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BILL NO. 2006-11

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE, ON A LIMITED BASIS, THE SUSPENSION OF ZONING AND LICENSING REQUIREMENTS IN CERTAIN EMERGENCY SITUATIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steve Wolfson Summary: Authorizes, on a limited basis, the suspension of zoning and licensing requirements in certain emergency situations.

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

SECTION 1: Title 2, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 15, reading as follows:

2.04.015: (A) Subject to constitutional and statutory limitations and the provisions of Subsection (B), the Mayor, or in his absence, the City Manager or his designee, is authorized to suspend the zoning and licensing requirements of the Municipal Code to allow a specified use at a specified location on a limited and temporary basis under the following circumstances:

- (1) During a disaster emergency declared by Federal, State, or local officials; or
- (2) In any other emergency situation in order to protect life or property, or the public health, safety or welfare.

(B) The suspension of zoning or licensing requirements under Subsection (A) shall be:

- (1) To the minimum extent deemed necessary;
- (2) Subject to such time limits and other restrictions as the Mayor, City Manager or designee may impose; and
- (3) Subject to ratification by the City Council at the next available meeting of the City Council.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

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

6 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,
7 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
8 1983 Edition, in conflict herewith are hereby repealed.

9 PASSED, ADOPTED and APPROVED this ____ day of _____, 2006.

10 APPROVED:
11
12 By _____
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:
15
16 BARBARA JO RONEMUS, City Clerk

17 APPROVED AS TO FORM:
18 Val Steed 2-1-06
19 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2006, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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12

APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BARBARA JO RONEMUS, City Clerk

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**BUSINESS IMPACT STATEMENT
BILL NO. 2006-11**

(Suspension of zoning and licensing requirements in certain emergency situations)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2006-11, that will authorize, on a limited basis, the suspension of zoning and licensing requirements in certain emergency situations.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

Possible elimination of obstacles to providing goods/services in emergency situations

Direct effects:

Possible elimination of obstacles to providing goods/services in emergency situations

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: February 1, 2006