

BILL NO. 94-15

ORDINANCE NO. 3788

AN ORDINANCE RELATING TO PUBLIC TRANSPORTATION FACILITIES; AMENDING TITLE 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER TO PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES AND THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES AT BUS STOP BENCHES, BUS STOP SHELTERS AND AT THE DOWNTOWN TRANSPORTATION CENTER; PROHIBITING THE USE OF SAID FACILITIES FOR PURPOSES OTHER THAN THOSE FOR WHICH THEY ARE INTENDED; PROHIBITING OTHER SPECIFIED ACTIVITIES AT THOSE LOCATIONS; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Mayor Jan Laverty Jones

Summary: Prohibits certain activities at bus stops, bus stop shelters and the Downtown Transportation Center, including the consumption and possession of alcoholic beverages, bathing and other activities inconsistent with the intended use of those facilities.

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

SECTION 1: Title 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, consisting of the provisions set forth as Sections 2 through 7 of this Ordinance.

SECTION 2: As used in this chapter, unless the context otherwise requires, the following terms shall have the meanings that are ascribed to them as follows:

(A) "Bus stop bench" means any of those benches that have been placed along streets, roadways, or within a bus stop shelter within the City for people who are awaiting arriving passengers or who are awaiting departure on the CAT buses, city trolleys, or paratransit buses.

(B) "Bus stop shelter" means any of those structures that have been built and placed along streets and roadways to provide shelter within the City for people who are awaiting arriving passengers or who are awaiting departure on the CAT buses, city trolleys, or paratransit buses.

1 (C) "CAT" means the Citizens Area Transit public bus system.

2 (D) "Downtown Transportation Center" means the grounds located at 300
3 North Casino Center Boulevard, Las Vegas, Nevada, and includes all buildings and structures
4 located thereon, including the gazebo. The word "at" in reference to the Downtown
5 Transportation Center also means "on" with reference to the grounds and structures and "in" with
6 reference to any structure.

7 (E) "Misuse" of bus stop benches, bus stop shelters or the Downtown
8 Transportation Center means the use of those facilities for purposes other than the uses for which
9 they were intended. Intended uses include awaiting arrivals or making departures on the CAT
10 buses, city trolleys, or paratransit buses; inspection, repair, maintenance, supply and employment
11 activities associated therewith; and patronage of the commercial operations conducted at the
12 Downtown Transportation Center.

13 SECTION 3: It is unlawful for any person to consume an alcoholic
14 beverage or to possess an open container of alcoholic beverage at any bus stop bench, bus stop
15 shelter or at the Downtown Transportation Center.

16 SECTION 4: It is unlawful for any person to obstruct or interfere with any
17 intended use of a bus stop bench, bus stop shelter or the Downtown Transportation Center by
18 occupying any such facility or portion thereof in a manner that demonstrates an intent to use such
19 facility or portion thereof as temporary or permanent quarters for sleeping or lodging.

20 SECTION 5: It is unlawful for any person to shave, bathe, wash body parts
21 other than hands and face, or to wash laundry at the Downtown Transportation Center.

22 SECTION 6: It is unlawful for any person to smoke in a designated no
23 smoking area at any bus stop bench, bus stop shelter or at the Downtown Transportation Center.

24 SECTION 7: It is unlawful for any person to misuse a bus stop bench, a
25 bus stop shelter or the Downtown Transportation Center.

26 SECTION 8: Whenever in this ordinance any act is prohibited or is made

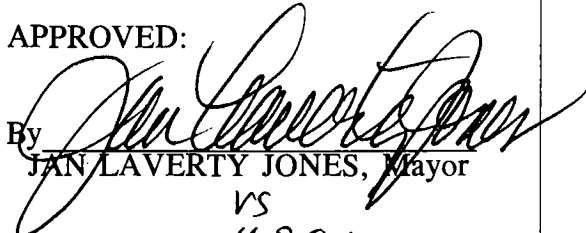
1 or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the
2 doing of any act is required or the failure to do any act is made or declared to be unlawful or an
3 offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required
4 act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not
5 more than \$1,000.00 or by imprisonment for a term of not more than six months, or by any
6 combination of such fine and imprisonment. Any day of any violation of this ordinance shall
7 constitute a separate offense.

8 SECTION 9: If any section, subsection, subdivision, paragraph, sentence,
9 clause or phrase in this ordinance or any part thereof, is for any reason held to be
10 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision
11 shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part
12 thereof. The City Council of the City of Las Vegas hereby declares that it would have passed
13 each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective
14 of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses
15 or phrases be declared unconstitutional, invalid or ineffective.

