

1 **BILL NO. 2012-12**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO UPDATE VARIOUS PROVISIONS OF THE MUNICIPAL CODE
4 RELATING TO THE STOPPING, STANDING, PARKING AND LOADING OF VEHICLES, AND
TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Mayor Carolyn G. Goodman Summary: Updates various provisions of the
6 Municipal Code relating to the stopping,
standing, parking and loading of vehicles.

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

9 SECTION 1: Title 11, Chapter 2, of the Municipal Code of the City of Las Vegas,
10 Nevada 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 100,
11 reading as follows:

12 **11.02.100:** "Code enforcement authority" means any department or function of the City assigned
13 to the enforcement of the nuisance ordinances or zoning ordinances of the City.

14 SECTION 2: Title 11, Chapter 4, of the Municipal Code of the City of Las Vegas,
15 Nevada 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 25,
16 reading as follows:

17 **11.04.025:** The City Traffic Engineer may delegate or assign to another department, division,
18 function or officer or employee of the City any power or duty that:

- 19 (A) Is assigned to the City Traffic Engineer under this Title; and
20 (B) Relates to the stopping, standing, parking or loading of vehicles.

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

23 **11.10.010:** (A) It is a civil infraction, for which both the registered owner and the operator of
24 a vehicle are liable, for such vehicle to be parked or found in violation of any of the parking laws
25 which are set forth in this Title.

26 (B) Nothing in this Title shall prohibit the parking of a vehicle, consistent with
27 public safety, by a physically handicapped person, a disabled veteran or a person transporting a
28 physically handicapped person or disabled veteran in compliance with NRS 484.407.

1 (C) Definitions. For purposes of the provisions of this Title[,] that pertain to the
2 parking, stopping, standing or loading of vehicles, unless otherwise indicated:

3 (1) "Operator" means and includes every individual who operates a vehicle
4 as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical
5 control of a vehicle.

6 (2) "Park" or "parking" means the standing, stopping or halting of a vehicle,
7 whether occupied or not, upon a street, including temporarily for the purpose of, and while engaged
8 in, receiving or discharging passengers or loading or unloading freight, cargo, merchandise or other
9 goods, but not including in obedience to traffic regulations, signs or signals or an involuntary stopping
10 of the vehicle by reason of causes beyond the control of the operator of the vehicle.

11 (3) "Parking meter" means and includes any mechanical device or meter
12 not inconsistent with this Title placed or erected for the regulation of parking by authority of this Title.
13 Each parking meter installed shall indicate by proper legend the legal parking time established by the
14 City and when operated shall at all times indicate the balance of legal parking time, and at the
15 expiration of such period shall indicate illegal or overtime parking.

16 (4) "Parking meter space" means any space within a parking meter zone,
17 adjacent to a parking meter and which is duly designated for the parking of a single vehicle between
18 parking meters, between a parking meter and a prohibited or restricted parking area or area so
19 designated by line painted or otherwise durably marked on the curb or on the surface of the street
20 adjacent to or adjoining the parking meters.

21 (5) "Parking meter zone"[means and] includes any [restricted] street upon
22 which parking meters are installed and in operation[.], as well as any City-owned parking lot.

23 (6) "Street" means any public street, avenue, road, alley, highway, lane, path
24 or other public place located in the City and established for the [use of vehicles.] conveyance of
25 vehicular traffic.

26 (7) "Vehicle" means any device in, upon or by which any person or property
27 is or may be transported upon a highway, except a device which is operated upon rails or tracks.

28 SECTION 4: Title 11, Chapter 10, Section 30, of the Municipal Code of the City of

1 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

2 **11.10.030:** (A) A Notice of Infraction issued under this Chapter must contain the following
3 information:

4 (1) The state and license number and the make of the vehicle which is
5 parked in violation of the provisions of this Code;

6 (2) The location at which the violation occurred;

7 (3) The date and time of the violation;

8 (4) The number of the applicable parking meter, if the vehicle is violating
9 a parking regulation respecting the use of parking meters, as provided for in Chapter 11.54;

10 (5) The name of the person who issues the Notice of Infraction;

11 (6) The section of this Code which allegedly is being violated;

12 (7) The names of the operator and/or the registered owner of the vehicle,
13 if they are known to the person who issues the Notice of Infraction;

14 (8) Information which advises of the manner in which, and the time within
15 which, the Notice of Infraction must be answered;

16 (9) [Any other reasonable information which is prescribed by the
17 Department of Detention and Enforcement or Department of Business Activity.] Such other
18 information as the Parking Division of the Department of Economic and Urban Development may
19 prescribe.

