

1 **BILL NO. 2006-59**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ESTABLISH CERTAIN MINIMUM COMMUNITY SERVICE
4 REQUIREMENTS AS PART OF THE PUNISHMENT FOR CONTRIBUTORY DELINQUENCY
5 OR CONTRIBUTORY NEGLIGENCE RELATED TO GRAFFITI OR PROPERTY DAMAGE, AND
6 TO PROVIDE FOR OTHER RELATED MATTERS.

7 Sponsored by: Mayor Oscar B. Goodman

8 Summary: Establishes certain minimum
9 community service requirements as part of the
10 punishment for contributory delinquency or
11 contributory neglect related to graffiti or
12 property damage.

13 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
14 AS FOLLOWS:

15 SECTION 1: Title 10, Chapter 48, of the Municipal Code of the City of Las Vegas,
16 Nevada, 1983 Edition, is hereby amended to add thereto a new section, designated as Section 105,
17 reading as follows:

18 **10.48.105:** (A) In the case of a violation of NRS 201.110 where the act or omission:

19 (1) Is the proximate cause of unlawful graffiti or property damage;

20 (2) Fails to abate, prohibit or avoid unlawful graffiti or property damage;

21 or

22 (3) Fails to protect any property from such unlawful graffiti or property

23 damage,

24 ➡ the offender's punishment shall include restitution for any property damage; community service
25 of at least fifty, but not more than ninety-nine, hours; or both. This punishment shall be in addition
26 to any other punishment for a misdemeanor that is deemed appropriate and is within the municipal
27 court's authority, but the aggregate punishment may not exceed that permissible for a misdemeanor.

28 (B) The requirement for community service in Subsection (A) is satisfied where:

(1) A parent or legal guardian is the person convicted of a violation of

Subsection (A);

(2) The minor for whom the parent or legal guardian is responsible has been

ordered by a court of competent jurisdiction to perform community service; and

1 (3) The parent or legal guardian has been present during every hour of the
2 minor's performance of community service.

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

11 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

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

15 APPROVED:
16
17 By _____
18 OSCAR B. GOODMAN, Mayor

19 ATTEST:
20
21 _____
22 BARBARA JO RONEMUS, City Clerk

23 APPROVED AS TO FORM:
24 _____
25 Date

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27
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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 first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BARBARA JO RONEMUS, City Clerk

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