

ORDINANCE NO. 354

AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF THE STREETS AND HIGHWAYS OF THE CITY OF LAS VEGAS; CREATING AND DEFINING PARKING METER ZONES; PROVIDING FOR THE DESIGNATION OF INDIVIDUAL PARKING SPACES; DEFINING AND PROVIDING FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF PARKING METERS; PRESCRIBING PARKING TIME LIMITS; REQUIRING DEPOSIT OF COINS FOR THE USE OF PARKING METERS AND PARKING METER ZONES AND PROVIDING FOR THE COLLECTION AND DISPOSITION OF SUCH COINS; PROVIDING FOR THE ENFORCEMENT THEREOF; DEFINING OFFENSES AND PRESCRIBING PENALTIES; AND PROVIDING THAT INVALIDITY OF PART SHALL NOT AFFECT THE VALIDITY OF THE REMAINDER; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, The narrowness of and the volume of traffic on the streets in certain sections of the City of Las Vegas has the effect of congesting the streets and impeding the movement of traffic; and

WHEREAS, It is the habit of numerous operators of motor vehicles to take advantage of this situation by parking for unreasonably long periods of time in close proximity to other motor vehicles so parked on the most congested parts of the city's busiest streets; and

WHEREAS, Such practice tends to further impede traffic and in addition thereto constitutes a danger to the life, limb and property of other motorists, pedestrians and others; and

WHEREAS, It is the opinion of the Board of Commissioners of the City of Las Vegas that the best method by which the above mentioned conditions may be remedied is by the designation of individual parking spaces in the said area, by restricting parking in said area to reasonable intervals of time and by compelling the operators of vehicles who enjoy the use of the parking space so designated to pay a portion of the cost of establishing, maintaining and regulating the use of said parking spaces; and

WHEREAS, Previous attempts to regulate traffic and parking in the aforesaid area have not been as successful as desirable for the reason that adequate policing of this problem by the Police Department alone requires a larger number of officers for such work than can be spared from other vital functions of the Police Department, and it is therefore desirable to employ some mechanical assistance in the enforcement of said parking limitations; and

WHEREAS, Parking meters have been installed in a number of cities as an aid to the police in reducing traffic difficulties and the public authorities of such cities report favorable results from the installation and operation of parking meters;

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

**CITY
CLERK'S
FILE**

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Section 1. Definitions. For the purpose of this ordinance:

(a) The word "vehicle" shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

(b) The word "street" shall mean any public street, avenue, road, alley, highway, lane, path, or other public place located in the City of Las Vegas and established for the use of vehicles.

(c) The word "person" shall mean and include any individual, firm, co-partnership, association or corporation.

(d) The word "operator" shall mean and include every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical control of a vehicle.

(e) The word "park" or "parking" shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or/unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

(f) The word "Parking Meter" shall mean and include any mechanical device or meter not inconsistent with this ordinance placed or erected for the regulation of parking by authority of this ordinance. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

(g) The words "Parking Meter Zone" shall mean and include any restricted street upon which parking meters are installed and in operation.

(h) The words "Parking Meter Space" shall mean any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

Section 2. PARKING METER ZONE. The following named and described areas, streets, or portions of streets and such other areas, streets, or portions of streets as may hereafter be included in this section by amendment hereto, lying within the corporate limits of the City of Las Vegas, shall constitute a Parking Meter Zone, namely: On Fremont Street from Main to 8th Street; on Carson Street from Main to 5th; on Ogden Street from Main to 5th Street; on Main Street between Carson and Ogden Streets; on 1st Street, 2nd Street, 4th Street and 5th Streets, between Carson Street and Ogden Street; on 3rd Street between Bridger Street and Stewart Street. All frontages in said squares, streets, or avenues defining said zones to be included therein.

Section 3. DESIGNATION OF PARKING SPACES. The City Engineering Department in cooperation with the Chief of Police is hereby directed and authorized to mark off individual parking spaces in the parking zones designated and described in Section 2 of this ordinance and in such other zones as may hereafter be established, said parking spaces to be designated by lines painted or durably marked on the curbing or surface of the street. At each space

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so marked off it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

Section 4. INSTALLATION OF PARKING METERS. In said parking meter zones the City Engineering Department in cooperation with the Chief of Police shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces provided in Section 3 of this ordinance, said installation to be placed not more than two (2) feet from the curb nor more than four (4) feet from the front line of the parking space as indicated, and the Chief of Police shall be responsible for the regulation, control, operation, maintenance, and use of such parking meters. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed by this ordinance. Each device shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper visible signal that the lawful parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties hereinafter provided.

