

1 **PROPOSED FIRST AMENDMENT**

2 **BILL NO. 2006-37**

3 **ORDINANCE NO. _____**

4 AN ORDINANCE TO PROHIBIT CERTAIN TYPES OF FOOD DISTRIBUTION WITHIN CITY
5 PARKS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Proposed by: Bradford R. Jerbic, City Attorney Summary: Prohibits within City parks the
7 providing of food or meals to the indigent for
8 free or for a nominal fee.

9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
10 AS FOLLOWS:

11 SECTION 1: Title 13, Chapter 36, Section 55, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **13.36.055:** (A) The following are prohibited within any City park:

- 14 (1) Fireworks, firearms or weapons of any kind;
- 15 (2) Fires, except in barbecue facilities;
- 16 (3) The hitting of golf balls;
- 17 (4) The use of metal detectors, except for surface finds;
- 18 (5) The unauthorized sale of goods or services[.]; and
- 19 (6) The providing of food or meals to the indigent for free or for a nominal

20 fee. For purposes of this Paragraph, an indigent person is a person whom a reasonable ordinary person
21 would believe to be entitled to apply for or receive assistance under NRS Chapter 428.

22 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
23 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
24 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
25 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
26 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
27 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
28 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
invalid or ineffective.

SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared

1 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
2 required or the failure to do any act is made or declared to be unlawful or an offense or a
3 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
4 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
5 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
6 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

7 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
8 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

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

11 APPROVED:
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13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:
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16 _____
BARBARA JO RONEMUS, City Clerk

17 APPROVED AS TO FORM:
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19 _____
Date

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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 amended and adopted by the following vote:

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

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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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