

ORDINANCE NO. 377

AN ORDINANCE REGULATING SPECIAL POLICE OFFICERS AND PRIVATE PATROLS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COMMISSIONS FOR THE SAME; PROHIBITING THE WEARING OF BADGES AND EMBLEMS EXCEPT BY DULY COMMISSIONED PEACE OFFICERS; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND OTHER MATTERS PROPERLY RELATED THERETO.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. For the purposes of this ordinance, the following words and phrases are defined, and shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning:

(a) "Board" shall mean the Board of Commissioners of the City of Las Vegas.

(b) "Official Police Officer's Badge" shall mean a badge of the size, type and design as used by the regular police force of the City of Las Vegas.

(c) "Private Patrol" shall mean any person carrying on the business or occupation of night watchman, night watch service, private policeman or any other occupation the purpose of which is to afford additional police or fire protection for hire or reward.

(d) "Special Police Officer's Badge" shall mean a badge of the size, type and design as designated by the Chief of Police of the City of Las Vegas for the use of persons commissioned by the Chief of Police to act as Special Police Officers as hereinafter provided. Such badge shall have enameled on the face thereof "Special" in addition to any other words or device and shall so differ in shape and design from the official police officers' badge as to be, when displayed or worn, readily distinguishable therefrom. All such badges shall be consecutively numbered and the number shall appear on the face of each such badge.

(e) "Special Police Officer" shall include any individual acting as a peace officer or a member of a private patrol, club guard, bank guard, or an owner of a private patrol who actively engages in policing duties, night watchman, other than a regular police officer of the City of Las Vegas.

(f) "Regular Police Officers" shall mean all regular police officer members of the Police Department of the City and sworn in as provided by law to perform the duties of peace officer and not retired from active duty, suspended or discharged; under whatever designation they may be elsewhere described.

Section 2. Every person who shall seek a commission to act as a Special Police Officer shall make application to the Chief of Police of the City of Las Vegas on regulation forms.

CITY
CLERK'S
FILE

as prescribed by the Chief of Police, which application must contain the following:

- (a) The name and address of the person to whom the commission is to be issued.
- (b) The duties of the person who requires the issuance of said commission.
- (c) A description, two passport size photos, signature and fingerprint of the person to whom the commission is to be issued;
- (d) The name and address and signed request of the employer of the applicant showing the necessity for the issuance of said commission.

The Chief of Police must first satisfy himself that the granting of said commission will be conducive to the public welfare and safety, and for this purpose the Chief of Police may consider any facts or evidence bearing on the moral fitness and reputation of those seeking said commission, and any other facts or evidence tending to enlighten said Chief of Police in this respect.

Section 3. Private patrols may be established upon proper application to the Chief of Police under the following conditions:

- (a) **PERMIT REQUIRED.** No person shall manage, conduct or carry on the business of a private patrol, unless under and by authority of a written permit from the Chief of Police, and upon payment of any fees as prescribed by this ordinance or any other ordinance of the City of Las Vegas.
- (b) **APPLICATION FOR PERMIT.** Permits required by the preceding subsection may be issued by said Chief of Police upon the written application of any person, provided, that the Chief of Police must first satisfy himself that the management, conduct and carrying on of such private patrol will be conducive to the public welfare and safety, and for this purpose the Chief of Police may consider any facts or evidence bearing on the moral fitness and reputation of those who will be in charge of said private patrol, and any other facts or evidence tending to enlighten said Chief of Police in this respect. Said application for a permit must contain the following:
 - (1) The name and address of the person to whom the permit is to be issued.
 - (2) The duties of the person who requires the issuance of said permit.
 - (3) A description, two passport size photos, signature and fingerprint of the person to whom the permit is to be issued;
- (c) **PERMIT SUSPENSION.** Any permit to manage, conduct or carry on a private patrol may be temporarily suspended by a written order signed by the Chief of Police.
- (d) **REVOCAION OF PERMITS.** When the Chief of Police shall have issued any permit under the terms of subsection (b)

Legal Notices

ORDINANCE NO. 377
AN ORDINANCE REGULATING SPECIAL POLICE OFFICERS AND PRIVATE PATROLS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COMMISSIONS FOR THE SAME; PROHIBITING THE WEARING OF BADGES AND EMBLEMS EXCEPT BY DULY COMMISSIONED PEACE OFFICERS; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND OTHER MATTERS PROPERLY RELATED THERETO.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. For the purposes of this ordinance, the following words and phrases are defined, and shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning:

(a) "Board" shall mean the Board of Commissioners of the City of Las Vegas.

