

ORDINANCE NO. 3123

AN ORDINANCE AMENDING TITLE 5 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS RELATING TO BUSINESS LICENSES GENERALLY; BY AMENDING SECTION 5.02.001 (DEFINITIONS); BY DELETING AND REPLACING SECTION 5.02.270 (S-LICENSE FEES) FOR SHORT-TERM RENTALS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

NOW THEREFORE, the City Council of the City of North Las Vegas does ordain:

SECTION 1: The definition of “Transient Lodging” in Title 5, Chapter 02, Section 001 of the North Las Vegas Municipal Code is hereby deleted and replaced with the following:

“Transient lodging” means any facility, structure, or portion of any structure which is occupied or intended or designed for occupancy by a guest or guests who pay rent for dwelling, lodging, or sleeping purposes for a period of thirty or fewer days, and includes any resort hotel, hotel, motel, apartment motel, residential dwelling unit operating as a short-term rental, and any other similar structure, facility, or portion thereof pursuant to NRS 268.0195.

SECTION 2: Title 5, Chapter 02, Section 001 of the North Las Vegas Municipal Code is hereby amended to include the following definitions:

“Accommodations facilitator” has the meaning subscribed to that term in NRS 268.

“Party” means a gathering of persons that exceed the maximum occupancy limit in a short-term rental of two (2) persons per bedroom.

SECTION 3: The “Short-term rental” section only of Title 5, Chapter 02, Section 270 of the North Las Vegas Municipal Code is hereby deleted and replaced with the following:

5.02.270 S-License fees.

Short-term rental. For each short-term rental, nine hundred dollars (\$900.00) annually.

- A. Short-term rentals are considered “transient lodging” for the purposes of the North Las Vegas Municipal Code Section 5.22.010(F).
- B. Short-term rental has the meaning found in NLVMC 17.32. Applicants must meet zoning requirements of NLVMC 17.20.030(F)(16) and secure a Conditional Use Permit prior to applying for a business license.
- C. Business license applications and business license renewals for a short-term rental shall include the following:
 1. Conditional Use Permit from the City’s Planning and Zoning Division.
 2. State business license. Only one City business license shall be issued per State business license.
 3. Notarized self-inspection checklist.
 4. Notarized affidavit containing affirmation that the licensee:

- a. Installed required outdoor noise monitoring equipment; and
- b. Sent a copy of the City's "Good Neighbor Brochure" to all property owners within 200-feet of the short-term rental and any associated homeowners association (HOA) or community management company.
- 5. Certificate of Insurance with general liability coverage of not less than five hundred thousand dollars (\$500,000).
- 6. Short-Term Rental Hold Harmless Acknowledgement Agreement.

*The "Good Neighbor Brochure" and a notarized affidavit demonstrating compliance with the notification requirement must be submitted as part of the initial business license application and annual business license renewal.

- D. Short-Term Rentals are subject to the following conditions, which must be met in order to secure and maintain a business license.
 - 1. A State business license, City business license, and the "Good Neighbor Brochure" are required to be posted in residence.
 - 2. The occupancy limit for a short-term rental is no more than two (2) persons per bedroom, excluding children under the age of twelve (12). The maximum occupancy shall not exceed a total of ten (10) persons per residential unit.
 - 3. The minimum stay in a short-term rental is two (2) nights for non-owner occupied and one (1) night for an owner-occupied.
- E. After securing a business license, the licensee must provide a notarized affidavit to the City verifying that the City business license number has been provided to all online platforms where the short-term rental is listed.
- F. The director may summarily revoke a short-term rental business license if the licensee is in violation of any condition of approval, requirement of this code or other local and state regulations not covered by the provisions of NLVMC 5.02.440. Any person who makes available a short-term rental without a license to do so under this Title shall be subject to the civil penalties outlined in Title 8.
- G. Any person who has been lawfully issued a short-term rental business license from the City prior to the enactment of Ordinance Number 3123, may continue to operate under his or her original authorization despite any provisions of the code that have changed and that may conflict with new regulations. The provisions of this subsection only apply to the original holder of the business license and do not transfer to subsequent owners or occupants of a residential unit or room within a residential unit. Further, the provisions of this subsection only apply as long as the licensee maintains a current business license, renews the license on time, and continues to adhere to the rules and procedures governing the licensee's business license. If the licensee's business license expires, is terminated or revoked, the licensee must apply for a new license in accordance with the updated rules of this Title, Title 8, and Title 17.

SECTION 4: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 5: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 6: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas and, after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 7: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Council Members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS 15TH day of JUNE, 2022.

AYES: Mayor Pro Tempore Cherchio, Council Members
Black, Barron, and Goynes-Brown

NAYS: None

ABSTAIN: None

ABSENT: Mayor Lee

APPROVED:

RICHARD CHERCHIO, MAYOR PRO TEMPORE

ATTEST:

JACKIE RODGERS, CITY CLERK