

BILL NO. 87-46

ORDINANCE NO. 3310

AN ORDINANCE RELATING TO THE TRANSPORTATION OF VARIOUS MATERIALS; AMENDING TITLE 11, CHAPTER 22, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE UPON THE PUBLIC ROADS, STREETS AND HIGHWAYS WITHIN THE CITY UNLESS SUCH VEHICLE IS CONSTRUCTED, COVERED OR LOADED IN A MANNER THAT WILL PREVENT ITS CONTENTS FROM SPILLING OR ESCAPING THEREFROM AND PROVIDES LOADING REQUIREMENTS FOR VEHICLES THAT TRANSPORT AGGREGATE MATERIAL OR GARBAGE, RUBBISH AND DIRT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Mayor Ron Lurie

Summary: Requires vehicles that transport material to be so constructed, covered or loaded as to prevent contents from spilling or otherwise escaping and provides loading requirements for vehicles that transport aggregate material or garbage.

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

SECTION 1: Title 11, Chapter 22, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto the provision that is set forth as Section 2 of this Ordinance.

SECTION 2: (A) It is unlawful for any person to operate, on any public road, street or highway within the City, any vehicle:

(1) Unless such vehicle is constructed, covered or loaded in such a manner as to prevent its contents or load, other than clear water or other substance that may be sprinkled on the roadway for the purpose of cleaning the same, from dropping, sifting, leaking, blowing, spilling or otherwise escaping therefrom;

(2) That is used to transport any aggregate material, whether the vehicle is loaded or empty at the time,

1 unless:

2 (a) Such material is carried in the cargo area of the
3 vehicle, with the tailgate thereof in the closed
4 position, and does not extend above the top-most
5 edge of the cargo area;

6 (b) The cargo area is equipped with a tailgate, is
7 completely and securely covered and does not con-
8 tain any holes, cracks or openings through which
9 such material may escape, regardless of the degree
10 to which the vehicle is loaded; and

11 (c) The vehicle is equipped with shed boards.

12 (3) That is loaded with garbage, rubbish or dirt or
13 anything that is being transported to either an approved
14 or unapproved dumping area for disposal unless the load
15 is completely covered in a manner that will prevent the
16 load, or any part thereof, from spilling or falling from
17 the vehicle; provided, however, that this paragraph does
18 not prohibit a garbage vehicle from being without a
19 cover while it is in the process of acquiring its load.

20 (B) For the purpose of this Section, the terms:

21 (1) "Aggregate material" means rock fragments, pebbles,
22 sand, gravel, cobbles, crushed base, asphalt and other
23 similar materials.

24 (2) "Garbage," "Rubbish" and "Dirt" shall have the
25 meanings that are ascribed to them in LVMC §9.08.010.

26 (3) "Shed boards" means a device that is designed to
27 prevent aggregate material from being deposited on the
28 body of the vehicle during the loading process;

29 SECTION 3: If any section, subsection, subdivision,
30 paragraph, sentence, clause or phrase in this ordinance or any
31 part thereof, is for any reason held to be unconstitutional or
32 invalid or ineffective by any court of competent jurisdiction,

1 such decision shall not affect the validity or effectiveness of
2 the remaining portions of this ordinance or any part thereof.
3 The City Council of the City of Las Vegas, Nevada, hereby
4 declares that it would have passed each section, subsection, sub-
5 division, paragraph, sentence, clause or phrase thereof irrespec-
6 tive of the fact that any one or more sections, subsections, sub-
7 divisions, paragraphs, sentences, clauses or phrases be declared
8 unconstitutional, invalid or ineffective.

9 SECTION 4: Whenever in this ordinance any act is
10 prohibited or is made or declared to be unlawful or an offense or
11 a misdemeanor, or whenever in this ordinance the doing of any act
12 is required or the failure to do any act is made or declared to
13 be unlawful or an offense or a misdemeanor, the doing of any such
14 prohibited act or the failure to do any such required act shall
15 constitute a misdemeanor and upon conviction thereof, shall be
16 punished by a fine of not more than \$1,000.00 or by imprisonment
17 for a term of not more than six (6) months, or by any combination
18 of such fine and imprisonment. Any day of any violation of this
19 ordinance shall constitute a separate offense.

20 SECTION 5: All ordinances or parts of ordinances,
21 sections, subsections, phrases, sentences, clauses or paragraphs
22 contained in the Municipal Code of the City of Las Vegas, Nevada,
23 1983 Edition, in conflict herewith are hereby repealed.