Section 5. OPERATION OF PARKING METERS. Except in a period of emergency determined by an officer of the Fire or Police Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the said parking meter space, immediately deposit or cause to be deposited in said meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin, and to set the timing mechanism in operation when so required, shall constitute a violation of this ordinance. Upon the deposit of such coin (and the setting of the timing mechanism in operation when so required) the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located, provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of said space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking space beyond the parking time limit set for such parking space, and if the meter shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this ordinance.

Section 6. PARKING TIME LIMITS.

(a) Said parking meter shall be operated in said parking meter zone every day between the hours of 9:00 A. M. and 6:00 o'clock, P. M., except Sundays and legal holidays; provided, however, that within the meaning of this ordinance the term "holiday" shall include the following days only: the first day of January, the 12th day of February, the 22nd day of February, the 30th day of May, the 4th day of July, the first Monday in September, the 12th day of October, the 31st day of October, the 11th day of November, the 25th day of December, and the day designated and set aside by the President of the United States, and/or the Governor of the State of Nevada as a day of Thanksgiving (Thanksgiving Day).

AFFADAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Dick Lockwood, being first duly sworn,

deposes and says: That he is *owner* 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 *July 15th 1948* to *July 22nd 1948*

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

July 15-22nd

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

Signed *Dick Lockwood*

Subscribed and sworn to before me this *26th* day of *July 1948*

[Signature]
Notary Public in and for Clark County, Nevada.

My Commission Expires *Jan 12, 1957*

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further impede traffic and in addition thereto constitutes a danger to the life, limb and property of other motorists, pedestrians and others; and

WHEREAS, It is the opinion of the Board of Commissioners of the City of Las Vegas that the best method by which the above mentioned conditions may be remedied is by the designation of individual parking spaces in the said area, by restricting parking in said area to reasonable intervals of time and by compelling the operators of vehicles who enjoy the use of the parking space so designated to pay a portion of the cost of establishing, maintaining and regulating the use of said parking spaces; and

WHEREAS, Previous attempts to regulate traffic and parking in the aforesaid area have not been as successful as desirable for the reason that adequate policing of this problem by the Police Department alone requires a larger number of officers for such work than can be spared from other vital functions of the Police Department, and it is therefore desirable to employ some mechanical assistance in the enforcement of said parking limitations; and

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(e) The word "park" or "parking" shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason or causes beyond the control of the operator of the vehicle.

(f) The word "Parking meter" shall mean and include any mechanical device or meter not inconsistent with this ordinance placed or erected for the regulation of parking by authority of this ordinance. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall at all time indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

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Section 4. INSTALLATION OF PARKING METERS. In said parking meter zones the City Engineering Department in cooperation with the Chief of Police shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking space provided in Section 3 of this ordinance, said installation to be placed not more than two (2) feet from the curb nor more than four (4) feet from the front line of the parking space as indicated, and the Chief of Police shall be responsible for the regulation, control, operation, maintenance, and use of such parking meters. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed by this ordinance. Each device shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper visible signal that the lawful parking period has expired and in such cases the right of such vehicle to occupy said space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties hereinafter provided.

Section 5. OPERATION OF PARKING METERS. Except in a period of emergency determined by an officer of the Fire or Police Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the said parking meter space, immediately deposit or cause to be deposited in said meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin, and to set the timing mechanism in operation when so required, shall constitute a violation of this ordinance. Upon the deposit of such coin (and the setting of the timing mechanism in operation when so required) the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located, provided that any person placed in a parking

meter space adjacent to a meter, which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of said space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking space beyond the parking time limit set for such parking space, and if the meter shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this ordinance.

Section 6. PARKING TIME LIMITS.

(a) Said parking meter shall be operated in said parking meter zone every day between the hours of 9:00 A. M. and 6:00 o'clock P. M., except Sundays and legal holidays; provided, however, that within the meaning of this ordinance the term "holiday" shall include the following days only: the first day of January, the 12th day of February, the 22nd day of February, the 30th day of May, the 4th day of July, the first Monday in September, the 13th day of October, the 31st day of October, the 11th day

of November, the 25th day of December, and the day designated and set aside by the President of the United States, and/or the Governor of the State of Nevada as a day of Thanksgiving (Thanksgiving Day).

(b) Parking or standing a vehicle in a designated space in a parking meter zone shall be lawful for twelve (12) minutes or more with a maximum of sixty (60) minutes, and upon deposit of a one (1) one-cent coin of the United States of America for twelve (12) minutes, or of a one (1) five-cent coin of the United States of America for sixty (60) minutes in all parking meter zones.

