

ORDINANCE NO. 1313

AN ORDINANCE TO AMEND TITLE VI, CHAPTER 1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING SECTION 11 OF SAID TITLE AND CHAPTER; BY AMENDING SECTION 22 OF SAID TITLE AND CHAPTER TO DEFINE "GROSS INTOXICATION" AS USED THEREIN; BY AMENDING SECTION 39 OF SAID TITLE AND CHAPTER, TO MODIFY SAID SECTION 39 TO CONFORM SUBSTANTIALLY TO THE DEFINITION OF VAGRANCY AS PROVIDED IN NEVADA REVISED STATUTES, SECTION 207.030; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title VI, Chapter 1, Section 11 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby repealed.

SECTION 2. Title VI, Chapter 1, Section 22 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

6-1-22: INTOXICATING LIQUORS; GROSS INTOXICATION PROHIBITED: Gross intoxication upon the public streets, sidewalks, alleys or highways of the City, or in any place within the City to which the public is invited, is hereby prohibited.

For the purposes of this Section, "gross intoxication" shall be defined to mean such a condition of a person that he is unable to exercise care for his own safety or the safety of others, or by reason of his being under the influence of intoxicating liquor, interferes with or obstructs or prevents the free use of any public street, sidewalk or other public way.

Any person who shall drink any intoxicating liquor in any public place, as herein defined, or in any vehicle in any public place in the City, shall be deemed guilty of a misdemeanor.

For the purposes of this Section, a "public place" shall be defined to be any street, alley, sidewalk, thoroughfare, vacant lot, public park, school or municipal premises or entrance of any store, hotel or other public building in the City; provided that public charitable functions wherein alcoholic beverages may be served may be held in city parks with permission of the Board of Commissioners, and provided, further, that any such permission shall be granted subject to the following conditions:

(A) That the entire benefits derived from such function shall be applied solely toward the betterment of city parks.

(B) That such function shall be properly supervised and controlled.

(C) That no minors shall be permitted to attend such function.

(D) That the organization sponsoring such function shall, at its own cost and expense, place the park in question in a clean and orderly condition within twelve (12) hours following the conclusion of such function.

(E) Any other precaution deemed necessary by the Board of Commissioners.

In the event any such permission is granted, the park in which such function will be held shall be closed to the public for the period commencing twenty-four (24) hours prior to such function, to allow for necessary preparations, and extending until twelve (12) hours following, or until the clean-up thereof is completed.

SECTION 3. Title VI, Chapter 1, Section 39 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

6-1-39: VAGRANCY:

(A) Every person is a vagrant who:

1. Solicits anyone to engage in or who engages in lewd or dissolute conduct in any public place or in any place open to the public or exposed to public view;
2. Solicits any act of prostitution;
3. Is a pimp, panderer or procurer or lives in or about houses of prostitution;
4. Accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms;
5. Goes from house to house begging food, money or other articles, or seeks admission to such houses upon frivolous pretexts for no other apparent motive than to see who may be therein, or to gain an insight of the premises;
6. Keeps a place where lost or stolen property is concealed;
7. Loiters in or about any toilet open to the public for the purpose of engaging in or soliciting any lewd or lascivious or any unlawful act;
8. Loiters or wanders upon the streets or from place to place without apparent reason or business and who refuses to identify himself and to account for his presence when requested by any peace officer so to do, if the surrounding circumstances are such as to indicate to a reasonable man that the public safety demands such identification;

9. Is found in any public place under the influence of intoxicating liquor, or any drug, or the combined influence of intoxicating liquor and any drug, in such a condition that he is unable to exercise care for his own safety or the safety of others, or by reason of his being under the influence of intoxicating liquor, or any drug, or the combined influence of intoxicating liquor and any drug, interferes with or obstructs or prevents the free use of any street, sidewalk or other public way;

10. Loiters, prowls or wanders upon the private property of another in the nighttime, without visible or lawful business with the owner or occupant thereof, or who, while loitering, prowling or wandering upon the private property of another, in the nighttime, peeks in the door or window of any inhabited building or structure located thereon, without visible or lawful business with the owner or occupant thereof;

11. Lodges in any building, structure or place, whether public or private, without the permission of the owner or person entitled to the possession or in control thereof;

12. Loiters about any school or public place at or near which children attend or normally congregate and who refuses to identify himself and to account for his presence when requested by any peace officer so to do, if the surrounding circumstances are such as to indicate to a reasonable man that the safety of such school children demands such identification;

(B) Every vagrant is guilty of a misdemeanor.

SECTION 4. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 5. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 7th day of February, 1968.