(b) "Official Police Badge" shall mean a badge of the size, type and design as used by the regular police force of the City of Las Vegas.

(c) "Private Patrol" shall mean any person carrying on the business or occupation of night watchman, night watch service, private policeman or any other occupation the purpose of which is to afford additional police or fire protection for hire or reward.

(d) "Special Police Officer's Badge" shall mean a badge of the size, type and design as designated by the Chief of Police of the City of Las Vegas for the use of persons commissioned by the Chief of Police to act as Special Police Officers as hereinafter provided. Such badge shall have enameled on the face thereof "Special" in addition to any other words or device and shall so differ in shape and design from the official police officers' badge as to be, when displayed or worn, readily distinguishable therefrom. All such badges shall be consecutively numbered and the number shall appear on the face of each such badge.

(e) "Special Police Officer" shall include any individual acting as a peace officer or a member of a private patrol, club guard, bank guard, or a member of a private patrol who actively engages in policing duties, night watchman, other than a regular police officer of the City of Las Vegas.

(f) "Regular Police Officers" shall mean all regular police officer members of the Police Department of the City and sworn in as provided by law to perform the duties of peace officer and not retired from active duty, suspended or discharged; under whatever designation they may be elsewhere described.

Section 2. Every person who shall seek a commission to act as a Special Police Officer shall make application to the Chief of Police of the City of Las Vegas on regulation forms as prescribed by the Chief of Police, which application must contain the following:

(a) The name and address of the person to whom the commission is to be issued.

(b) The duties of the person who requires the issuance of said commission.

(c) A description, two passport size photos, signature and fingerprint of the person to whom the commission is to be issued.

(d) The name and address and signed request of the employer of the applicant showing the necessity for the issuance of said commission.

The Chief of Police must first satisfy himself that the granting of said

AFFADAVIT OF PUBLICATION

STATE OF NEVADA }
COUNTY OF CLARK } ss.

Dick Lohrey

being first duly sworn,

deposes and says: That he is *Jensen* of the LAS VEGAS EVENING REVIEW JOURNAL, a daily newspaper, of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published

in said newspaper for a period of *two weeks*

from *Dec 10th 1948* to *Dec 17th 1948*

inclusive, being the issues of said newspaper for the following dates, to-wit:

Dec 10-17

That said newspaper was regularly issued and circulated on each of the dates above named

Signed

Dick Lohrey

Subscribed and sworn to before me this *17th* day of *December 1948*

W. C. Allan

Notary Public in and for Clark County, Nevada.

My Commission Expires

Jan 12, 1951

commission will be conducive to the public welfare and safety, and for this purpose the Chief of Police may consider any facts or evidence bearing on the moral fitness and reputation of those seeking said commission, and any other facts or evidence tending to enlighten said Chief of Police in their respect.

Section 3. Private patrols may be established upon proper application to the Chief of Police under the following conditions:

(a) **PERMIT REQUIRED.** No person shall manage, conduct or carry on the business of a private patrol, unless under and by authority of a written permit from the Chief of Police, and upon payment of any fees as prescribed by this ordinance or any other ordinance of the City of Las Vegas.

(b) **APPLICATION FOR PERMIT.** Permits required by the preceding subsection may be issued by said Chief of Police upon the written application of any person, provided, that the Chief of Police must first satisfy himself that the management, conduct and carrying on of such private patrol will be conducive to the public welfare and safety, and for this purpose the Chief of Police may consider any facts or evidence bearing on the moral fitness and reputation of those who will be in charge of said private patrol, and any other facts or evidence tending to enlighten said Chief of Police in this respect. Said application for a permit must contain the following:

(1) The name and address of the person to whom the permit is to be issued.

(2) The duties of the person who requires the issuance of said permit.

(3) A description, two passport size photos, signature and fingerprints of the person to whom the permit is to be issued.

(c) **PERMIT SUSPENSION.** Any permit to manage, conduct or carry on a private patrol may be temporarily suspended by a written order signed by the Chief of Police.

(d) **REVOCAION OF PERMITS.** When the Chief of Police shall have issued any permit under the terms of subsection (b) hereof, the same may be revoked at any time thereafter by said Chief of Police, if the said Chief of Police becomes satisfied that the management, conducting or carrying on of such private patrol does not or will not be conducive to the public welfare and safety for any reason, or that said private patrol has been conducted in an illegal or improper manner. The Chief of Police may make rules governing the management, conducting or carrying on of private patrols, and may revoke or suspend permits issued for the management or carrying on of any such occupation when the manager or person in charge thereof violates or permits any infraction of any such rules, or any law of the State of Nevada, or any ordinance of this City, including the provisions of this ordinance, provided, however, that no permit issued under authority of this ordinance for the management, conducting or carrying on of any such private patrol shall be revoked unless a hearing and notice be given the permittee in such manner as the Chief of Police may decide.

