



Las Vegas

Agenda Item No.: 70.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 16, 2006

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT: **RECOMMENDING COMMITTEE: ELIGIBLE FOR ADOPTION AT THIS MEETING:**

Bill No. 2006-40 Prohibits vomiting, urinating, or defecating in certain places, as well as related activities. Proposed by Bradford R. Jerbic, City Attorney

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available Dept./Division:

Amount:
Funding Source:

PURPOSE/BACKGROUND:

This bill will prohibit vomiting, urinating, or defecating in certain places, as well as related activities. The bill is in response to court decisions and will replace current Code provisions that prohibit immodest, improper, or indecent behavior in certain public places.

RECOMMENDATION:

ADOPTION at 8/16/2006 City Council meeting pursuant to the 8/1/2006 Recommending Committee.

First Reading 7/12/2006; First Publication 8/4/2006

BACKUP DOCUMENTATION:

1. Bill No. 2006-40
2. Business Impact Statement

Motion made by LOIS TARKANIAN to Approve as a First Amendment

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-LAWRENCE WEEKLY)

Minutes:

Second reading and bill adopted as a First Amendment as Ordinance No. 5847. Clerk to proceed with second publication.

CITY ATTORNEY JERBIC indicated that this ordinance was crafted in an attempt to assist the Las Vegas Metropolitan Police Department (Metro). However, he has received a lot of questions

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about this ordinance, in particular about the language regarding vomiting and the circumstances under which it is permitted. Because there is so much confusion about that provision, he indicated that his office would have no problem with the Council eliminating that language.

MAYOR GOODMAN noted that the event that took place over the weekend did not receive any publicity, which reaffirms what the City is trying to accomplish in keeping parks safe.

COUNCILWOMAN TARKANIAN indicated her preference to eliminate the provision regarding vomiting. CITY ATTORNEY JERBIC recommended adoption as a First Amendment, and he would delete any references to vomiting.