

[Bracketed] and/or ~~striketrough~~ material is that portion being deleted or amended
Underlined material is that portion being added

BILL NO. 9-16-09-1

SUMMARY - An Ordinance to extend the moratorium on the approval of new heliports within unincorporated Clark County. (ORD-1056-09)

ORDINANCE NO. 3816
(of Clark County, Nevada)

AN ORDINANCE TO EXTEND THE MORATORIUM ON THE APPROVAL OF NEW HELIPORTS WITHIN UNINCORPORATED CLARK COUNTY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

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

SECTION 1. General Purpose. The Board of County Commissioners (Board) recognizes that the legislative moratorium on the approval of new heliports within unincorporated Clark County, initiated by a resolution of the Board on July 1, 2003, in support of Assembly Bill 355, did expire on July 1, 2005; that the purpose of the moratorium was to provide a sufficient length of time to identify a potential site for a regional heliport facility; that the resolution of the Board included a stipulation to enact other local ordinances to ensure conformance with State and County goals if a regional facility was not developed by July 1, 2005, including a separate moratorium if the state-imposed moratorium should expire; and further recognizes that additional time is needed to identify such a site.

SECTION 2. As used herein, the term "Application" shall mean any application submitted to or pending before Clark County, including land use applications and building permits, required to establish a new heliport within unincorporated Clark County on or after September 21, 2005. From the date this ordinance is introduced and until September 21, 2011 (the "Prohibition Period"), the Zoning Administrator and the Director of Development Services, or their respective designees or successors, shall not accept, process, or approve any Application, including the approval of building permits even if a land use application has been previously approved, nor shall the Planning Commission or the Board of County Commissioners approve any Application, as defined in this Section 2, for any property in unincorporated Clark County. The term "Application" as herein established shall not include land use applications

required to establish heliports that are necessary for public health, safety, and welfare, including air ambulance, police, firefighting, and news media facilities.

SECTION 3. If any section of this ordinance or portion of 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 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. The ordinance shall expire on September 21, 2011.

PROPOSED on the 16th day of September, 2009

PROPOSED By: Susan Brager

PASSED on the 7th day of October, 2009

VOTE:

AYES:

Susan Brager

Lawrence L. Brown III

Tom Collins

Chris Giunchigliani

Steve Sisolak

Lawrence Weekly

NAYS:

None

ABSTAINING:

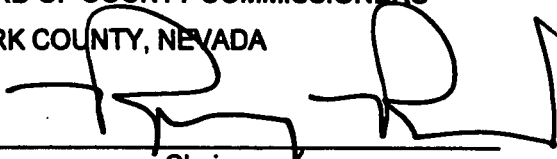
None

ABSENT:

Rory Reid


BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By

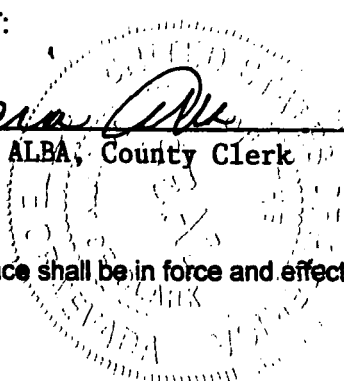


Chair

ATTEST:



DIANA ALBA, County Clerk



This ordinance shall be in force and effect from and after the 21st day of October, 2009.