Title 19
20 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in
21 Sections 147 to 153, inclusive, of this Ordinance. The amendments are deemed to be amendments to both
22 Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

23 SECTION 147: Title 19, Chapter 6, Section 40, Subsection (H), Paragraph (3),
24 Subparagraph (c), is hereby amended to read as follows:

25 c. **Wall Separation.** Where a screen or perimeter [walls] wall abuts another screen or perimeter
26 wall, the separation shall either be:

i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or

ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:

A) Will not increase the load on the walls; and

B) Has been approved by the Department [and the Department of Building and Safety.]
as to both structural and land use considerations.

SECTION 148: Title 19, Chapter 8, Section 40, Subsection (G), Paragraph (3), Subparagraph (c), is hereby amended to read as follows:

c. **Wall Separation.** Where a screen or perimeter [walls] wall abuts another screen or perimeter wall, the separation shall either be:

i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or

ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:

A) Will not increase the load on the walls; and

B) Has been approved by the Department [and the Department of Building and Safety.]
as to both structural and land use considerations.

SECTION 149: Title 19, Chapter 12, Section 70, is hereby amended by amending the Conditional Use Regulations for the use “Temporary Real Estate Sales Office” to read as follows:

Conditional Use Regulations:

1. Within any residential district:

a. The use may be located within a model home or trailer;

b. The sales activity shall be limited to lots within the subdivision in which the model home or trailer is located; and

c. The use shall not be permitted to operate until the requirements of LVMC 19.16.190 have

1 been met, including the approval of a final subdivision map.

2 2. Within any commercial or industrial district:

3 a. The use may be located within a trailer or an existing commercial structure; and

4 b. The use shall not be permitted to operate and is not entitled to a certificate of occupancy until
5 a Site Development Plan has been approved for the development to which the sales pertains.

6 3. If the temporary real estate sales office is a model home or is conducted from a commercial structure,
7 the use shall expire 2 years from the date of building permit approval or whenever sales are completed,
8 whichever occurs first. If the temporary real estate sales office is a trailer, the use shall expire 6 months from
9 the date of approval by the Department [of Building and Safety.] as to structural and technical code concerns.

10 4. Upon termination of the use, all temporary access improvements from this site to the abutting
11 street(s) shall be removed and replaced with permanent access improvements that meet all City standards, as
12 required by the Department of Public Works.

13 5. Pursuant to LVMC 19.02.290, direct vehicular access from primary and secondary street(s) through
14 the back of bordering lots is prohibited unless approval is granted by the Director.

15 6. All development must be in conformance with the submitted plot plan and floor plan.

16 7. Any signage for this use must first be approved in writing by the Department.

17 SECTION 150: Title 19, Chapter 12, Section 120, Subsection (D), is hereby amended to
18 read as follows:

19 **D. Additional Provisions**

20 1. All structural elements of an off-premise sign to which the display panels are attached shall be
21 screened from view. Display surface panels which are removed for the purpose of changing
22 the advertising message shall be replaced within 30 days with display panels containing a new advertising
23 message or uniformly painted blank panels.

24 2. All off-premise signs shall be detached and permanently secured to the ground and shall not be
25 located on property used for residential purposes.

26 3. For any off-premise sign that is proposed within 660 feet of any highway classified by the State of

1 Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained
2 and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the
3 City.

4 4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for
5 the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan
6 shall include the following:

- 7 a. An accurate site plan of the lot, at the scale the Director requires;
- 8 b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
- 9 c. An accurate indication of the location of all existing and proposed off-premise signs; and
- 10 d. Drawings that allow the computation of the area and the height of any off-premise signs and
11 which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

12 5. The permittee or holder of a sign certificate shall notify the Director in advance, by letter or fax and
13 pursuant to LVMC 19.16.100(F) of any change in the characteristics of an off-premise sign, such as
14 illumination, embellishment areas or moving parts, that are not shown on the approved site plan, and shall
15 provide any additional supplemental drawings as the Director may require. Final approval of any changes
16 under this Paragraph (5) shall be contingent upon final construction inspection and approval by
17 the Department [of Building and Safety] regarding structural changes, including approval of any necessary
18 electrical inspections. In the case of a proposed embellishment, the proposal shall be processed as in the case
19 of a Minor Site Development Plan Review under LVMC 19.16.100(F), except that if the Director does not
20 respond to the notice, within ten business days following receipt thereof, regarding whether or not the
21 embellishment complies with this Title, the embellishment shall be deemed approved.