20 (B) No error concerning or omission of any of the above-described information is
21 not grounds for the dismissal of an action relating to a Notice of Infraction unless the person
22 requesting such a disposition demonstrates substantial prejudice therefrom by a preponderance of the
23 evidence.

24 (C) Where the Notice of Infraction data is entered into and stored in a computer or
25 similar device, any printout or other output readable by sight which accurately reflects such data is an
26 “original” Notice of Infraction for purposes of this Chapter. Any such recording which is moved or
27 copied into another computer or similar device and is intended to have the same effect by the issuing
28 officer is also an “original” Notice of Infraction for purposes of this Chapter.

1 (D) Any Notice of Infraction issued pursuant to this Chapter, shall constitute a
2 declaration which is subject to the penalty of perjury.

3 SECTION 5: Title 11, Chapter 10, Section 40, of the Municipal Code of the City of
4 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

5 **11.10.040:** The Notice of Infraction may be issued by any peace officer or by any [person who is
6 authorized to do so by the Director of the Department of Detention and Enforcement.] officer of the
7 unit of the Department of Economic and Urban Development assigned to parking enforcement.

8 SECTION 6: Title 11, Chapter 10, Section 50, of the Municipal Code of the City of
9 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

10 **11.10.050:** An original Notice of Infraction, or a facsimile thereof, must be filed with and retained
11 by the Parking Division of the Department of [Finance and Business Services and retained by that
12 Department] Economic and Urban Development and is deemed to be a public record of matters which
13 are observed pursuant to a duty which is imposed by law and is prima facie evidence of the facts
14 which are alleged therein. An original or duplicate of the Notice of Infraction must be served on the
15 person to whom it is issued as provided in Section 11.10.060.

16 SECTION 7: Title 11, Chapter 10, Section 80, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **11.10.080:** (A) The owner or operator of a vehicle concerning which a Notice of Infraction has
19 been issued and served in accordance with this Chapter must:

20 (1) "Admit" responsibility for the commission of the infraction and liability
21 for the penalty imposed and pay the appropriate civil fine and penalty;

22 (2) Contact the [Director of Finance and Business Services, or his
23 authorized designee,] Parking Division of the Department of Economic and Urban Development,
24 "admit" responsibility and liability for the commission of the infraction and any penalties thereon and
25 arrange a schedule for the payment of such fines and penalties; or

26 (3) Request a binding hearing, as provided for in Subsections (B) to (J),
27 inclusive, of this Section in order to disclaim responsibility as the owner or operator, or to dispute the
28 propriety of the issuance of the Notice of Infraction and any penalties related thereto.

1 (B) A person may initiate a hearing pursuant to Paragraph (3) of Subsection (A) of
2 this Section by personally contacting the [Director of Finance and Business Services, or his authorized
3 designee,] Parking Division of the Department of Economic and Urban Development, identifying
4 his/her name, current address and the Notice(s) of Infraction(s) and penalties thereon which such
5 person wishes to subject to such hearing, and receiving a date for such hearing. Any person initiating
6 such a hearing in this manner (the “defendant”) shall be bound by the decision of the Hearing Officer
7 concerning liability for the infraction(s) and responsibility for the penalties thereon. If any defendant
8 scheduling a hearing before the Hearing Officer fails to appear at such hearing without having first
9 sought and obtained a continuance of such hearing, the Hearing Officer may enter a decision against
10 the defendant for the full amount of fines and penalties scheduled to be reviewed. In connection with
11 the request for a hearing, the defendant must acknowledge the binding nature of the hearing and the
12 Hearing Officer’s authority in the event the defendant fails to appear at a hearing. The
13 acknowledgment shall be in substantially the following form:

14 I _____, hereby request a binding hearing before the Hearing
15 Officer. My address is _____. I request that this hearing involve
16 Notice(s) of Infraction(s) Number _____. I understand that the Hearing Officer is an
17 attorney and not an elected or appointed judge.

