

BILL NO. 2011-44

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH A PARKING PROGRAM FOR QUALIFIED ALTERNATIVE FUEL VEHICLES, AS REQUIRED BY STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by:	Summary: Establishes a parking program for
Bradford R. Jerbic, City Attorney	qualified alternative fuel vehicles, as required by
William Arent, Director of Economic and	State law.
Urban Development	

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

SECTION 1: Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 66, consisting of Sections 10 to 80, inclusive, reading as follows:

11.66.010: For purposes of this Chapter, "qualified alternative fuel vehicle" has the meaning ascribed to that term in NRS 484A.197.

11.66.020: In accordance with and subject to the provisions of this Chapter, the City shall issue to the owner or long-term lessee of a qualified alternative fuel vehicle a distinctive decal, label or other identifier that clearly distinguishes the qualified alternative fuel vehicle from other vehicles.

11.66.030: The decal, label or other identifier described in LVMC 11.66.020 may be obtained by the owner or long-term lessee of a qualified alternative fuel vehicle by:

(A) Submitting an appropriate application to the Department of Detention and Enforcement or its designee, on forms developed or approved by the City;

(B) Providing such other documentation and verification as the Department or its designee may require, including without limitation:

(1) Documentation regarding vehicle identification, ownership and vehicle registration;

(2) Visual confirmation of vehicle identification and license plate information; and

(3) Certification or other verification by a duly-qualified third party

1 acceptable to the Department or its designee that the vehicle is a qualified alternative fuel vehicle, as
2 defined in LVMC 11.66.010.

3 **11.66.040:** A decal, label or other identifier issued pursuant to this Chapter shall be valid for no
4 more than one year, renewable upon application and upon such documentation and verification as the
5 Department or its designee may require.

6 **11.66.050:** The Department or its designee is authorized to charge a fee of ten dollars for each
7 decal, label or other identifier issued pursuant to this Chapter, whether in connection with initial
8 issuance, renewal or replacement.

9 **11.66.060:** Except as otherwise provided in LVMC 11.66.070, the driver of a qualified alternative
10 fuel vehicle displaying the distinctive decal, label or other identifier issued for that vehicle pursuant
11 to this Chapter may:

12 (A) Stop, stand or park the qualified alternative fuel vehicle in any public metered
13 parking zone within the City's parking enforcement jurisdiction without making payment therefor in
14 a manner otherwise required; and

15 (B) Stop, stand or park the qualified alternative fuel vehicle in any public parking
16 lot or parking area within the City's parking enforcement jurisdiction without paying the parking fee
17 otherwise required.

18 **11.66.070:** Notwithstanding the provisions of LVMC 11.66.060, the driver of a qualified
19 alternative fuel vehicle shall:

20 (A) Comply with any limits on the amount of time for stopping, standing or parking
21 imposed on other drivers; and

22 (B) Pay applicable parking fees during certain special events or activities designated
23 by the City, regardless of whether the vehicle displays a decal, label or other identifier issued pursuant
24 to this Chapter.

25 **11.66.080:** (A) With respect to a decal, label or other identifier authorized or issued pursuant
26 to this Chapter, it is unlawful for a person to:

27 (1) Fraudulently obtain such a decal, label or other identifier;

28 (2) Display such a decal, label or other identifier in or on a vehicle to which

1 the decal, label or other identifier does not pertain;

2 (3) Display in or on a vehicle an unauthorized replica of such a decal, label
3 or other identifier; or

4 (4) Alter or mutilate the expiration date or identifying information on such
5 a decal, label or other identifier, or display in or on a vehicle a decal, label or other identifier on which
6 the expiration date or identifying information has been altered or mutilated.

7 (B) A notice of infraction or criminal citation pertaining to a violation of Subsection
8 (A) of this Section may be issued and processed independent of any notice of infraction that pertains
9 to parking at a location without payment having been made therefor and without displaying a valid
10 decal, label or other identifier issued under this Chapter.

11 SECTION 2: Title 11, Chapter 10, Section 130, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **11.10.130:** [Wherever in this Title any act is prohibited or is made or declared to be unlawful or
14 an offense or a misdemeanor or wherever in this Title the doing of any act is required or the failure
15 to do any act is declared to be unlawful, the sanction therefor is civil in nature in the monetary amount
16 which is set forth in Sections 11.10.150 to 11.10.180, inclusive.]

17 (A) Subject to the provisions of Subsection (B), whenever in this Title an act
18 relating to the stopping, standing or parking of a vehicle is prohibited or limited, or the violation of
19 a such a prohibition or limitation is made or declared to be unlawful or an offense or a misdemeanor,
20 the sanction therefor is civil in nature in the monetary amount which is set forth in Sections 11.10.150
21 to 11.10.180, inclusive.

22 (B) With respect to any particular violation of the following types, the City may
23 proceed either by means of a criminal prosecution or by means of the civil infraction process set forth
24 in Chapter 11.10:

25 (1) A violation of Sections 11.54.205, 11.65.110 or 11.66.080;

26 (2) A violation of any other provision of Title 11 pertaining to the stopping,
27 standing or parking of a vehicle where the violation relates to the misuse of equipment, or involves
28 fraud, deceit or misrepresentation, or where the language of the provision demonstrates a specific

1 intent for a criminal rather than civil sanction to be applied.

2 SECTION 3: Title 11, Chapter 10, Section 180, of the Municipal Code of the City of
3 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **11.10.180:** (A) Except as provided in [Subsection (B) of this Section, for other parking
5 infractions of the provisions of this Code,] this Section, for parking infractions other than those set
6 forth in LVMC 11.10.160 and 11.10.170, the civil fine is twenty dollars.

7 (B) For abandoning or for stopping, standing or parking a vehicle in violation of
8 LVMC 11.24.010 or 11.52.305, the civil fine is seventy-five dollars, plus any towing and storage fees
9 which may be assessed in connection with the removal of the vehicle pursuant to this Title.

10 (C) For a violation of Subsection (A) of LVMC 11.66.080, the civil fine is five
11 hundred dollars.

12 SECTION 4: This Ordinance shall become effective on January 1, 2012.

13 SECTION 5: Unless extended by ordinance, this Ordinance shall expire by limitation
14 on January 1, 2018.

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

23 SECTION 7: Whenever in this ordinance any act is prohibited or is made or declared
24 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
25 required or the failure to do any act is made or declared to be unlawful or an offense or a
26 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
27 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
28 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such

1 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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

5 PASSED, ADOPTED and APPROVED this _____ day of _____, 2011.

6 APPROVED:

7
8 By _____
CAROLYN G. GOODMAN, Mayor

9 ATTEST:

10 _____
11 BEVERLY K. BRIDGES, MMC
City Clerk

12 APPROVED AS TO FORM:

13 Val Steed 10-26-11
14 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2011, 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 _____, 2011, 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
14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk
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