

1 **BILL NO. 2008-13**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO UPDATE THE CITY'S FIREARM REGISTRATION REQUIREMENTS TO
4 CONFORM TO STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Bradford R. Jerbic, City Attorney Summary: Updates the City's firearm
6 registration requirements to conform to State
law.

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

9 SECTION 1: Title 10, Chapter 66, Section 10, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **10.66.010:** As used in this Chapter: [, the words set out in this Section shall mean as follows:

12 (A)] "Dealer" means any person engaged in the business of buying or selling pistols
13 at wholesale or retail, or of accepting pledges of pistols as security for loans.

14 "Firearm" means any device designed to be used as a weapon from which a projectile
15 may be expelled through the barrel by the force of any explosion or other form of combustion.

16 "Firearm capable of being concealed" includes all firearms having a barrel less than
17 twelve inches in length.

18 [(B)] "Pistol" means [any small firearm fired by hand, loaded or unloaded, capable
19 of being concealed upon the person. The term shall include all small firearms with a barrel or barrels
20 not exceeding twelve inches in length including revolvers, automatics, derringers and like weapons
21 from which a dangerous projectile may be propelled by means of explosives, springs, gas or air, except
22 any smooth-bore pistol designed and manufactured exclusively for propelling BB shot not exceeding
23 .177 caliber by means of springs, gas or air.] a firearm capable of being concealed that is intended to
24 be aimed and fired with one hand.

25 SECTION 2: Title 10, Chapter 66, Section 60, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **10.66.060:** (A) When any sale of a pistol is made by a dealer under this Chapter, seventy-two
28 hours must elapse between the time of sale and time of delivery to the purchaser, and when delivered,

1 all pistols must be securely wrapped, must be unloaded and must be accompanied by a receipt, signed
2 by dealer, setting forth:

- 3 (1) The name, address and description of the purchaser or transferee;
- 4 (2) A complete description of the pistol, including the manufacturer, model
5 and manufacturer's serial number thereof;
- 6 (3) The date and time of sale and the date and time of delivery of such
7 pistol; and
- 8 (4) A statement notifying the purchaser or transferee that [said] the pistol
9 must be registered with the Sheriff or his designee within [twenty-four] seventy-two hours[.] if the
10 purchaser or transferee is a resident of the City.

11 (B) The [aforesaid] seventy-two-hour waiting period before delivery shall not apply
12 to the sale of a pistol to any person who, at the time of such sale, produces bona fide documentary
13 evidence that he is a member of a Federal law enforcement agency, that he is a peace officer of the
14 State or any political subdivision thereof who is regularly employed for pay by the State or such
15 subdivision, or that he currently owns a pistol which is duly registered in his name with any law
16 enforcement agency in the County, nor shall said waiting period apply to any person who requires the
17 use of a pistol in his employment and receives written permission from the Sheriff or his designee to
18 waive said waiting period; provided, however, that all of the other provisions shall apply to any of
19 such sales.

20 SECTION 3: Title 10, Chapter 66, Section 140, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **10.66.140:** (A) Any [person] resident of the City receiving title to a pistol, whether by purchase,
23 gift or other transfer, and whether from a dealer or any other person, shall, [immediately upon] within
24 seventy-two hours of such receipt, personally appear, together with such pistol, and register the same
25 with the Sheriff of the Metropolitan Police Department or his designee. It shall be unlawful to possess
26 a pistol which is not so registered.

27 (B) [No person who proves at trial that he received title to a pistol less than
28 twenty-four hours prior to an arrest or the issuance of a citation based upon a violation of this Section,

1 shall be convicted.

2 (C) It shall be the duty of the Sheriff or his designee to register said pistol and he
3 is authorized to cooperate with other law enforcement agencies and licensed dealers in effecting
4 registration of pistols to the end that efficient registration will be secured at a minimum of cost and
5 duplication.

6 SECTION 4: Title 10, Chapter 68, Section 10, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **10.68.010:** (A) No person, except a peace officer, shall wear or in any manner carry concealed
9 upon his person any [loaded or unloaded gun, pistol or revolver, or any other dangerous or deadly
10 weapon permitted to be carried by law] firearm capable of being concealed without having, at the
11 same time, actually in his possession and upon his person, an unexpired permit so to do issued by the
12 Sheriff of the Metropolitan Police Department or his designee. The requirement to possess a permit
13 does not apply to:

14 (1) A person who has not been a resident of the City for at least sixty days;
15 or

16 (2) A firearm during the seventy-two hour period within which a person is
17 allowed to register that firearm under Section 10.66.040.

18 (B) For purposes of this Section:

19 (1) "Firearm" means any device designed to be used as a weapon from
20 which a projectile may be expelled through the barrel by the force of any explosion or other form of
21 combustion.

22 (2) "Firearm capable of being concealed" includes all firearms having a
23 barrel less than twelve inches in length.

24 SECTION 5: Title 10, Chapter 70, Section 10, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **10.70.010:** "Dangerous or deadly weapons" includes, but it not limited to:

27 (A) Any dirk or dagger;

28 (B) Any knife with a blade three inches or more in length;

1 (C) Any snap-blade or spring-blade knife, regardless of length of the blade;
2 (D) Any ice pick or similar sharp stabbing tool;
3 (E) Any straightedge razor or any razor blade fitted to a handle;
4 (F) Any dangerous or deadly weapon within the meaning of any law of this State
5 restricting the use thereof; and

6 (G) Any cutting, stabbing or bludgeoning weapon or device capable of inflicting
7 grievous bodily harm; and

8 (H) Any firearm, as defined in Section 10.66.010, other than one carried pursuant
9 to a valid permit issued by a duly authorized governmental authority or an ordinary rifle or shotgun
10 lawfully carried for purposes of hunting or other lawful sport. The permit requirement does not apply
11 to:

12 (1) A person who has not been a resident of the City for at least sixty days;
13 or

14 (2) A firearm during the seventy-two hour period within which a person is
15 allowed to register that firearm under Section 10.66.040.

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

24 SECTION 7: Whenever in this ordinance any act is prohibited or is made or declared
25 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
26 required or the failure to do any act is made or declared to be unlawful or an offense or a
27 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
28 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than

1 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
2 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

3 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this _____ day of _____, 2008.

7 APPROVED:

8
9 By _____
OSCAR B. GOODMAN, Mayor

10 ATTEST:

11 _____
12 BEVERLY K. BRIDGES, CMC
City Clerk

13 APPROVED AS TO FORM:

14 Val Heed 2-7-08
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2008, 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 _____, 2008, 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:

13

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By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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BEVERLY K. BRIDGES, CMC
City Clerk

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