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Underlined material is that portion being added

BILL NO. \_\_\_\_\_

SUMMARY – An Ordinance amending sections 16.08.110 and 16.08.120 of Chapter 16.08 of Title 16 of the Clark County Code concerning the location and placement of newsracks and the replacement of private newsracks with permanent County-owned structures; and providing for other matters properly relating thereto.

ORDINANCE NO. \_\_\_\_\_  
(of Clark County, Nevada)

AN ORDINANCE AMENDING SECTIONS 16.08.110 AND 16.08.120 OF CHAPTER 16.08 OF TITLE 16 OF THE CLARK COUNTY CODE CONCERNING THE LOCATION AND PLACEMENT OF NEWSRACKS AND THE REPLACEMENT OF PRIVATE NEWSRACKS WITH PERMANENT COUNTY-OWNED STRUCTURES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 16.08.110 of Chapter 16.08 of Title 16 of the Clark County Code is amended to read as follows:

**16.08.110 Standards for installation and maintenance in areas where permits are required.** Any newsrack which in whole or in part rests upon or over the public right-of-way, in the area zoned PF of Paradise Road between Sahara and Twain, or of Desert Inn Road between Paradise Road and Cambridge Street or of Joe W. Brown Drive or Convention Center Drive, or zoned RVP on Circus Circus Drive, or rests upon or over any public right-of-way located in an area zoned as H-1 under the Clark County

Code shall comply with the following standards:

- (a) Each newsrack shall be maintained in a clean and neat condition, free of graffiti and in good repair at all times.
- (b) No self-standing newsrack shall exceed fifty inches in height. However, newsracks equipped with rounded, pointed or sloping tops that are designed to prevent the placing of papers, cans or other materials on top of the newsrack may exceed fifty inches but shall not exceed sixty inches in height. All individual newsracks shall not exceed thirty inches in width, and twenty-four inches in thickness. No individual newsrack shall weigh in excess of one hundred ten pounds, including added ballast.
- (c) If the base of a self-standing newsrack is constructed of metal, it shall be painted with a prime coat and a durable finish.
- (d) Individual self-standing newsracks and bases may be joined together in a group of newsracks of not more than six and, if so joined, shall be bolted or welded together, shall be dimensionally alike and shall have the same color and appearance.
- (e) The base and legs of a self-standing newsrack shall be an integral part of the newsrack construction and shall maintain the newsrack in a plumb position.
- (f) All publications shall be contained within an enclosed container portion of the newsrack with a self-closing door. No publication or other material shall be placed on top of or under the newsrack or fastened to the outside of the newsrack in any manner.
- (g) Newsracks may be bolted to the sidewalk, in a manner acceptable to the director of public works or his designee, provided in the clear space for the passageway of pedestrians between the face of the curb and the newsrack is not reduced to less than thirty-six inches.

SECTION 2. Section 16.08.120 of Chapter 16.08 of Title 16 of the Clark County Code is amended to read as follows:

**16.08.120 Location and placement of newsracks and replacement of private newsracks with permanent County-owned structures.**

(a) The director of public works or his designee will be responsible for maintaining a current listing of all permitted newsrack locations in the permitted area. This listing may consist of a computer file that includes all the current permitted locations.

(b) The locations for permitted privately-owned newsracks may be revoked and replaced with County-owned structures for the distribution of publications. The installation of County-owned structures shall be subject to budgeted appropriations from the Board of County Commissioners.

(c) Upon completion of a County-owned structure, all current permit holders at that particular location shall be permitted to distribute publications from the structure. If the structure has capacity for more dispensers/boxes than were permitted at the location, the surplus dispensers/boxes shall be assigned at the next random drawing as if they were non-renewed spots.

(d) The County shall notify all newsrack permit holders at least twenty-one (21) days prior to commencement of construction that the newsracks are to be removed from effected locations. The newsrack permittee shall remove the newsrack within the time period specified in the notice.

(e) All permits to place publications in County-owned structures shall be issued and renewed in accordance with the provisions of this Chapter 16.08 dealing with

permits for privately-owned newsracks except as provided in this section.

(f) All provisions of this Chapter 16.08 regarding the placement of materials in, on or around newsracks shall also apply to County-owned structures.

(g) Publishers holding permits to distribute from County-owned structures shall clean, maintain and be responsible for the interior of the structure designated for their use but shall not be responsible for maintenance of the outside of the structure. However, the publisher shall be liable for any damage it causes to any part of the structure.

SECTION 3. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the \_\_\_\_ day of \_\_\_\_\_, 2014.

PROPOSED BY: \_\_\_\_\_

PASSED on the \_\_\_\_ day of \_\_\_\_\_ 2014.

AYES: \_\_\_\_\_

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NAYS: \_\_\_\_\_

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ABSTAINING: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By: \_\_\_\_\_  
Steve Sisolak, Chair

ATTEST:

\_\_\_\_\_  
DIANA ALBA, County Clerk

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day of  
\_\_\_\_\_ 2014.