

BILL NO. 84- 18

ORDINANCE NO. 3112

AN ORDINANCE RELATING TO CRIMES AND PUNISHMENTS; AMENDING TITLE 10 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER, DESIGNATED AND ENTITLED CHAPTER 47 - PUBLIC NUISANCES, ESTABLISHING CERTAIN ACTS AS PUBLIC NUISANCES AND PROVIDING THAT ANY PERSON WHO COMMITS A PUBLIC NUISANCE IS GUILTY OF A MISDEMEANOR; FURTHER AMENDING SAID TITLE 10 BY ADDING THERETO A NEW CHAPTER, DESIGNATED AND ENTITLED CHAPTER 74 - MISCELLANEOUS CRIMES, MAKING IT UNLAWFUL TO LOITER OR PROWL UNDER CERTAIN CIRCUMSTANCES, PROVIDING INSTANCES WHICH MAY BE CONSIDERED IN DETERMINING WHETHER OR NOT SUCH CIRCUMSTANCES EXIST AND PROVIDING THAT ANY PERSON WHO SLEEPS IN THE DOORWAY OF AN OTHERWISE UNOCCUPIED BUILDING IS GUILTY OF A MISDEMEANOR; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Councilman Al Levy

Summary: Establishes certain acts as constituting public nuisances, declares a person who commits any of such acts to be guilty of a misdemeanor, makes loitering and prowling unlawful under certain circumstances, provides instances which may be considered in determining whether or not such circumstances exist and prohibits sleeping in doorways of unoccupied buildings.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, 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, to be designated and identified as Chapter 47 - Public Nuisances, consisting of the provisions set forth as Sections 2 and 3 of this ordinance.

SECTION 2: Every act which is unlawfully done and every omission to perform a duty, which act or omission:

(A) Offends the public decency;

(B) Annoys, injures or endangers the safety, health, comfort or repose of any person in a public place or any place to which the public is invited;

(C) Interferes with, obstructs or tends to obstruct

1 or renders dangerous for passage any street, sidewalk,
2 alley, doorway to or stairway in any public build-
3 ing or any building to which the public is invited
4 or any other area which is intended as a passage-
5 way in any public place or any place to which the
6 public is invited,
7 is a public nuisance.

8 SECTION 3: Any person who commits a public nuisance,
9 as defined in Section 2 of this ordinance, is guilty of a misde-
10 meanor.

11 SECTION 4: Title 10 of the Municipal Code of the City
12 of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding
13 thereto a new chapter, to be designated and entitled Chapter 74 -
14 Miscellaneous Crimes, consisting of the provisions set forth as
15 sections 5 to 7, inclusive, of this ordinance.

16 SECTION 5: It is unlawful for any person to loiter or
17 prowl upon the private property of another without lawful business
18 with the owner or occupant thereof.

19 SECTION 6: Among the circumstances which may be con-
20 sidered in determining whether or not a person who loiters or
21 prowls upon the private property of another has lawful business
22 with the owner or occupant thereof is the fact that such person
23 takes flight upon the appearance of a police officer or endeavors
24 to conceal himself or any object.

25 SECTION 7: Any person who sleeps in the doorway of an
26 otherwise unoccupied building, without the permission of the owner
27 or other person who is entitled to the possession or control
28 thereof, is guilty of a misdemeanor.

29 SECTION 8: If any section, subsection, subdivision,
30 paragraph, sentence, clause or phrase in this Chapter or any part
31 thereof, is for any reason held to be unconstitutional or invalid
32 or ineffective by any court of competent jurisdiction, such decision

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

9 SECTION 9: Whenever in this ordinance any act is pro-
10 hibited 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 months, or by any combination or
18 such fine and imprisonment. Any day of any violation of this
19 ordinance shall constitute a separate offense.

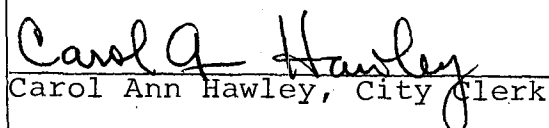
20 SECTION 10: All ordinances or parts of ordinances,
21 sections, subsections, phrases, sentences, clauses or paragraphs
22 contained in the Municipal Code of the City of Las Vegas, Nevada,
23 1983 Edition, in conflict herewith are hereby repealed.

