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FIRST AMENDMENT

BILL NO. 2015-23

ORDINANCE NO. 6422

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE THE DEFINITION OF THE TERM "SECONDHAND DEALER" TO BE CONSISTENT WITH LICENSING REGULATIONS AND INTERPRETATIONS THEREOF, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin

Summary: Amends the Unified Development Code to update the definition of the term "secondhand dealer" to be consistent with licensing regulations and interpretations thereof.

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

SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 2 and 3 of this Ordinance. The amendments are deemed to be amendments to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 2: Title 19, Chapter 12, Section 70, is hereby amended by amending the entry for the use "Secondhand Dealer" so that the description of the use reads as follows:

Description: A retail facility which deals solely in used commodities with no new commodities, or in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this description, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include [wearing apparel,] furniture, fixtures, appliances, tableware, office supplies, pictures, paintings, jewelry, cutlery, guns, precious or semiprecious gemstones, or scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, or the sale of used cars. This use does not include [the buying and selling of foreign or domestic coins for numismatic purposes or used books, which shall be allowed where retail sales of new merchandise is permitted. This use also does not include] a Thrift Shop. This use also does not include the following, all

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1 of which are allowed where the retail sale of new merchandise is permitted:

2 1. The buying, selling or trading of wearing apparel, infant/child items, general household
3 furnishings or specified liquid waste, as those terms are defined in LVMC Chapter 6.74;

4 2. The buying and selling of foreign or domestic coins for numismatic purposes;

5 3. The buying and selling of antiques, used books, newspapers or periodicals; or

6 4. The buying and selling of collectibles, including collectibles that consist of phonograph
7 records, other audio recordings and the equipment necessary to listen to such recordings. Collectibles
8 qualifying under this Paragraph 4 include any kind of cabinet or similar furniture whose sale would
9 otherwise fall within the definition of "secondhand dealer" if and only if that item is used in displaying one
10 or more collectible items and is designed or intended to be sold together with the collectible items for
11 purposes of display.

12 SECTION 3: Title 19, Chapter 18, Section 20, is hereby amended by amending the
13 definition of the term "Secondhand Dealer" to read as follows:

14 **Secondhand Dealer.** A retail facility which deals solely in used commodities with no new commodities,
15 or in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind.

16 For purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale
17 of new articles. Used articles may include [wearing apparel,] furniture, fixtures, appliances, tableware,

18 offices supplies, pictures, paintings, jewelry, cutlery, guns, precious or semiprecious gemstones, or scrap
19 precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that

20 Chapter or the sale of used cars. The term does not include [the buying and selling of foreign or domestic
21 coins for numismatic purposes or used books, which shall be allowed where retail sales of new

22 merchandise is permitted. The term also does not include] a Thrift Shop. The term also does not include
23 the following, all of which are allowed where the retail sale of new merchandise is permitted:

24 1. The buying, selling or trading of wearing apparel, infant/child items, general household
25 furnishings or specified liquid waste, as those terms are defined in LVMC Chapter 6.74;

26 2. The buying and selling of foreign or domestic coins for numismatic purposes;

1 3. The buying and selling of antiques, used books, newspapers or periodicals; or

2 4. The buying and selling of collectibles, including collectibles that consist of phonograph
3 records, other audio recordings and the equipment necessary to listen to such recordings. Collectibles
4 qualifying under this Paragraph 4 include any kind of cabinet or similar furniture whose sale would
5 otherwise fall within the definition of "secondhand dealer" if and only if that item is used in displaying one
6 or more collectible items and is designed or intended to be sold together with the collectible items for
7 purposes of display.

8 SECTION 4: For purposes of Section 2.100(3) of the City Charter, Sections 19.12.070
9 and 19.18.020 are deemed to be subchapters rather than sections.

10 SECTION 5: The Department of Planning is authorized and directed to incorporate into
11 the Unified Development Code the amendment set forth in Sections 2 and 3 of this Ordinance.

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

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

4 PASSED, ADOPTED and APPROVED this 1st day of July, 2015.

5 APPROVED:

6 By 
7 CAROLYN Q. GOODMAN, Mayor

8 ATTEST:

9 
10 LUANN D. HOLMES, MMC
Acting City Clerk

11 APPROVED AS TO FORM:

12  6-15-15
13 Val Steed, Date
Deputy City Attorney

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1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 6th day of May, 2015, and referred to a committee for recommendation; hereafter
3 the committee reported favorably on said ordinance on the 1st day of July, 2015, which as
4 a regular meeting of said Council; that at said regular meeting, the proposed ordinance was
5 read by title to the City Council as first introduced and adopted by the following vote:

6 VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Tarkanian, Ross,
Barlow, Coffin and Beers

7 VOTING "NAY": None

8 EXCUSED: None

9 ABSTAINED: None

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APPROVED:

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CAROLYN G. GOODMAN, Mayor

14 ATTEST:

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LUANN D. HOLMES, MMC City Clerk

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Affidavit of Publication

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0000549832

Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/18/2015 to 06/18/2015, on the following days:

06 / 18 / 15

FIRST AMENDMENT
BILL NO. 2015-23

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE THE DEFINITION OF THE TERM "SECONDHAND DEALER" TO BE CONSISTENT WITH LICENSING REGULATIONS; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin
Summary: Amends the Unified Development Code to update the definition of the term "secondhand dealer" to be consistent with licensing regulations.

At the City Council meeting of May 6, 2015 BILL NO. 2015-23 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

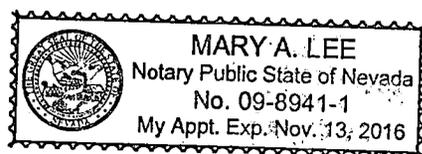
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA
PUB: June 18, 2015
LV Review-Journal

Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 18th day of June, 2015

Notary

Mary Lee



Affidavit of Publication

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0000564674

Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/04/2015 to 07/04/2015, on the following days:

07 / 04 / 15

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Summary: Amends the Unified Development Code to update the definition of the term "secondhand dealer" to be consistent with licensing regulations.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of May 2015 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 1st day of July 2015, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Ross, Tarkanian, Barlow, Anthony, Coffin, and Beers
VOTING "NAY": NONE
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA
PUB: July 4, 2015
LV Review-Journal

Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 6th day of July, 2015

Notary *Mary Lee*

