

1 **FIRST AMENDMENT**

2 **BILL NO. 2011-19**

3 **ORDINANCE NO. 6149**

4 AN ORDINANCE TO EXPAND AND CLARIFY THE APPLICABILITY OF CERTAIN
5 PARKING-RELATED PROHIBITIONS RELATING TO CITY-OWNED PARKING LOTS,
6 CITY-OWNED PARKING GARAGES, AND PUBLIC RIGHTS-OF-WAY, AND TO PROVIDE
7 FOR OTHER RELATED MATTERS.

8 Sponsored by: Councilman Gary Reese

9 Summary: Expands and clarifies the
10 applicability of certain parking-related
11 prohibitions relating to City-owned parking lots,
12 City-owned parking garages, and public rights-
13 of-way.

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

16 SECTION 1: Title 11, Chapter 2, of the Municipal Code of the City of Las Vegas,
17 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 90,
18 reading as follows:

19 **11.02.090:** "City-owned parking lot" or "City-owned lot" includes a parking lot or parking
20 structure which the City operates or maintains, or in which the City enforces the provisions of this
21 Title.

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

24 **11.10.180:** (A) Except as provided in Subsection (B) of this Section, for other parking
25 infractions of the provisions of this Code, the civil fine is twenty dollars.

26 (B) For abandoning or for stopping, standing or parking a vehicle [on any City
27 highway, street or thoroughfare] in violation of LVMC 11.24.010 or 11.52.305, [respectively,] the
28 civil fine is seventy-five dollars, plus any towing and storage fees which may be assessed in
connection with the removal of the vehicle pursuant to this Title.

SECTION 3: Title 11, Chapter 24, Section 10, of the Municipal Code of the City of
Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.24.010: (A) It is unlawful to do any of the following upon any highway, street or other

1 public thoroughfare within the City:

2 [(A)] (1) Abandon a vehicle;

3 [(B)] (2) Park a vehicle which does not display thereon a valid registration permit
4 or license plate issued [by the Nevada Department of Motor Vehicles] for that vehicle[;] by the
5 Nevada Department of Motor Vehicles or by another state or nation;

6 [(C)] (3) Allow a vehicle to remain positioned:

7 [(1)] (a) On the same highway, street or other public right-of-way
8 adjacent to the same parcel or property line for more than seventy-two consecutive hours;

9 [(2)] (b) On the same highway, street or other public right-of-way
10 adjacent to the same parcel or property line for more than seventy-two hours of any consecutive
11 ninety-six-hour period;

12 [(3)] (c) On adjoining highways, streets or other public rights-of-way
13 adjacent to the same parcel or property line for more than seventy-two hours of any consecutive
14 ninety-six-hour period;

15 [(D)] (4) Park a vehicle and cause it to be suspended on jacks or any other lifting
16 device, except as and to the extent reasonably necessary to change a tire or effect an immediate repair;
17 or

18 [(E)] (5) Park a vehicle and engage in mechanical repairs thereon, except as and
19 to the extent reasonably necessary to effect an immediate emergency repair.

20 [(B)] It is unlawful to do any of the following upon or within any City-owned parking
21 lot or parking garage within the City:

22 (1) Abandon a vehicle;

23 (2) Park a vehicle which does not display thereon a valid registration permit
24 or license plate issued for that vehicle by the Nevada Department of Motor Vehicles or by another
25 state or nation;

26 (3) Park a vehicle and cause it to be suspended on jacks or any other lifting
27 device, except as and to the extent reasonably necessary to change a tire or effect an immediate repair;

28 or

1 (4) Park a vehicle and engage in mechanical repairs thereon, except as and
2 to the extent reasonably necessary to effect an immediate emergency repair.

3 SECTION 4: Title 11, Chapter 24, Section 30, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **11.24.030:** Any officer of the Metropolitan Police Department or any officer of the Department
6 of Detention and Enforcement who has reasonable grounds to believe that a vehicle has been
7 abandoned or has been parked [in the same location] in violation of LVMC 11.24.010 may affix a
8 Notice of Infraction to the vehicle. An authorized employee of the Department of Neighborhood
9 Services who has reasonable grounds to believe that a vehicle has been abandoned or parked on
10 private property in violation of LVMC 11.24.020 may affix a Notice of Infraction to the vehicle. The
11 officer or employee may also affix a warning notice advising that the vehicle is subject to tow because
12 it is in violation, and may mark one or more tires of the vehicle to indicate the current date. Any such
13 officer or employee is authorized to immediately remove or have such vehicle removed from any
14 street, highway, public thoroughfare, public or private property, for the purpose of storage or
15 disposition, to any garage within the City as designated by the officer if the vehicle:

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

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

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

22 (D) Is parked within a fire lane, whether on public or private property, which has
23 been designated and posted as such pursuant to [Sections 901 and 902 of the] Section 503.3 of the
24 International Fire Code, as adopted by the City.