16 SECTION 10: All ordinances or parts of ordinances, sections,
17 subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City
18 of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this 6th day of
20 April, 1994.

21 APPROVED:

22 By 
23 JAN LAVERTY JONES, Mayor

VS
4-8-94

24 ATTEST:

25 
26 KATHLEEN M. TIGHE, City Clerk

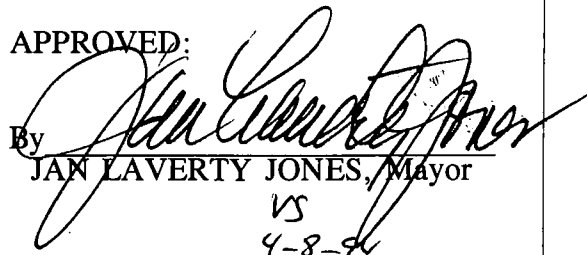
1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 2nd day of March, 199 4, and referred to the following committee composed
3 of Mayor Jones and Councilman Higginson for
4 recommendation; thereafter the said committee reported favorably on said ordinance on the
5 6th day of April, 199 4, which was a regular meeting of said
6 Council; that at said regular meeting, the proposed ordinance was read by
7 title to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": Councilmen Adamsen, Higginson, Hawkins Jr., Brass and Mayor Jones

9 VOTING "NAY": NONE

10 ABSENT: NONE

11 APPROVED:

12
13 By 
JAN LAVERTY JONES, Mayor

VS
4-8-94

14 ATTEST:

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16 KATHLEEN M. TIGHE, City Clerk
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AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK
APR 15 11 37 AM '94

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Sponsored by:

Mayor Jan Laverly Jones

Summary: Prohibits certain activities at bus stops, bus stop shelters and the Downtown Transportation Center, including the consumption and possession of alcoholic beverages, bathing and other activities inconsistent with the intended use of those facilities.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of March, 1994, and referred to the following committee composed of Mayor Jones and Councilman Higginson, for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of April, 1994, 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 first introduced and adopted by the following vote: VOTING "AYE" Councilmen: Adamsen, Higginson, Hawkins Jr. and Mayor Jones VOTING "NAY" Councilman: Brass EXCUSED: NONE COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA. PUB: April 9, 1994 Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of APRIL 9, 1994 to APRIL 9, 1994, on the following days:

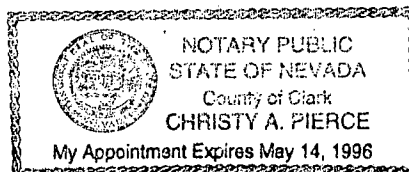
APRIL 9, 1994

Signed: Andrea Davis

Subscribed and sworn to before me this

13 day of April, 19 94

Christy A. Pierce
Notary Public



AFFIDAVIT OF PUBLICATION

Mar 29 11 12 AM '94

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Sponsored by:
Mayor Jan Laverly Jones
Summary: Prohibits certain activities at bus stops, bus stop shelters and the Downtown Transportation Center, including the consumption and possession of alcoholic beverages, bathing and other activities inconsistent with the intended use of those facilities.
At a City Council meeting:
MARCH 2, 1994
BILL NO. 94-15 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Mayor Jones AND Councilman Haggins
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: March 17, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

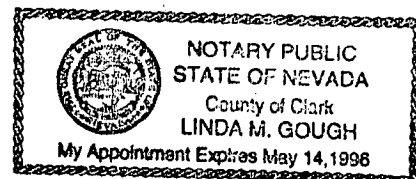
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MARCH 17, 1994

Signed: Andrea Davis

Subscribed and sworn to before me this 25th day of March, 1994

Linda M. Gough
Notary Public



AFFIDAVIT OF PUBLICATION

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CITY CLERK
Mar 29 11 12 AM '94

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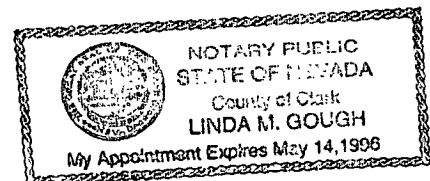
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Notary Public



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VOTING "NAY" Councilman: Brass
EXCUSED: NONE

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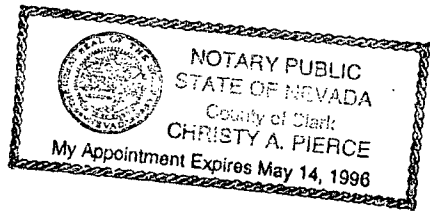
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Signed: Andrea Davis

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Christy A. Pierce
Notary Public



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