

Bill No. 83-65

Ordinance No. 3089

AN ORDINANCE RELATING TO PARKING (NON-MOVING TRAFFIC) LAWS AND REGULATIONS; AMENDING TITLE 11 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY REPEALING CHAPTER 10 OF SAID TITLE AND ADOPTING IN LIEU THEREOF A NEW CHAPTER, DESIGNATED AS CHAPTER 10 AND CONSISTING OF SECTIONS 11.10.010 TO 11.10.300, INCLUSIVE, PROVIDING THAT VIOLATIONS OF PARKING (NON-MOVING TRAFFIC) LAWS AND REGULATIONS BE TREATED AS CIVIL INFRACCTIONS, PROVIDING FOR CIVIL LIABILITY THEREFOR TO BE IMPOSED ON THE OPERATOR AND THE REGISTERED OWNER OF A VEHICLE WHICH IS PARKED IN VIOLATION OF SUCH LAWS AND REGULATIONS, PROVIDING PROCEDURES FOR THE ENFORCEMENT OF SUCH LAWS AND REGULATIONS AND PROVIDING FOR CIVIL FINES AND CIVIL PENALTIES FOR SUCH INFRACCTIONS; PROVIDING FOR OTHER MATTERS RELATED THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Councilman Ron Lurie

Summary: Decriminalizes violations of the parking laws and regulations, imposes civil liability for such violations and provides a civil procedure for the enforcement and collection of monetary sanctions which are associated therewith.

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

SECTION 1: Title 11, Chapter 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 10 and consisting of Sections 11.10.010 to 11.10.300, inclusive, reading as follows:

11.10.010: It is a civil infraction, for which both the registered owner and the operator of a vehicle are liable, for such vehicle to be parked or found in violation of any of the parking (non-moving traffic) laws which are set forth in this Code.

11.10.020: Whenever any vehicle is found in violation of the parking (non-moving traffic) laws which are set forth in this Code, a Notice of Infraction must be issued.

1 11.10.030: The Notice of Infraction must be on the form which
2 is prescribed by the Traffic Engineering Division of
3 the Department of Engineering Services and must contain
4 the following information:

5 (A) The state and license number and the make of the
6 vehicle which is parked in violation of the
7 provisions of this Code.

8 (B) The location at which the violation occurred.

9 (C) The date and time of the violation.

10 (D) The number of the parking meter which is adjacent
11 to the vehicle, if the vehicle is violating a
12 parking regulation respecting the use of parking
13 meters, as provided for in Chapter 54 of Title 11
14 of this Code.

15 (E) The signature of the person who issues the
16 Notice of Infraction.

17 (F) The section of this Code which allegedly is
18 being violated.

19 (G) The names of the operator and/or the registered
20 owner of the vehicle, if they are known to the
21 person who issues the Notice of Infraction.

22 (H) Information which advises of the manner in which,
23 and the time within which, the Notice of Infraction
24 must be answered.

25 (I) Any other reasonable information which is pre-
26 scribed by the Traffic Engineering Division of
27 the Department of Engineering Services.

28 11.10.040: The Notice of Infraction may be issued by any peace
29 officer or by any person who is authorized by the
30 Traffic Engineer.

31 11.10.050: The original Notice of Infraction, or a facsimile
32 thereof, must be filed with the Las Vegas Municipal Court

1 and retained by the Municipal Court, is deemed to be a
2 public record of matters which are observed pursuant
3 to a duty which is imposed by law and is prima facie
4 evidence of the facts which are alleged therein. A
5 duplicate of the Notice of Infraction must be served
6 on the person to whom it is issued as provided in
7 Section 11.10.060.

8 11.10.060: (A) The Notice of Infraction must be served upon
9 the owner and/or operator of the vehicle by
10 affixing the Notice to the vehicle in a conspicuous
11 place. Service of the Notice of Infraction by
12 affixation has the same force and effect and is
13 subject to the same penalties for the disregard
14 thereof as if the Notice of Infraction were per-
15 sonally served on the owner and/or operator of the
16 vehicle. In lieu of service by affixation, the
17 Notice of Infraction may be personally served
18 upon the owner and/or operator of the vehicle.

19 (B) For the purposes of this Chapter, an operator of
20 a vehicle who is not the owner thereof but who
21 uses or operates the vehicle with the permission
22 of the owner, express or implied, is deemed to be
23 the agent of the owner to receive a Notice of
24 Infraction, whether it is personally served on
25 the operator or served by affixation, and service
26 made in either manner is also deemed to be lawful
27 service upon the owner.

28 11.10.070: The Operator of a vehicle is liable for the civil
29 fines and civil penalties which are imposed pursuant to
30 this Chapter. The registered owner of the vehicle,
31 even if he is not the operator thereof, is also liable
32 for such civil fines and civil penalties unless he is

1 able to demonstrate that the vehicle was used without
2 his permission, express or implied. A registered
3 owner who pays any civil fine and/or civil penalty
4 pursuant to this Chapter has the right to recover from
5 the operator of the vehicle the civil fine and/or civil
6 penalty so paid and has a cause of action in any court
7 which has appropriate jurisdiction against the operator
8 of the vehicle for the amount so paid.

