



*Las Vegas*

Agenda Item No.: 6.

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: AUGUST 19, 2008**

DEPARTMENT: CITY ATTORNEY  
DIRECTOR: BRADFORD R. JEBBIC

Consent  Discussion

**SUBJECT:**  
Bill No. 2008-40 Updates the City's prohibitions and penalties regarding graffiti and graffiti implements. Sponsored by: Councilwoman Ricki Y. Barlow

**Fiscal Impact:**

- No Impact  Augmentation Required
- Budget Funds Available

Amount:  
Funding Source:  
Dept./Division:

**PURPOSE/BACKGROUND:**

This bill will update the Municipal Code to conform to State law changes regarding graffiti and graffiti implements.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2008-40
2. Business Impact Statement

Motion made by RICKI Y. BARLOW to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

**Minutes:**

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated this bill was requested by COUNCILMAN BARLOW, as his desire is to see this ordinance strengthened. In the mid 90s, the legislature passed a graffiti law, which included a number of prohibitions and penalties in accordance with State law. As a result, the City adopted a corresponding ordinance. In recent legislative sessions, the penalties, definition of graffiti and graffiti implements have been updated. He recommended that the ordinance be adopted, as it is consistent with State law.

## RECOMMENDING COMMITTEE MEETING OF: AUGUST 19, 2008

COUNCILMAN BARLOW emphasized that this ordinance was very important to him, as this graffiti issue has been a nuisance and is ongoing within our communities, Clark County as a whole and including personal vehicles. He noted that over 30 million dollars is used in taxpayer dollars to rid the Valley of graffiti and firmly believes that these dollars could and should be used towards more appropriate purposes, such as the City's budget.

COUNCILMAN BARLOW believed that with the additional measures in place, this should get the attention of those that vandalize. In addition, he opted for stronger measures but was instructed by counsel to ensure the City stays within the boundaries and not go above and beyond the law.

Relative to COUNCILWOMAN TARKANIAN'S query, CHIEF DEPUTY CITY ATTORNEY STEED responded that State law dictates that the parent would not be criminally liable and face a conviction; however, if the minor fails to pay the monetary fees then the parent is responsible. ASSISTANT CITY ATTORNEY BEN LITTLE clarified under Nevada law, there is an existing statute in which the parent can be held for his/her child's actions due to non-supervision of a minor. COUNCILWOMAN TARKANIAN supported the measure and was baffled as to whether or not the American Civil Liberties Union was aware of this existing statute under the Nevada law.

COUNCILMAN BARLOW informed the Councilwoman that he was aware that last year close to 500 individuals were caught for vandalism. The Councilwoman believed the number could be more; ASSISTANT CITY ATTORNEY BEN LITTLE added that their department handles approximately 10 cases per year. Metro has one officer, DETECTIVE BLACK, who is responsible for this area and in the training of fellow officers. There is some difficulty in acquiring a higher success rate due to insufficient staffing in this area.

COUNCILMAN BARLOW declared the Public Hearing closed.