18 I understand that I am bound by the decision of the Hearing Officer. I understand that
19 if I fail to appear for the scheduled hearing before the Hearing Officer without first obtaining
20 a continuance of such hearing, the Hearing Officer may enter a decision against me for the full
21 amount and penalties scheduled to be reviewed. I understand and agree that if necessary due
22 to my lack of timely payment, the City of Las Vegas can and will use this binding decision to
23 have a formal civil judgment entered against me in the Las Vegas Municipal Court.

24 I understand that if a civil judgment is obtained, the City may seek and obtain a writ
25 of execution against me. I understand that if a writ of execution is obtained, my wages and/or
26 bank accounts may be garnished, liens may be put on my property and my vehicle(s) may be
27 towed or immobilized. I also understand that my vehicle(s) may be immobilized without a
28 writ of execution if:

1 1. I accumulate more than \$500.00 in unpaid civil fines, judgments and penalties
2 for parking violations, or

3 2. At least five Notices of Infraction have been issued and served with respect to
4 vehicles I own and have not been responded to within the time set forth in LVMC 11.10.090.

5 Knowing all of the above, I still wish to request a binding hearing before the Hearing
6 Officer on the above-described Notice(s) of Infraction(s). I hereby acknowledge the above and
7 further acknowledge that at my request a hearing has been set for _____, 20____
8 at the hour of ____ m.

9 _____
10 Defendant

11 (C) Any hearing conducted pursuant to Subsection (A), Paragraph (3) and
12 Subsection (B) of this Section shall be presided over by a Hearing Officer who shall be an attorney
13 licensed to practice law in the State of Nevada.

14 (D) With respect to any hearing conducted pursuant to Subsection (A), Paragraph
15 (3) and Subsection (B) of this Section, a properly filed Notice of Infraction shall constitute a claim of
16 liability and a claim for relief and no other such claim shall be required. Prima facie proof of the
17 violation alleged shall be established by the City providing the Hearing Officer with either a certified
18 copy of the Notice of Infraction or the data stored in a computer or other device as described in
19 Subsection (B) of Section 11.10.030. No formal appearance by the City Attorney's office is required.
20 The hearings and dispositions of all such actions shall be informal, with the Hearing Officer receiving
21 witness statements or testimony and other evidence for the sole purpose of dispensing fair and speedy
22 justice between the parties.

23 (E) The burden of proving any defense shall be upon the person raising such
24 defense.

25 (F) If the Hearing Officer finds that the infraction did not occur or that an infraction
26 was committed, but one or more of the defenses set forth below is applicable, the Hearing Officer shall
27 enter his decision for the defendant. Such a decision shall release the registered owner and/or operator
28 from all liability thereunder. Such defenses include, but are not limited to:

1 (1) At the time of the receipt of the notice, possession of the subject vehicle
2 had been acquired by another in violation of the laws of the State of Nevada;

3 (2) If the notice alleges a violation of any ordinance pertaining to a meter,
4 such meter was mechanically malfunctioning to the extent that its reliability was questionable;

5 (3) Compliance with the subject ordinances would have presented an
6 imminent danger to persons or property;

7 (4) The area of the alleged violation was so inadequately marked or lit as
8 to fail to give sufficient notice that access to the area was restricted or prohibited;

9 (5) A mechanical malfunction of the vehicle caused it to be parked in the
10 area alleged and it was removed as soon as could be reasonably expected thereafter;

11 (6) At the time of the issuance of the Notice of Infraction, the vehicle was
12 parked consistent with public safety, by a physically handicapped person, a disabled veteran or a
13 person transporting a physically handicapped person or disabled veteran in compliance with NRS
14 484.407.