ATTEST:

Edmund M. Cole
City Clerk

Oran K. Gragson
ORAN K. GRAGSON Mayor

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 17th day of January, 1968, and referred to the following committee composed of Commissioners Stewart and Mirabelli for recommendation; thereafter the said committee reported favorably on said Ordinance on the 7th day of February, 1968, which was a regular meeting of said Board; that at said regular meeting the proposed Ordinance was read by title to the Board of Commissioners, as first introduced, and adopted by the following vote:

VOTING "AYE": Commissioners Mirabelli, Stewart, Corey, Howery and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:

Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST:

Edwina M. Cole
City Clerk

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(A) That the entire benefits derived from such function shall be applied solely toward the betterment of city parks.

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, } ss.
COUNTY OF CLARK }

ROBERT E. HUNTER, being first duly sworn,

FOREMAN

deposes and says: That he is _____ of the LAS VEGAS SUN, 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 PUBLICATIONS

from FEBRUARY 9, 1968 to FEBRUARY 16, 1968

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

FEBRUARY 9, 16, 1968

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

Signed _____

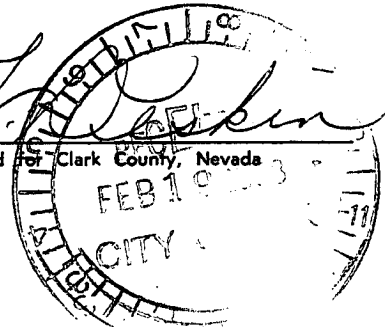
Subscribed and sworn to before me this 16th day of FEBRUARY, 1968

Notary Public in and for Clark County, Nevada

RUTHE V. DESKIN

Notary Public — State of Nevada

My Commission Expires April 14, 1969



(B) That such function shall be properly supervised and controlled.

(C) That no minors shall be permitted to attend such function.

(D) That the organization sponsoring such function shall, at its own cost and expense, place the park in question in a clean and orderly condition within twelve (12) hours following the conclusion of such function.

(E) Any other precaution deemed necessary by the Board of Commissioners.

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2. Solicits any act of prostitution;

3. Is a pimp, panderer or procurer or lives in or about houses of prostitution;

4. Accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms;

5. Goes from house to house begging food, money or other articles, or seeks admission to such houses upon frivolous pretexts for no other apparent motive than to see who may be therein, or to gain an insight of the premises;

6. Keeps a place where lost or stolen property is concealed;

7. Litters in or about any toilet open to the public for the purpose of engaging in or soliciting any lewd or lascivious or any unlawful act;

8. Litters or wanders upon the streets or from place to place without apparent reason or business and who refuses to identify himself and to account for his presence when requested by any peace officer so to do, if the surrounding circumstances are such as to indicate to a reasonable man that the public safety demands such identification;

9. Is found in any public place under the influence of intoxicating liquor, or any drug, or the combined influence of intoxicating liquor and any drug, in such a condition that he is unable to exercise care for his own safety or the safety of others, or by reason of his being under the influence of intoxicating liquor, or any drug, or the combined influence of intoxicating liquor and any drug, interferes with or obstructs or prevents the free use of any street, sidewalk or other public way;

10. Litters, prowls or wanders upon the private property of another in the nighttime, without visible or lawful business with the owner or occupant thereof, or who, while loitering, prowling or wandering upon the private property of another, in the nighttime, peeks in the door or window of any inhabited building or structure located thereon, without visible or lawful business with the owner or occupant thereof;

11. Lodges in any building, structure or place, whether public or private, without the permission of the owner or person entitled to the possession or in control thereof;

12. Litters about any school or public place at or near which children attend or normally congregate and who refuses to identify himself and to account for his presence when requested by any peace officer so to do, if the surrounding circumstances are such as to indicate to a reasonable man that the safety of such school children demands such identification;

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PASSED, ADOPTED AND APPROVED this 7th day of February, 1968:

/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST:

/s/ Edwina M. Cole
City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 17th day of January, 1968, and referred to the following committee composed of Commissioners Stewart and Mirabelli for recommendations; thereafter the said committee reported favorably on said Ordinance on the 7th day of February, 1968, which was a regular meeting of said Board; that at said regular meeting the proposed Ordinance was read by title to the Board of Commissioners, as first introduced, and adopted by the following vote:

VOTING "AYE": Commissioners Mirabelli, Stewart, Corey, Howery and Mayor Gragson.

VOTING "NAY": None. ABSENT: None.

/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST:

/s/ Edwina M. Cole
City Clerk

Pub.: Feb. 9, 16, 1968.