

1 **BILL NO. 2006-63**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ADOPT A NEW CHAPTER 10.44A OF THE MUNICIPAL CODE,
4 RELATING TO SOLICITATION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Bradford R. Jerbic, City Attorney Summary: Adopts a new Chapter 10.44A of the
6 Municipal Code, relating to solicitation.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
8 AS FOLLOWS:

9 SECTION 1: Title 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983
10 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 10.44A, consisting
11 of Sections 10 to 40, inclusive, reading as follows:

12 **10.44A.010:** For purposes of this Chapter:

13 (A) "Solicitation" means the act of solicitation, including asking, begging, soliciting
14 or pleading, for the purpose of immediately obtaining money, charity, business or patronage, or gifts
15 of items of value for oneself or another person or organization.

16 (B) "Coercion" means to wilfully and knowingly:

17 (1) Approach or speak to a person in such a manner as would cause a
18 reasonable person to believe that the person is being threatened with:

19 (a) Imminent bodily injury, or

20 (b) The commission of a criminal act upon the person or another
21 person, or upon property in the person's immediate possession;

22 (2) Persist in a solicitation after the person solicited has given a negative
23 response;

24 (3) Block, either individually or as part of a group of persons, the passage
25 of a solicited person; or

26 (4) Engage in conduct that would reasonably be construed as intended to
27 compel or force a solicited person to accede to demands.

28 **10.44A.020:** Any individual who personally commits solicitation by coercion shall be guilty of a
misdemeanor.

1 **10.44A.030:** Any individual who personally engages in solicitation at any of the following places
2 shall be guilty of a misdemeanor:

- 3 (A) At any bus, taxi, limousine, trolley or train stop;
- 4 (B) In any public transportation vehicle or facility;
- 5 (C) At any enclosed parking structure;
- 6 (D) Within twenty feet of an Automatic Teller Machine (ATM); or
- 7 (E) Within ten feet of a point of entry to or exit from any building open to the
8 public, including commercial establishments.

9 **10.44A.040:** If property is owned or controlled by a private owner or operator, nothing in this
10 Chapter shall be construed as applying to the conduct or activity of a person on said property with the
11 permission of the owner or operator of the property.

12 SECTION 2: Nothing in this Ordinance is intended to repeal, replace, modify or
13 amend any other Chapters of the Las Vegas Municipal Code, including Chapters 10.44 or 11.68. All
14 other provisions of the Code shall remain in force and effect.

15 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or
16 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
17 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
18 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
19 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
20 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
21 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
22 invalid or ineffective.

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SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

PASSED, ADOPTED and APPROVED this ____ day of _____, 2006.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 10-24-06
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2006, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2006, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11
12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:
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17 BARBARA JO RONEMUS, City Clerk

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