

Material being deleted is [~~bracketed and struck out~~];
Material being added is underscored.

BILL NO. _____

SUMMARY – A business licensing ordinance to amend Title 6, Chapter 6.12, Section 6.12.840, to eliminate the inspection requirements for real estate salespersons conducting business from the premises of a licensed real estate broker or licensed real estate developer.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 6, CHAPTER 6.12, SECTION 6.12.840, TO ELIMINATE THE INSPECTION REQUIREMENTS FOR REAL ESTATE SALESPERSONS CONDUCTING BUSINESS FROM THE PREMISES OF A LICENSED REAL ESTATE BROKER OR LICENSED REAL ESTATE DEVELOPER.

WHEREAS, the Clark County Code Title 6, Chapter 6.04, Section 6.04.090, sets forth the inspection requirements for each location from which a business licensee will conduct business,

WHEREAS, real estate salespersons in the state of Nevada are required to operate in conjunction with a licensed real estate broker or licensed real estate developer,

WHEREAS, it is the licensed real estate broker or licensed real estate developer, rather than the real estate salesperson, that is responsible for the licensed business location and the related inspections required for that location,

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

SECTION 1. Title 6, Chapter 6.12, Section 6.12.840 is hereby amended to read as follows:

6.08.840 Real Estate Salespersons.

An employee or an independent contractor who is associated with a licensed real estate broker or registered owner-developer as defined under NRS Chapter 645 shall pay a license fee of one hundred fifty dollars annually. Real estate salespersons conducting business from the premises of a

licensed real estate broker or licensed real estate developer shall be exempt from the inspection requirements set forth in Section 6.04.090 Subsections (b) and (c) of this code.

SECTION 2. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining portions of this ordinance. It is the intent of the county commission in adopting this ordinance that no portion or provision thereof shall become inoperative or fail by reason of any invalidity or unconstitutionality of any other portion or provision, and to this end all provisions of this ordinance are declared to be severable.

SECTION 3. 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 4. 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 _____, 2011.

PROPOSED BY: Commissioner _____

PASSED on the ____ day of _____, 2011.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

BY: _____
SUSAN BRAGER, Chair

ATTEST:

DIANA ALBA, County Clerk

APPROVED AS TO FORM:

JEFFREY TRULL
Deputy District Attorney