(e) **APPEAL.** Upon the suspension or revocation of a permit as herein provided, the permittee may appeal to the Board of Commissioners for a review of the decision of the Chief of Police, and good cause appearing therefor, upon the hearing of said appeal, the Board of Commissioners may overrule the decision of the Chief of Police and reinstate the permit.

(f) **CHANGE OF LOCATION.** The Chief of Police may allow a permittee to change the location of the business office of his private patrol business without requiring a new permit to be obtained, upon the filing of an application for such change of location and the payment of a fee of Five Dollars (\$5.00).

(g) Any owner of a private patrol shall be deemed a Special Police Officer if actively engaged in policing duties.

Section 4. Every person who shall secure a commission as a Special Police Officer or a permit as an owner of a private patrol, shall be required to subscribe to an oath of office to be administered by the Chief of Police of the City of Las Vegas.

Section 5. "Special Police Officer" badges shall be issued by the Chief of Police and only to persons who have secured commissions as Special Police Officer from said Chief of Police and who have paid all fees required therefor by this ordinance or other ordinances of the City of Las Vegas, if so required.

Section 6. Every holder of said Special Police Officers' badge shall comply with the following provisions and regulations:

(a) It shall be the duty of every person to whom a special police officer's badge has been issued to furnish and keep on file with the Chief of Police, a true home address of such person.

(b) It shall be the duty of every person having a Special Police Officer's commission from the Chief of Police to have on his person a special police officer's badge while performing the duties of a special police officer.

(c) Any private patrol, guard, bank guard, night watchman or other person who wears a uniform while performing any of the duties of his position as a Special Police Officer shall wear a special police officer's badge on the outside or front of his uniform so that the same is available at all times while performing such work.

(d) No person shall wear or have in his possession any special police officer's badge unless said badge has been regularly issued to such person in accordance with the provisions of this ordinance.

(e) It shall be the duty of any person after he has severed his employment with any private patrol or who has ceased to perform the duties which require the issuance of a special police officer's badge, to return the Special Police Officer's badge to the Chief of Police.

(f) The Chief of Police shall make a charge of Ten Dollars (\$10.00) for the issuance of every Special Police Officer's badge and for every badge issued to replace a lost badge, which sum shall be considered as rental for the use of said badge, which shall at all times be and remain the property of the City.

(g) The Chief of Police shall also make a charge of Fifteen Dollars (\$15.00) to cover the costs of investigation of any applicant for a commission as a special police officer, or to cover the costs of an investigation of an application for a permit to operate a business of private patrol.

(h) The Chief of Police shall have the power and authority to adopt and prescribe the uniform to be worn by all special police officers, guards, bank guards or other special officers required to wear badges, while performing the duties of such special police officer.

Section 7.
(a) **COMMISSION SUSPENSION.** Any commission granted to any individual as a Special Police Officer may be temporarily suspended by a written order signed by the Chief of Police.

(b) **REVOCAION OF COMMISSION.** When the Chief of Police shall have issued any commission to any individual as a Special Police Officer under the provisions of this ordinance, the same may be revoked at any time thereafter by said Chief of Police, if said Chief of Police becomes satisfied that the issuance of said commission to any individual as a Special Police Officer is not conducive to the public welfare and safety for any reason, or that said commission as a Special Police Officer has been used in an illegal or improper manner. The Chief of Police may revoke or suspend commissions issued to any individual as a Special Police Officer when such individual violates any law of the State of Nevada, or any ordinance of this City, including the provisions of this ordinance.