15 (G) Except as provided in Subsection (H) of this Section, the defendant shall pay
16 the total civil fines and penalties forthwith or at such times and on such conditions as the Hearing
17 Officer shall prescribe if it is found that the person has either failed to appear or otherwise defend
18 against the issuance of the infraction as agreed or that the infraction has been committed and no
19 applicable defense exists. It is the defendant's burden to establish by a preponderance of the evidence
20 that, through no fault of himself or his agent, he failed to receive notice of the issuance of the Notice
21 of Infraction as provided in this Chapter. If the defendant meets this burden, he is not liable for any
22 civil penalties which would otherwise apply and such penalties shall not be included in any decision
23 against the defendant.

24 (H) Upon request and proper proof, the Hearing Officer may reduce his or her
25 decision concerning liability by up to twenty-five percent of the original amount found due in
26 consideration of the timely payment of the prior balance if satisfied by the defendant that a
27 preponderance of the evidence shows that the defendant has become indigent and will be unable to
28 pay the balance.

1 (I) Upon reaching a decision, the Hearing Officer shall, as soon as practicable
2 thereafter, file a written decision substantially conforming to the following form:

3 City of Las Vegas, Clark County, Nevada, City of Las Vegas, Plaintiff v. _____,
4 Defendant. Before, _____, Hearing Officer for the City of Las Vegas, Clark
5 County, Nevada, decision is entered in favor of _____, (plaintiff or defendant) for
6 \$ _____ (enter \$0.00 if judgment is for the defendant), on the ____ day of _____,
7 20____. I certify that the foregoing is a correct reflection of the decision entered in the action
8 properly brought for my consideration pursuant to Section 11.10.080.

9 _____
10 Hearing Officer

11 (J) The City Attorney may petition the Las Vegas Municipal Court for the entry
12 of a civil judgment against the defendant in an amount equal to that stated in the written decision of
13 the Hearing Officer if the City Attorney determines this action to be necessary to enforce such
14 decision. Service of such petition on the defendant must be made by certified mail, return receipt
15 requested, restricted delivery, addressed to the registered owner of the vehicle at his last known
16 address, as indicated by the vehicle registration which is maintained by the Nevada Department of
17 Motor Vehicles or in any other manner which is authorized by law. An affidavit or declaration of
18 mailing, a signed, returned receipt, or other evidence of service shall be filed upon such service of the
19 petition. Once a petition for civil judgment pursuant to this Subsection (J) has been filed with the
20 Municipal Court, the assigned judge has jurisdiction to grant or deny the relief prayed for therein.

21 SECTION 8: Title 11, Chapter 24, Section 30, of the Municipal Code of the City of
22 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

23 **11.24.030:** Any officer of the Metropolitan Police Department, [or any officer of] the Department
24 of Detention and Enforcement, or the unit of the Department of Economic and Urban Development
25 assigned to parking enforcement who has reasonable grounds to believe that a vehicle has been
26 abandoned or has been parked in violation of LVMC 11.24.010 may affix a Notice of Infraction to the
27 vehicle. An authorized employee of the [Department of Neighborhood Services] code enforcement
28 authority who has reasonable grounds to believe that a vehicle has been abandoned or parked on

1 private property in violation of LVMC 11.24.020 may affix a Notice of Infraction to the vehicle. The
2 officer or employee may also affix a warning notice advising that the vehicle is subject to tow because
3 it is in violation, and may mark one or more tires of the vehicle to indicate the current date. Subject
4 to the provisions of NRS Chapters 484B and 487, [Any] any such officer or employee is authorized
5 to immediately remove or have such vehicle removed from any street, highway, public thoroughfare,
6 public or private property, for the purpose of storage or disposition, to any garage within the City as
7 designated by the officer or employee if the vehicle:

8 (A) Has not been removed within seventy-two hours after the warning notice is
9 affixed.

10 (B) Has been parked for more than twenty-four hours while in violation of a parking
11 prohibition, restriction or time limitation.

12 (C) Is parked at a location or in a manner so as to constitute a traffic hazard or an
13 obstruction to the normal movement of traffic or pedestrians.

14 (D) Is parked within a fire lane, whether on public or private property, which has
15 been designated and posted as such pursuant to Section 503.3 of the International Fire Code, as
16 adopted by the City.