24 PASSED, ADOPTED AND APPROVED this 16th day of September ,
25 1987.

26 APPROVED:

27 By RL
28 RON LURIE, MAYOR

29 ATTEST:

30 Sandra R. LeBoeuf
31 Sandra R. LeBoeuf, Chief Deputy City Clerk

[Handwritten signature]
9-18-87

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*BILL NO. 87-46

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE TRANSPORTATION OF VARIOUS MATERIALS; AMENDING TITLE 11, CHAPTER 22, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE UPON THE PUBLIC ROADS, STREETS AND HIGHWAYS WITHIN THE CITY UNLESS SUCH VEHICLE IS CONSTRUCTED, COVERED OR LOADED IN A MANNER THAT WILL PREVENT ITS CONTENTS FROM SPILLING OR ESCAPING THEREFROM AND PROVIDES LOADING REQUIREMENTS FOR VEHICLES THAT TRANSPORT AGGREGATE MATERIAL OR GARBAGE, RUBBISH AND DIRT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Mayor Ron Lurie

Summary: Requires vehicles that transport material to be so constructed, covered or loaded as to prevent contents from spilling or otherwise escaping and provides loading requirements for vehicles that transport aggregate material or garbage.

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

SECTION 1: Title 11, Chapter 22, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto the provision that is set forth as Section 2 of this Ordinance.

SECTION 2: (A) It is unlawful for any person to operate, on any public road, street or highway within the City, any vehicle:

(1) Unless such vehicle is constructed, covered or loaded in such a manner as to prevent its contents or load, other than clear water or other substance that may be sprinkled on the roadway for the purpose of cleaning the same, from dropping, sifting, leaking, blowing, spilling or otherwise escaping therefrom;

(2) That is used to transport any aggregate material, whether the vehicle is loaded or empty at the time, unless:

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(a) Such material is carried in the cargo area of the vehicle and does not extend above the top-most edge of the cargo area;

(b) The cargo area is completely and securely covered and does not contain any holes, cracks or openings through which such material may escape, regardless of the degree to which the vehicle is loaded; and

(c) The vehicle is equipped with shed boards.

(3) That is loaded with garbage, rubbish or dirt or anything that is being transported to either an approved or unapproved dumping area for disposal unless the load is completely covered in a manner that will prevent the load, or any part thereof, from spilling or falling from the vehicle; provided, however, that this paragraph does not prohibit a garbage vehicle from being without a cover while it is in the process of acquiring its load.

(B) For the purpose of this Section, the terms:

(1) "Aggregate material" means rock fragments, pebbles, sand, gravel, cobbles, crushed base, asphalt and other similar materials.

(2) "Garbage," "Rubbish" and "Dirt" shall have the meanings that are ascribed to them in LVMC §9.08.010.

(3) "Shed boards" means a device that is designed to prevent aggregate material from being deposited on the body of the vehicle during the loading process;

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

The City Council of the City of Las Vegas, Nevada, hereby

1 declares that it would have passed each section, subsection, sub-
2 division, paragraph, sentence, clause or phrase thereof irrespec-
3 tive of the fact that any one or more sections, subsections, sub-
4 divisions, paragraphs, sentences, clauses or phrases be declared
5 unconstitutional, invalid or ineffective.

6 SECTION 4: Whenever in this ordinance any act is
7 prohibited or is made or declared to be unlawful or an offense or
8 a misdemeanor, or whenever in this ordinance the doing of any act
9 is required or the failure to do any act is made or declared to
10 be unlawful or an offense or a misdemeanor, the doing of any such
11 prohibited act or the failure to do any such required act shall
12 constitute a misdemeanor and upon conviction thereof, shall be
13 punished by a fine of not more than \$1,000.00 or by imprisonment
14 for a term of not more than six (6) months, or by any combination
15 of such fine and imprisonment. Any day of any violation of this
16 ordinance shall constitute a separate offense.

17 SECTION 5: All ordinances or parts of ordinances,
18 sections, subsections, phrases, sentences, clauses or paragraphs
19 contained in the Municipal Code of the City of Las Vegas, Nevada,
20 1983 Edition, in conflict herewith are hereby repealed.