24 PASSED, ADOPTED and APPROVED this 6th day of
25 June, 1984.

26 APPROVED:

27 
28 By William H. Briare
29 WILLIAM H. BRIARE, MAYOR

30 ATTEST:

31 
32 Carol Ann Hawley, City Clerk

1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the 16th day of
3 May, 1984, and referred to the following committee
4 composed of Councilmen Levy and
5 Lurie for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the 6th
7 day of June, 1984, which was a regular meeting of
8 said City Council; that at said regular meeting, the
9 proposed ordinance was read by title to the City Council as
10 first introduced and adopted by the following vote:

11 VOTING "AYE" Councilmen: Christensen, Levy, Lurie, Nolen & Mayor Briare

12 VOTING "NAY" Councilmen: NONE

13 ABSENT: NONE

14 APPROVED:

15
16 William H. Briare
17 BY WILLIAM H. BRIARE, MAYOR

18 ATTEST:

19
20 Carol Ann Hawley
21 Carol Ann Hawley, City Clerk

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 29 1 54 PM '84
CITY CLERK

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 one insertions from period of May 23, 1984 to May 23, 1984 inclusive, being the issue of said newspaper for the following dates, to wit:

May 23, 1984

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

BILL NO. 84-18
AN ORDINANCE RELATING TO
CRIMES AND PUNISHMENTS;
AMENDING TITLE 10 OF THE MU-
NICIPAL CODE OF THE CITY OF
LAS VEGAS, NEVADA, 1983 EDITION,
BY ADDING THERETO A
NEW CHAPTER, DESIGNATED
AND ENTITLED CHAPTER 47 -
PUBLIC NUISANCES, ESTABLISH-
ING CERTAIN ACTS AS PUBLIC
NUISANCES AND PROVIDING
THAT ANY PERSON WHO COM-
MITS A PUBLIC NUISANCE IS
GUILTY OF A MISDEMEANOR;
FURTHER AMENDING SAID TITLE
10 BY ADDING THERETO A NEW
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TITLED CHAPTER 74 - MISCELLA-
NEOUS CRIMES, MAKING IT UN-
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UNDER CERTAIN CIRCUM-
STANCES, PROVIDING INSTANCES
WHICH MAY BE CONSIDERED IN
DETERMINING WHETHER OR NOT
SUCH CIRCUMSTANCES EXIST
AND PROVIDING THAT ANY PER-
SON WHO SLEEPS IN THE DOOR-
WAY OF AN OTHERWISE UNOC-
CUPIED BUILDING IS GUILTY OF A
MISDEMEANOR; PROVIDING OTH-
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ING THERETO; PROVIDING PEN-
ALTIES FOR THE VIOLATION
HEREOF; AND REPEALING ALL
ORDINANCES OR PARTS OF ORDI-
NANCES IN CONFLICT HEREWITH.
Sponsored by:
Councilman Al Levy
Summary: Establishes certain acts
as constituting public nuisances, de-
clares a person who commits any of
such acts to be guilty of a misde-
meanor, makes loitering and prowl-
ing unlawful under certain circum-
stances, provides instances which
may be considered in determining
whether or not such circumstances
exist and prohibits sleeping in door-
ways of unoccupied buildings.
At a City Council Meeting on
MAY 16, 1984 BILL NO. 84-18 WAS
READ BY TITLE AND REFERRED
TO RECOMMENDING
COMMITTEE:
COUNCILMEN: Levy and Lurie
COPIES OF THE COMPLETE ORDI-
NANCE ARE AVAILABLE FOR PUB-
LIC INFORMATION IN THE OFFICE
OF THE CITY CLERK, 10TH FLOOR,
CITY HALL, 400 EAST STEWART
AVENUE, LAS VEGAS, NEVADA.
Pub. May 23, 1984

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me
this 23rd day of May, 1984

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



MARJORIE E. OUELLETTE

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Dec. 2, 1985

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MAY 25 10 45 AM '84
FINANCE DEPT

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 one insertions from period of June 9, 1984 to June 9, 1984 inclusive, being the issue of said newspaper for the following dates, to wit:

June 9, 1984

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

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The above and foregoing ordinance
was first proposed and read by title
to the City Council on the 16th day of
May, 1984, and referred to the fol-
lowing committee composed of
Councilmen Levy and Lurie for
recommendation; thereafter the
said committee reported favorably
on said ordinance on the 6th day of
June, 1984, which was a regular
meeting of said Council; that at said
regular meeting, the proposed ordi-
nance was read by title to the City
Council as first introduced and
adapted by the following vote:
VOTING "AYE" Councilmen:
Christensen, Levy, Lurie, Nolen &
Mayor Blaire
VOTING "NAY" Councilmen: None
ABSENT: None
COPIES OF THE COMPLETE ORDI-
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LIC INFORMATION IN THE OFFICE
OF THE CITY CLERK, 10TH FLOOR,
CITY HALL, 400 EAST STEWART
AVENUE, LAS VEGAS, NEVADA.
Pub. June 9, 1984

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me
this 12th day of June, 1984

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



MARJORIE E. OUELLETTE
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Dec. 2, 1985

CITY CLERK

JUN 14 10 3 AM '84

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