22 6. No display panel or advertising message may be placed upon a new off-premise sign structure until:

- 23 a. The Department [of Building and Safety] has performed all necessary final construction
24 inspections of the structure and issued a certificate or other evidence of compliance with applicable codes;
25 or

- 26 b. The applicant has obtained and filed with the City a certification by a licensed

professional engineer that the sign is structurally sound.

7. Any illumination of an off-premise sign shall be in accordance with the applicable standards and permit requirements of the City's Electrical Code and Administrative Code.

8. With respect to existing signs for which no final construction inspection and approval exists, the owner of the sign, upon notice from the City, shall, within thirty days, obtain either construction inspection and approval by the City or structural certification, as those items are described in Paragraph (6).

SECTION 151: Appendix F of Title 19 is amended by amending Section C.1.h.ii thereof to read as follows:

ii. Construction Fences. Construction fences within Area 1 of the DTLV-O (Downtown Las Vegas Overlay) shall be subject to the requirements listed in Title 19.16.160, "Temporary Commercial Permit." In addition to the requirements listed in Title 19.16.160, the following standards shall also apply:

a. The construction fencing shall be no higher than 12 feet.

b. Plywood fencing with a canopy over the sidewalk providing a covered walkway shall be required wherever multi-level construction is occurring adjacent to the sidewalk. These covered walkways must be designed per International Building Code Chapter 33, Section 3306 and permitted through the [Building] Department. Sidewalk closures with pedestrian detouring will not be permitted in lieu of the walkway canopy unless authorized by the City Traffic Engineer.

SECTION 152: Consistent with the provisions of this Ordinance renaming the Department of Planning as the Department of Community Development, the Department of Community Development is authorized and directed to change all references in the Unified Development Code (LVMC Title 19) accordingly. Therefore:

(A) All references to each of the following shall be changed to read "Department of Community Development":

Department of Planning

Department of Planning and Development

Planning Department

1 (B) All references to each of the following shall be changed to read “Director of Community
2 Development”:

3 Director of Planning

4 Director of Planning and Development

5 Planning Director

6 SECTION 153: Consistent with the provisions of this Ordinance reflecting changes in
7 department names and functions that have occurred over time, the Department of Community Development
8 is authorized and directed to change such references in the Unified Development Code (LVMC Title 19)
9 accordingly. Therefore:

10 (A) All references to the “Department of Leisure Services” shall be changed to read “Department
11 of Parks, Recreation and Cultural Affairs.”

12 (B) All references to the “Department of Parks, Recreation and Neighborhood Services” shall be
13 changed to read “Department of Neighborhood Services.”

14 SECTION 154: For purposes of Section 2.100(3) of the City Charter, Sections 19.06.040,
15 19.08.040, 19.12.070 and 19.12.120 are deemed to be subchapters rather than sections.

16 SECTION 155: The Department of Community Development is authorized and directed to
17 incorporate into the Unified Development Code the amendments set forth in Sections 147 to 153, inclusive,
18 of this Ordinance.

19 SECTION 156: The City Manager is authorized to implement the changes made by this
20 Ordinance immediately or in phases, as deemed appropriate.

21 SECTION 157: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
22 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
23 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
24 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
25 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
26 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,

1 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

2 SECTION 158: Whenever in this ordinance any act is prohibited or is made or declared to
3 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
4 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
5 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
6 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
7 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
8 of this ordinance shall constitute a separate offense.

9 SECTION 159: All ordinances or parts of ordinances or sections, subsections, phrases,
10 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
11 Edition, in conflict herewith are hereby repealed.

12 PASSED, ADOPTED and APPROVED this ____ day of _____, 2022.

13 APPROVED:

14
15 By _____
CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 _____
18 LUANN D. HOLMES, MMC
City Clerk

19 APPROVED AS TO FORM:

20 Val Steed 7-5-22
21 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2022, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2022, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

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