21 PASSED, ADOPTED AND APPROVED this ____ day of _____,
22 1987.

23 APPROVED:

24 By _____
25 RON LURIE, MAYOR

26 ATTEST:

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KATHLEEN M. TIGHE, CITY CLERK
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The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 1987, and referred to the following committee composed of Councilmen _____ and _____ _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 1987, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" Councilmen: _____
VOTING "NAY" Councilmen: _____
ABSENT: _____

APPROVED:

RON LURIE, MAYOR

ATTEST:

KATHLEEN M. TIGHE, CITY CLERK

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

OCT 6 2 08 PM '87

Carol Black.

CITY CLERK being first duly sworn,

Legal Clerk

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 1 time..

from September 3, 1987 to SEPTEMBER 3, 1987

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

September 3, 1987


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

Signed Carol Black

Subscribed and sworn to before me this 3rd
day of September, 1987

Ruthe V. Deskin
Notary Public in and for Clark County, Nevada

My Commission Expires


RUTHE V. DESKIN
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Apr. 14, 1989

*BILL NO. 87-46
FIRST AMENDMENT
AN ORDINANCE RELATING TO
THE TRANSPORTATION OF VAR-
IOUS MATERIALS; AMENDING TI-
TLE 11, CHAPTER 22, OF THE
MUNICIPAL CODE OF THE CITY
OF LAS VEGAS, NEVADA, 1983,
EDITION, BY ADDING THERETO A
NEW SECTION THAT MAKES IT
UNLAWFUL TO OPERATE A VEHI-
CLE UPON THE PUBLIC ROADS,
STREETS AND HIGHWAYS WITHIN
THE CITY UNLESS SUCH VEHICLE
IS CONSTRUCTED, COVERED OR
LOADED IN A MANNER THAT WILL
PREVENT ITS CONTENTS FROM
SPILLING OR ESCAPING
THEREFROM AND PROVIDES
LOADING REQUIREMENTS FOR
VEHICLES THAT TRANSPORT
AGGREGATE MATERIAL OR
GARBAGE, RUBBISH AND DIRT;
PROVIDING FOR OTHER MATTERS
PROPERLY RELATING THERETO,
PROVIDING PENALTIES FOR THE
VIOLATION HEREOF; AND RE-
PEALING ALL ORDINANCES OR
PARTS OF ORDINANCES IN CON-
FLICT HEREWITH.
Sponsored by:
Mayor Ron Lurie
Summary: Requires vehicles that
transport material to be so con-
structed, covered or loaded as to
prevent contents from spilling or
otherwise escaping and provides
loading requirements for vehicles
that transport aggregate material or
garbage.
At a City Council meeting.
August 19, 1987
BILL NO. 87-46 WAS READ BY
TITLE AND REFERRED TO
RECOMMENDING COMMITTEE:
COUNCILMEN Mayor Lurie and
Councilman Bunker.
COPIES OF THE COMPLETE OR-
DINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE OF-
FICE OF THE CITY CLERK, 10TH
FLOOR, CITY HALL, 400 EAST
STEWART AVENUE, LAS VEGAS,
NEVADA.
PUB: September 3, 1987
Las Vegas SUN

FIRST AMENDMENT

BILL NO. 87-48

ORDINANCE NO. 3310

AN ORDINANCE RELATING TO THE TRANSPORTATION OF VARIOUS MATERIALS; AMENDING TITLE 11, CHAPTER 22, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE UPON THE PUBLIC ROADS, STREETS AND HIGHWAYS WITHIN THE CITY UNLESS SUCH VEHICLE IS CONSTRUCTED, COVERED OR LOADED IN A MANNER THAT WILL PREVENT ITS CONTENTS FROM SPILLING OR ESCAPING THEREFROM AND PROVIDES LOADING REQUIREMENTS FOR VEHICLES THAT TRANSPORT AGGREGATE MATERIAL OR GARBAGE, RUBBISH AND DIRT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Mayor Ron Lurie

Summary: Requires vehicles that transport material to be so constructed, covered or loaded as to prevent contents from spilling or otherwise escaping and provides loading requirements for vehicles that transport aggregate material or garbage.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 19th day of August, 1987, and referred to the following committee composed of Councilmen Mayor Lurie and Councilman Bunker, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 18th day of September, 1987, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen: Adamsen, Bunker, Miller, Nolan and Mayor Lurie

VOTING "NAY" Councilmen: NDNE
ABSENT: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: September 19, 1987
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