(c) The Chief of Police is hereby directed and authorized to mark off a loading and unloading zone in the parking meter areas wherein commercial trucks may park in the parking zones to load or unload merchandise without depositing coins for a period up to and including the hour of 10:00 A. M. Should any truck or delivery car be parked in said zone to load or unload merchandise after the hour of 10:00 A. M. without depositing a coin, then, and in that event, said violator will be given a ticket and classed as a violation and the legal penalty imposed.

Section 7. VIOLATIONS. It shall be unlawful and a violation of the provisions of this ordinance for any person:

(a) To cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as herein described, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

(b) To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupies such parking space has already been parked beyond the period prescribed for such parking space.

(c) To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

(d) To deface, injure, tamper with, open or wilfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this ordinance.

(e) To deposit or cause to be deposited in any parking meter any slugs, devices or metal substances, or other substitutes for lawful coins.

Section 8. It shall be the duty of the Police Department of the City of Las Vegas to enforce the provisions of this ordinance and to report:

(a) The number of each parking meter (if so numbered) which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parking in violation of any of the provisions of this ordinance.

(b) The state license number of such vehicle.

(c) The time during which said vehicle is parking in violation of any of the provisions of this ordinance.

(d) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation. Each such police officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this ordinance and instructing such owner or operator to report at the Police Department of the City of Las Vegas in regard to such violation. Each such owner or operator may within twenty-four (24) hours of the time when such notice was attached to such vehicle, pay to the Police Department of the City of Las Vegas as a penalty for and in full satisfaction of such violation, the sum of One Dollar (\$1.00) for the first offense, Two Dollars (\$2.00) for the second offense, and Three Dollars (\$3.00) for the third and each subsequent offense thereafter. The failure of such owner or operator to make such payment of the sums as herein provided within twenty-four (24) hours, shall render such owner or operator subject to the penalties hereinafter provided for the violation of the provisions of this ordinance.

Section 9. COLLECTIONS. It shall be the duty of the Chief of Police to designate some member or members of the Police Department, who shall be bonded, to make regular collections of the money deposited in said meters and it shall be the duty of such persons so designated to remove the coins so deposited in said meters and to deliver the same to the City Comptroller of the City of Las Vegas who shall count the funds contained therein and deposit such funds with the City Clerk.

Section 10. USE OF FUNDS. The coins deposited in parking meters are required and shall be used to defray the expense of proper regulation of traffic upon the public streets of the City of Las Vegas; to provide for the cost of supervision, regulation and control of the parking of vehicles in parking meter zones; and to cover the cost of purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of parking meters.

Section 11. PENALTY. Any person who shall violate or fail to comply with any of the provisions of this ordinance, or who shall counsel, aid or abet any such violation or failure to comply, shall be deemed guilty of an offense and shall be punished by a fine of not to exceed Five Hundred Dollars (\$500.00) or by imprisonment for not to exceed six (6) months, either or both penalties to be imposed at the discretion of the court.

Section 12. RESERVATION OF POWERS. Nothing in this ordinance shall be construed as prohibiting the City of Las Vegas from providing for bus stops, for taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans, or other commercial vehicles.

Section 13. REPEAL OF CONFLICTING ORDINANCES. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 14. SEVERABILITY. If any section, clause, phrase, paragraph or sentence of the ordinance is for any reason held to be void or unconstitutional, such decision shall not affect the validity of the remainder of this Act, and it is hereby declared that this Act, and each of the sections, sentences, clauses, paragraphs or phrases thereof, would have been passed irrespective of the fact that any one or more of such sections, paragraphs, sentences, clauses or phrases may hereafter be declared to be void or unconstitutional.

Section 15. This ordinance shall be in full force and effect upon its publication, as in the next section provided, and final passage.

Section 16. 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.
s/ E. W. CRAGIN,

s/ SHIRLEY BALLINGER,
City Clerk

(SEAL)
The above and foregoing ordinance was first proposed and read by title to the Board of City Commissioners on the 7th day of July, 1948, and referred to the following committee composed of Commissioners Clark and Whipple for recommendation; thereafter the said committee reported favorably on the said ordinance on the 13th day of July, 1948, which was a special meeting of said Board of City Commissioners; that at said special meeting held on the 13th day of July, 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 Clark, Moore, Whipple and His Honor Mayor Cragin.

Voting "Nay" None.
Absent: Commissioner Baskin.

APPROVED:

s/ E. W. CRAGIN,

Mayor

ATTEST:
s/ SHIRLEY BALLINGER,
City Clerk

(SEAL)
J15-22