Section 8. In addition to all other provisions of this ordinance every Special Police Officer shall:

1. Obey the laws of the United States, the State of Nevada, the City of Las Vegas, orders of the courts, and all regulations governing Special Police Officers;

2. Perform the duties of a Special Officer only at the specific location authorized by the Chief of Police, or as assigned by the private patrol employing such Special Police Officer in accordance with the permit issued to such private patrol;

3. Be neat and clean of person and clothing or uniform, and maintain equipment in good order and ready for immediate use;

4. Identify himself as a Special Police Officer and upon request give his name, badge number, and employer's name;

5. Cooperate with every law enforcement agency and give such aid and information as such agency shall be entitled to receive;

6. Furnish the Chief of Police with any and all reports when requested;

7. Upon discharging his firearm or

Friday, December 10, 1948

becoming engaged in physical combat or serious altercation, telephone the headquarters of the police division in which the incident occurred at once, giving a report to the officer in charge, and thereafter, as soon as possible, make a full, written, signed report at a police station:

8. Return his Special Police Officer's badge to the Chief of Police immediately after he has severed his employment with any private patrol, or immediately after he has ceased to perform the duties of a Special Police Officer;

9. At no time conduct himself by word or manner to lead others to believe that he is a regular police officer of the City of Las Vegas.

Section 9. No Special Police Officer shall:

1. Carry a blackjack or other deadly weapon, unless authorized by the Chief of Police, provided, however, that said Special Police Officer may carry a firearm;

2. Perform the duties of a Special Police Officer while under the influence of intoxicants;

3. Partake of intoxicants while on duty as a Special Police Officer or while in uniform though not on duty;

4. Permit anyone to use the commission or badge issued to him;

5. Wear any uniform of a pattern, design, or in the semblance of the uniform duly adopted by the Board of City Commissioners for the use of regular members of the Las Vegas Police Department, or wear any badge or insignia of a pattern or design that may be mistaken for or confounded with the badge or insignia of a regular police officer;

6. Interfere with, or attempt to influence, the lawful business of any person;

7. Loiter around, enter for purposes of patronizing, or patronize any house of ill fame or other place used for prostitution, unlawful use of narcotics or prohibited drugs, or other places where immoral or illegal acts or practices are carried on.

Section 10. No person shall work as a Special Police Officer in the City of Las Vegas, without first having secured a commission from the Chief of Police of the City of Las Vegas, as in this ordinance provided.

Section 11. No person shall manufacture, make, sell, design or transfer any Official Police Officer's Badge or Special Police Officer's Badge without the written authorization of the Chief of Police therefor; such person may deliver such badges only to the Chief of Police, and may manufacture only the number of badges authorized by the Chief of Police. Nothing in this section shall be construed as affecting the manner in which contracts for the purchases of badges by the City shall be let.

Section 12. It shall be unlawful for any person to wilfully wear, exhibit, use or wilfully make, sell, loan, give, or transfer to another any badge, insignia, emblem, device, or any label, certificate, card or writing, which falsely purports to be authorized for the use of one who by law is given the authority of a peace officer, or which so resembles the authorized badge, insignia, emblem, device, label, certificate, card or writing of a peace officer as would deceive an ordinary reasonable person into believing that it is authorized for the use of one who by law is given the authority of a police officer.

Section 13. PENALTY. Any person violating any of the provisions of this ordinance shall, upon conviction thereof be punished by a fine not to exceed Five Hundred Dollars (\$500.00), or by imprisonment in the City Jail not to exceed six (6) months, or by both such fine and imprisonment, or by repeal.

Section 14. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance, be and the same are hereby repealed.

Section 15. The provisions of this ordinance shall be severable, and if any of said provisions, or the application thereof to any person, body or circumstances, shall be held to be invalid or unconstitutional, the remainder of this ordinance, or the application of such provisions to persons, bodies or circumstances other than those as to which it shall have been held invalid or unconstitutional, shall not be affected thereby. It is hereby declared as the intent of the Board of Commissioners that this ordinance would have been adopted had such invalid or unconstitutional provision, or the application thereof to persons, bodies or circumstances as to which it shall have been held invalid and unconstitutional, not been included therein.

Section 16. This ordinance shall be in full force and effect upon its publication, as in the next section provided, and final passage.

Section 17. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its first reading and adoption, in the Las Vegas Evening Review-Journal, a daily newspaper published in the City of Las Vegas.

E. W. CRAGIN, Mayor.

ATTEST:
Shirley Ballinger, City Clerk.
(Seal)

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 5th day of November, 1948, and referred to the following committee composed of Commissioners Clark and Whipple for recommendation; thereafter the said Committee reported favorably on said Ordinance on the 7th day of December, 1948, which was the regular meeting of said Board of Commissioners; that at said regular meeting held on the 7th day of December, 1948, the proposed Ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:
Voting "Aye": Commissioners Baskin, Clark, Moore, Whipple, and His Honor, Mayor Cragin.
Voting "Nay": None.
Absent: None.

APPROVED: E. W. Cragin, Mayor.
ATTEST:
Shirley Ballinger, City Clerk.
(SEAL)
410-17.