

ORDINANCE NO. 3050

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA TO AMEND CHAPTER 13.08 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO MAKE VARIOUS UPDATES AS NECESSARY TO LIMIT THE AMOUNT OF NON-FUNCTIONAL TURF AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

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

SECTION 1: Section 13.08.60 entitled "Turf Prohibited" of the North Las Vegas Municipal Code is hereby amended as follows:

13.08.060 – Turf Restrictions

- A. No person shall install turf in the front yard of a single-family dwelling, common areas, medians, and non-residential developments. The installation of turf at public and private parks and schools is limited to active or programmed recreation areas such as sport fields.
- B. No person shall remove water-efficient landscaping for the purpose of installing turf.
- C. The installation of new turf shall be limited to the following:
 - 1. Turf should not be installed in areas less than 1,500 contiguous square feet and should not be less than 30 feet in any dimension;
 - 2. Turf cannot be installed closer than 10 feet to a street;
 - 3. Turf cannot be installed in front of entryways to residential neighborhoods or subdivisions where other recreational amenities do not exist;
 - 4. The maximum slope of a turf area will not exceed 25 percent and turf areas should be graded to prevent runoff, except in designated drainage areas; and
 - 5. Turf in recreational areas such as parks should utilize water-efficient turf species.
- D. Exemptions. The provisions of this section shall not apply to the following:
 - 1. Turf installed prior to January 1, 2004;
 - 2. Community use recreational turf;
 - 3. Golf courses;
 - 4. Any waiver granted pursuant to Section 13.08.060(E).
- E. Waiver.
 - 1. Any person may apply to the Director in writing in a form prescribed by the Director for a waiver of the provisions of this section if the person demonstrates that unique circumstances exist so that the provisions of this ordinance would serve no useful purpose and further that the purposes of this ordinance would not be frustrated by the granting of such an exemption.
 - 2. The Director may grant the waiver in his or her sole discretion.

- F. No person shall impose private covenants, conditions, restrictions, deed clauses or other agreements which require the installation of turf or prevent the utilization of water-efficient landscaping provided such landscaping receives appropriate architectural review approval. No person shall prohibit landscaping materials and designs solely on the basis that they make use of water-efficient landscaping.

SECTION 2: 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 3: 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 4: 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 5: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilpersons 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 _____ day of _____, 2020.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

JOHN J. LEE, MAYOR

ATTEST:

CATHERINE A. RAYNOR, MMC, CITY CLERK