17 (E) Is parked within fifteen feet of a fire hydrant located on either public or private
18 property, whether or not:

19 (1) A sign has been posted to indicate "No Parking"; or

20 (2) The adjacent curb or road surface has been painted red.

21 (F) Has obviously been abandoned upon a street, highway, public thoroughfare or
22 on public property.

23 (G) Has been abandoned or parked in violation of LVMC 11.24.020, and has not
24 been removed within seventy-two hours after a warning notice has been affixed.

25 (H) Is parked upon a street, highway, public thoroughfare or public property and
26 is so disabled or in such a state of disrepair that its normal operation is impossible or impractical.

27 (I) Is parked upon a street, highway, public thoroughfare or public property and
28 displays no valid registration permit or license plate issued for that vehicle by the Nevada Department

1 of Motor Vehicles [for that vehicle.] or by another state or nation.

2 (J) Is parked on private property to which the public has access and has been
3 damaged or is in such a state of disrepair as to constitute an imminent hazard to the public.

4 SECTION 9: Title 11, Chapter 52, Section 90, of the Municipal Code of the City of
5 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

6 **11.52.090:** The City Traffic Engineer is authorized to issue special permits to permit the backing
7 of a vehicle to the curb or building in alleys for the purposes of loading or unloading merchandise or
8 materials subject to the terms and conditions of such permit. Such permits may be issued either to the
9 owner or lessee of real property or to the owner of the vehicle and shall grant to such person the
10 privilege as therein stated and authorized herein. The City Traffic Engineer shall immediately provide
11 notice to the Department of Detention and Enforcement, and to the Parking Division of the
12 Department of Economic and Urban Development of the issuance of a permit under this Section, [by
13 causing a copy thereof to be forwarded to such Department.]

14 SECTION 10: Title 11, Chapter 54, Section 20, of the Municipal Code of the City of
15 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

16 **11.54.020:** Those streets or portions of streets or areas described in Schedule 3-I, a copy of which
17 is to be maintained for public inspection in the offices of the City Clerk and City Traffic Engineer, and
18 such other streets, [or] portions of streets or other areas as may be added to said Schedule by written
19 finding of the City Traffic Engineer shall constitute a parking meter zone. [All frontages on such
20 streets or areas in said zones are to be included therein.]

21 SECTION 11: Title 11, Chapter 54, Section 30, of the Municipal Code of the City of
22 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

23 **11.54.030:** The placement or removal of parking meters on those streets, [and parts of streets]
24 portions of streets and other areas identified in LVMC 11.54.020[,] shall be done by written finding
25 of the City Traffic Engineer approving such placement or removal.

26 SECTION 12: Title 11, Chapter 54, Section 50, of the Municipal Code of the City of
27 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

28 **11.54.050:** In parking meter zones, the Traffic Engineer shall cause parking meters to be installed

1 at the appropriate locations so as to control the metered parking spaces established under this Chapter.
2 The [Department of Detention and Enforcement] Parking Division of the Department of Economic
3 and Urban Development shall be responsible for the enforcement, installation, operation, maintenance
4 and use of parking meters. Each device shall be so set as to display a signal showing legal parking
5 for the period of time established under this Chapter, upon the deposit of the appropriate coin in lawful
6 money of the United States of America or upon the activation of an approved debit or credit payment.
7 Each device shall be so arranged so that upon the expiration of the lawful time it will indicate by a
8 proper visible signal that the lawful parking period has expired, and in such cases the right of the
9 vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall
10 be subject to the penalties provided in this Title.

11 SECTION 13: Title 11, Chapter 54, Section 170, of the Municipal Code of the City of
12 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

13 **11.54.170:** It shall be the duty of the [Department of Detention and Enforcement] Parking Division
14 of the Department of Economic and Urban Development to designate some employee or employees,
15 [of that Department,] who shall be bonded, to make regular collections of the money deposited in said
16 meters and it shall be the duty of such employees so designated to remove the coins so deposited in
17 the meters and deliver the same to the Director of Finance who shall count the funds contained therein
18 and deposit such funds with the Treasurer.

