CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM

Issue: Adopt an Ordinance to Amend Sections 6.130.020, 12.40.010, and 12.40.020 of the Clark County Code

Petitioner: Commissioner Chris Giunchigliani

Recommendation:

That the Board of County Commissioners approve, adopt, and authorize the Chairman to sign an ordinance to amend Sections 6.130.020, 12.40.010, and 12.40.020 of the Clark County Code for the purpose of regulating noise from portable audio equipment by mobile food vendor vehicles; and providing for other matters properly relating thereto.

FISCAL IMPACT:

None.

BACKGROUND:

This proposed ordinance was originally introduced on February 3, 2009 by Commissioner Giunchigliani for the purpose of amending provisions of the Clark County Code that currently regulate noise from portable audio equipment. The proposed ordinance made the following changes:

1. Placed restrictions on the use of portable audio equipment by mobile food vendor vehicles.
2. Made existing regulations on portable audio equipment applicable to sound amplifiers and similar devices.
3. Made existing regulations on portable audio equipment applicable to noise that can be heard more than fifty feet from the source of the sound rather than seventy-five feet.

A public hearing on the proposed ordinance was held on February 17, 2009. At the close of the public hearing, Commissioner Giunchigliani requested that the proposed ordinance be modified in response to comments she had received and testimony at the public hearing in the following manner:

1. Change the end-of-day restriction on the use of portable audio equipment by mobile food vendor vehicles to 7 p.m. during non-Daylight Savings Time months and 8 p.m. during the remainder of the year.
2. Leave code provisions as they currently are so that the distance restriction on noise that can be heard from the portable audio equipment is seventy-five feet.

Commissioner Giunchigliani then requested that the proposed ordinance, as modified, be held until the March 3, 2009, Board of County Commissioners' meeting for Board's consideration.

Respectfully submitted,

VIRGINIA VALENTINE, County Manager

3/3/2009

Agenda Item #