SEP 24 10 35 AM '87

Carol Black

CITY CLERK being first duly sworn,

deposes and says: That he is Legal Clerk 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 1 time.

from September 19, 1987 to September 19, 1987

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

September 19, 1987

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

Signed Carol Black

Subscribed and sworn to before me this 19th day of September, 1987

Ruthe V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada



RUTHE V. DESKIN
Notary Public - State of Nevada
CLARK COUNTY

My Appointment Expires Apr. 14, 1989

RECEIVED

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FINANCE DEPT

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*BILL NO. 87-46
 FIRST AMENDMENT
 AN ORDINANCE RELATING TO THE TRANSPORTATION OF VARIOUS MATERIALS; AMENDING TITLE 11, CHAPTER 22, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE UPON THE PUBLIC ROADS, STREETS AND HIGHWAYS WITHIN THE CITY UNLESS SUCH VEHICLE IS CONSTRUCTED, COVERED OR LOADED IN A MANNER THAT WILL PREVENT ITS CONTENTS FROM SPILLING OR ESCAPING THEREFROM AND PROVIDES LOADING REQUIREMENTS FOR VEHICLES THAT TRANSPORT AGGREGATE MATERIAL OR GARBAGE, RUBBISH AND DIRT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
 Sponsored by:
 Mayor Ron Lurie
 Summary: Requires vehicles that transport material to be so constructed, covered or loaded as to prevent contents from spilling or otherwise escaping and provides loading requirements for vehicles that transport aggregate material or garbage.
 At a City Council meeting August 19, 1987
 BILL NO. 87-46 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: COUNCILMEN Mayor, Lurie, and Councilman Bunker
 COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
 PUB: September 3, 1987
 Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
 COUNTY OF CLARK

OCT 6 2 08 PM '87

Carol Black

CITY CLERK being first duly sworn,

deposes and says: That he is Legal Clerk 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 1 time.

from September 3, 1987 to September 3, 1987

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

September 3, 1987


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

Signed Carol Black

Subscribed and sworn to before me this 3rd day of September, 1987

Ruthe V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada

 RUTHE V. DESKIN
 Notary Public - State of Nevada
 CLARK COUNTY
 My Appointment Expires Apr. 14, 1989



FIRST AMENDMENT
 BILL NO. 87-46
 ORDINANCE NO. 3310
 AN ORDINANCE RELATING TO THE TRANSPORTATION OF VARIOUS MATERIALS; AMENDING TITLE 11, CHAPTER 22, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION THAT MAKES IT UNLAWFUL TO OPERATE A VEHICLE UPON THE PUBLIC ROADS, STREETS AND HIGHWAYS WITHIN THE CITY UNLESS SUCH VEHICLE IS CONSTRUCTED, COVERED OR LOADED IN A MANNER THAT WILL PREVENT ITS CONTENTS FROM SPILLING OR ESCAPING THEREFROM AND PROVIDES LOADING REQUIREMENTS FOR VEHICLES THAT TRANSPORT AGGREGATE MATERIAL OR GARBAGE, RUBBISH AND DIRT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
 Sponsored by:
 Mayor Ron Lurie
 Summary: Requires vehicles that transport material to be so constructed, covered or loaded as to prevent contents from spilling or otherwise escaping and provides loading requirements for vehicles that transport aggregate material or garbage.
 The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 18th day of August, 1987, and referred to the following committee composed of Councilmen Mayor Lurie and Councilman Bunker, for recommendation; thereafter, the said committee reported favorably on said amended ordinance on the 18th day of September, 1987, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:
 VOTING "AYE" Councilmen: Adamsen, Bunker, Miller, Nolen and Mayor Lurie
 VOTING "NAY" Councilmen: NONE
 ABSENT: NONE
 COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
 PUB: September 19, 1987
 Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
 COUNTY OF CLARK

{ ss.

SEP 24 10 35 AM '87

Carol Black

CITY CLERK

being first duly sworn,

deposes and says: That he is Legal Clerk 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 1 time.

from September 19, 1987 to September 19, 1987

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

September 19, 1987

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

Signed Carol Black

Subscribed and sworn to before me this 19th day of September, 1987

Ruthie V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada
 RUTHIE V. DESKIN
 N. L. P. No. 1000 of Nevada
 CLARK COUNTY
 My Appointment Expires Apr. 14, 1989



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