

BILL NO. 2008-44

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE THE PARKING INFRACTION PROCEDURES OF THE MUNICIPAL CODE RELATING TO LEASED OR RENTED VEHICLES, AND THE PROCEDURES PERTAINING TO THE COLLECTION FEES THAT ARE CHARGEABLE FOR FINES AND PENALTIES REFERRED TO A COLLECTION AGENCY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark R. Vincent, Director of
Finance and Business Services

Summary: Updates the parking infraction procedures of the Municipal Code relating to leased or rented vehicles, and the procedures pertaining to the collection fees that are chargeable for fines and penalties referred to a collection agency.

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

SECTION 1: Title 11, Chapter 10, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.10.070: (A) The operator of a vehicle is liable for the civil fines and civil penalties which are imposed pursuant to this Chapter. The registered owner of the vehicle, even if he is not the operator thereof, is also liable for such civil fines and civil penalties unless he is able to demonstrate that the vehicle was used without his permission, express or implied. A registered owner who pays any civil fine and/or civil penalty pursuant to this Chapter has the right to recover from the operator of the vehicle the civil fine and/or civil penalty so paid and has a cause of action in any court which has appropriate jurisdiction against the operator of the vehicle for the amount so paid.

(B) In order to hold the operator of a leased or rented vehicle primarily responsible for the issuance of the Notice of Infraction, the name, address and phone number of the person renting or leasing a vehicle found parked in violation of this Title must be provided by the rental or leasing agent or agency to the Director of Finance and Business Services or his designee within [seven] thirty calendar days of receiving notice of such infraction. Nothing in this provision shall absolve the owner of responsibility for the issuance of the Notice of Infraction as provided in this Chapter.

SECTION 2: Title 11, Chapter 10, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **11.10.140:** (A) The schedule of civil fines which is contained in Sections 11.10.150 to
2 11.10.180, inclusive, is established for infractions of the parking laws and regulations which are set
3 forth in this Code.

4 (B) The owner and/or operator shall be liable for an additional collection fee where
5 the collection of the fines and penalties provided for herein [are] is referred for collection to a private
6 collection agency. The amount of such fee [shall be] may not exceed twenty-five percent of the
7 outstanding indebtedness or two hundred fifty dollars, whichever is less. [Upon application of the Las
8 Vegas City Attorney's office, a judgment or amended judgment entered under this Title shall include
9 the fee provided for in this provision.] The amount of any such collection fee shall accrue and become
10 due and payable at the time the indebtedness is referred for collection to the collection agency, and
11 that amount may be added by the collection agency to the amount sought to be collected. Any
12 judgment or amended judgment entered under this Chapter may include the amount of the collection
13 fee authorized by this Subsection (B).

14 (C) When a notice of nonpayment of a civil fine imposed under this Chapter has
15 been filed with the Nevada Department of Motor Vehicles and Public Safety pursuant to NRS
16 484.444, the City is authorized to charge the party liable an administrative fee of ten dollars to cover
17 the costs of the filing, handling and release of the notice of nonpayment. The administrative fee shall
18 be paid at the time the fine is collected and the release authorized.

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

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

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

5 APPROVED:

6
7 By _____
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:

10 _____
11 BEVERLY K. BRIDGES, CMC
12 City Clerk

13 APPROVED AS TO FORM:

14 Val Heed 9-4-08
15 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: _____

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BEVERLY K. BRIDGES, CMC
City Clerk

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