

## **ORDINANCE NO. 3138**

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-05-2022); BY AMENDING RESIDENTIAL POOL SIZES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

**WHEREAS**, the amendment is consistent with the Comprehensive Plan; and

**WHEREAS**, the Council determines that the amendment will not adversely affect the health and general welfare; and,

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

**SECTION 1:** Chapter 20, Section 030, Subsection F, subsection 12 of Title 17 of the North Las Vegas Municipal Code is hereby amended as follows:

**12. Swimming Pools and Spas**

All private or semi-private swimming pools and spas shall meet the following standards:

- a. Swimming pools or spas may be placed closer than three feet to any structure, or vice-versa, provided that a minimum three-foot setback is maintained to the property line and provided that adequate information, including plans, calculations, and details, are provided to and approved by the building official, prior to the installation of the pool, spa, or structure. Plans may be required to be prepared by a Nevada registered engineer or architect.
- b. Pools and spas shall not be located between the front property line and the front building setback line.
- c. All pool and spa equipment, structures, and appurtenances thereto shall be set back a minimum of ten feet from the nearest dwelling on an adjoining property. Additionally, such equipment or structure shall not be located between the front property line and the front building setback line. Exceptions to this minimum ten foot setback will be considered. With the compliance of building and fire code requirements, the building official can approve exceptions to the setback requirements for sound-proof pool equipment housing and pumps that have been designed for noise reduction. All other exceptions may be considered on an individual basis by variance.
- d. All swimming pools and spas shall be enclosed as required by the Building Code.
- e. The total water surface area for all pools and spas on any lot shall not be greater than 600 square feet.

**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. 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 Councilmembers 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 \_\_\_\_\_, 2022.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

\_\_\_\_\_  
JOHN J. LEE, MAYOR

ATTEST:

\_\_\_\_\_  
JACKIE RODGERS, CITY CLERK