19 SECTION 14: Title 11, Chapter 54, Section 210, of the Municipal Code of the City of
20 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

21 **11.54.210:** Notices of Infractions whose issuance is based upon a malfunctioning parking meter
22 or is otherwise in error may be referred [by the issuing agency to the Parking Citations and Hearing
23 Office] to the Parking Division of the Department of Economic and Urban Development for formal
24 withdrawal of the Notice of Infraction and any [Complaint and/or Summons or Affidavit of Complaint
25 and Order previously filed] enforcement-related documents previously processed.

26 SECTION 15: Title 11, Chapter 54, Section 230, of the Municipal Code of the City of
27 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

28 **11.54.230:** The [Director of Detention and Enforcement, or the Director(s) designee,] Parking

1 Division of the Department of Economic and Urban Development may issue to a person, company,
2 contractor or agency, upon application therefor, a parking space occupancy permit authorizing the
3 occupancy of one or more metered parking spaces for extended periods of time in order to provide
4 supplies, materials, or services, on a temporary basis, in the immediate area of the parking spaces.
5 Issuance of such an occupancy permit shall be in the discretion of the [Director or the Director's
6 designee.]Parking Division of the Department of Economic and Urban Development. In connection
7 with the issuance of an occupancy permit, the City is authorized to charge an occupancy permit fee,
8 which shall be paid by the applicant before any permit is issued or space reserved for the applicant.
9 The amount of the occupancy permit fee shall be determined by the [Director]Parking Division of the
10 Department of Economic and Urban Development and shall be in an amount that represents the sum
11 of:

12 (A) The maximum parking meter revenue otherwise collectible for parking a vehicle
13 or vehicles, for the period of time requested, in the metered parking spaces to be occupied under the
14 occupancy permit; and

15 (B) An amount representing the costs of processing the application and occupancy
16 permit.

17 SECTION 16: Title 10, Chapter 78, Section 40, of the Municipal Code of the City of
18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **10.78.040:** (A) The following [Members of the Las Vegas Metropolitan Police Department,
20 the Department of Neighborhood Services, and the Department of Detention and Enforcement] are
21 authorized to remove or cause to be removed, to a designated garage or storage area, any motor vehicle
22 which is being displayed in violation of this Chapter if the vehicle has not been removed, or
23 compliance with this Chapter achieved, within twenty-four hours after a written notice to remove is
24 attached to the vehicle[.]:

25 (1) Officers of the Las Vegas Metropolitan Police Department;

26 (2) Officers of the Department of Detention and Enforcement;

27 (3) Parking enforcement officers assigned to the Department of Economic
28 and Urban Development; and

1 (4) Employees of the Department of Building and Safety who are assigned
2 responsibility for code enforcement.

3 (B) The costs of vehicle removal and storage pursuant to Subsection (A) shall be
4 borne by the owner or operator of the vehicle.

5 SECTION 17: Title 13, Chapter 4, Section 70, of the Municipal Code of the City of
6 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **13.04.070:** (A) It is unlawful for any person to sell or to display for the purpose of sale any
8 motor vehicle or merchandise on or within any unimproved portion of a public right-of-way. For
9 purposes of this Section, “merchandise” means goods or wares, including, but not limited to, produce,
10 nursery stock, ceramics and other similar items. A violation of this Subsection (A) may be enforced
11 either by means of a criminal proceeding or as a civil violation under LVMC Chapter 11.10.

12 (B) Members of the Las Vegas Metropolitan Police Department and designated
13 officers of the Department of Detention and Enforcement and the Department of Economic and Urban
14 Development are authorized to remove or cause to be removed, to a designated garage or storage area,
15 any motor vehicle which is being displayed in violation of this Section if the vehicle has not been
16 removed within seventy-two hours after a written notice to remove is attached to the vehicle. The
17 costs of removal and storage shall be borne by the owner or operator of the vehicle.

18 (C) Nothing in this Section shall be deemed to authorize any sale or display on any
19 improved portion of a public right-of-way except that which is otherwise expressly permitted by this
20 Code.

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

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SECTION 19: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this ____ day of _____, 2012.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:
Val Steed 1-31-12
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2012, 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 _____, 2012, 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:

13

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By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

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17

BEVERLY K. BRIDGES, MMC
City Clerk

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