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

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

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

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

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

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

7 (I) Is parked upon a street, highway, public thoroughfare or public property and
8 displays no valid registration permit or license plate issued by the Nevada Department of Motor
9 Vehicles for that vehicle.

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

12 SECTION 5: Title 11, Chapter 52, of the Municipal Code of the City of Las Vegas,
13 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 315,
14 reading as follows:

15 **11.52.315:** The City Manager or his designee is authorized to cause individual parking spaces
16 within City-owned parking lots or parking garages to be marked, either by means of painted lines or
17 other durable markings. Where such parking spaces have been so marked, it is unlawful to park any
18 vehicle:

19 (A) In such a way that the vehicle is not entirely within the limits of a single space
20 so designated; or

21 (B) In an area not marked as a parking space.

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

24 **13.04.070:** (A) It is unlawful for any person to:

25 (1) Sell [sell] or to display for the purpose of sale any motor vehicle or
26 merchandise on or within any unimproved portion of a public right-of-way. For purposes of this
27 [Section,] Subsection, "merchandise" means goods or wares, including, but not limited to, produce,
28 nursery stock, ceramics and other similar items.

1 (2) Park a vehicle upon any public right-of-way, whether improved or
2 unimproved, for the principal purpose of displaying the vehicle for sale.

3 ➡ A violation of this Subsection (A) may be enforced either by means of a criminal proceeding or as
4 a civil violation under LVMC Chapter 11.10.

5 (B) Members of the Las Vegas Metropolitan Police Department and designated
6 officers of the Department of Detention and Enforcement are authorized to remove or cause to be
7 removed, to a designated garage or storage area, any motor vehicle which is being displayed in
8 violation of this Section if the vehicle has not been removed within seventy-two hours after a written
9 notice to remove is attached to the vehicle. The costs of removal and storage shall be borne by the
10 owner of the vehicle.

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

14 SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or
15 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
16 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
17 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
18 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
19 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
20 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
21 invalid or ineffective.

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SECTION 8: 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 4TH day of May, 2011.

APPROVED:

By 
OSCAR B. GOODMAN, Mayor

ATTEST:


BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 5-4-11
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 6th day of April, 2011, and referred to a committee for recommendation; thereafter
3 the said committee reported favorably on said ordinance on the 4th day of May, 2011,
4 which was a regular meeting of said Council; that at said regular meeting, the proposed
5 ordinance was read by title to the City Council as amended and adopted by the following
6 vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Wolfson, Tarkanian,
8 Ross, Anthony

8 VOTING "NAY": None

9 EXCUSED: Councilmember Barlow

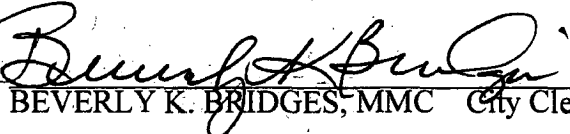
10 ABSTAINED: None

11 DID NOT VOTE: None

12 APPROVED:

13
14 
15 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 
17 BEVERLY K. BRIDGES, MMC City Clerk

AFFIDAVIT DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 7172850

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/07/2011 to 05/07/2011, on the following days:

05/07/2011

FIRST AMENDMENT
BILL NO. 2011-19
ORDINANCE NO. 6149

AN ORDINANCE TO EXPAND AND CLARIFY THE APPLICABILITY OF CERTAIN PARKING-RELATED PROHIBITIONS RELATING TO CITY-OWNED PARKING LOTS, CITY OWNED PARKING GARAGES, AND PUBLIC RIGHTS-OF-WAY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese
Summary: Expands and clarifies the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of April 2011 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 4th day of May 2011, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Wolfson, Tarkanian, Ross, and Anthony
VOTING "NAY": NONE
EXCUSED: Councilman Barlow

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: May 7, 2011
LV Review-Journal

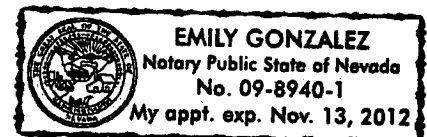
2011 MAY 17 P 1:55

RECEIVED
CITY CLERK

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
7th day of May, 2011.

Emily Gonzalez
Notary Public



AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2011 MAY -3 A 11: 1!

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 7132186

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/21/2011 to 04/21/2011, on the following days:

04/21/2011

BILL NO. 2011-19

AN ORDINANCE TO EXPAND AND CLARIFY THE APPLICABILITY OF CERTAIN PARKING-RELATED PROHIBITIONS RELATING TO CITY-OWNED PARKING LOTS, CITY OWNED PARKING GARAGES, AND PUBLIC RIGHTS-OF-WAY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese
 Summary: Expands and clarifies the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way.

At the City Council meeting of APRIL 6, 2011
 BILL NO. 2011-19 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA
 PUB: April 21, 2011
 LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
21st day of April, 2011.

Emily Gonzalez
Notary Public