9 11.10.080: (A) A person who responds to a Notice of Infraction
10 must:

- 11 1. "admit" the commission of the infraction and
- 12 pay the appropriate civil fine;
- 13 2. "admit with explanation" the commission of
- 14 the infraction; or
- 15 3. "deny" liability for the infraction.

16 (B) A person may "admit" pursuant to paragraph 1 of
17 subsection A of this Section by paying the amount
18 of the civil fine which is appropriate for the
19 violation which was committed.

20 (C) A person may "admit with explanation" pursuant to
21 paragraph 2 of subsection A of this Section only
22 by appearing in person before the Court Administrator
23 of the Las Vegas Municipal Court, or his designee.
24 The civil fine may be excused only if it is
25 determined that:

- 26 1. The Notice of Infraction was improperly issued;
- 27 or,
- 28 2. If the person who responds to the Notice is
- 29 the registered owner of the vehicle, the
- 30 vehicle was, at the time of the violation,
- 31 being used without his express or implied per-
- 32 mission.

1 (D) A person may "deny" liability pursuant to paragraph
2 3 of subsection A of this Section only by appear-
3 ing in person before the Court Administrator of
4 the Las Vegas Municipal Court, or his designee, at
5 which time a trial date on the infraction must be
6 scheduled by the Municipal Court.

7 11.10.090: (A) A response to a Notice of Infraction, as provided
8 in Section 11.10.080, must be made within fifteen
9 (15) days after the date on which the Notice of
10 Infraction is issued. If no response is made
11 during such fifteen (15) day period, an additional
12 civil penalty which is equal to the amount of the
13 original civil fine must be imposed.

14 (B) After the expiration of the fifteen (15) day re-
15 sponse period, the Las Vegas Municipal Court must
16 send a Notice of Delinquency by mail to the
17 registered owner of the vehicle at the registered
18 owner's last known address, as indicated by the
19 vehicle registration which is maintained by the
20 Nevada Department of Motor Vehicles. The Notice of
21 Delinquency must contain the date of the infraction,
22 the amount of the civil fine and the amount of any
23 penalty which is associated therewith. The reg-
24 istered owner has thirty (30) days after the date
25 of mailing of the Notice of Delinquency in which
26 to respond thereto in the manner which is provided
27 in Section 11.10.080. If no response is made to
28 the Notice of Delinquency within such thirty (30)
29 day period, a civil penalty must be imposed equal
30 to five (5) times the original civil fine amount,
31 in addition to the original civil fine. In addition
32 to the authority of the Court Administrator of the

1 Las Vegas Municipal Court, or his designee, to
2 excuse the original civil fine, as provided in
3 Section 11.10.080, said Court Administrator or
4 his designee, may excuse all or part of any civil
5 penalty upon a showing of good cause why a response
6 to the Notice of Infraction or Notice of Delin-
7 quency was not timely made.

8 11.10.100: Judicial enforcement of Notices of Infraction must be
9 by way of civil suit in the Las Vegas Municipal Court.
10 A certified copy of the Notice of Infraction constitutes
11 a prima facie showing that an infraction occurred.

12 11.10.110: The action may be commenced at any time after the
13 expiration of thirty (30) days following the date on
14 which the Notice of Delinquency was mailed to the regis-
15 tered owner of the vehicle, pursuant to subsection B of
16 Section 11.10.090, by the filing of a complaint in the
17 name of the City of Las Vegas and the issuance of a
18 summons with respect thereto, and service of such
19 complaint and summons on the defendant must be made by
20 certified mail, return receipt requested, addressed to
21 the registered owner of the vehicle at his last known
22 address, as indicated by the vehicle registration which
23 is maintained by the Nevada Department of Motor Vehicles
24 or in any other manner which is authorized by law. The
25 normal rules of procedure which are permissible in the
26 Las Vegas Municipal Court shall apply.

27 11.10.120: Civil actions pursuant to this Chapter may only be
28 commenced within two years after the date on which the
29 infraction occurred, and the standard of proof which
30 is to be applied is the preponderance of the evidence.
31 The City has satisfied its burden of proof if it shows
32 that an infraction occurred and that the vehicle was

1 registered to the defendant on the date on which the
2 infraction occurred, unless either of these elements is
3 satisfactorily rebutted by the defendant.

4 11.10.130: Wherever in this Code or in any ordinance of the
5 City which relates to parking (non-moving traffic) laws
6 or regulations any act is prohibited or is made or
7 declared to be unlawful or an offense or a misdemeanor
8 or wherever in this Code or any ordinance of the City
9 which relates to parking (non-moving traffic) laws or
10 regulations, the doing of any act is required or the
11 failure to do any act is declared to be unlawful, the
12 sanction therefor is civil in nature in the monetary
13 amount which is set forth in Sections 11.10.150 to
14 11.10.190, inclusive.

15 11.10.140: The schedule of civil fines which is contained in
16 Sections 11.10.150 to 11.10.190, inclusive, is estab-
17 lished for infractions of the parking (non-moving
18 traffic) laws and regulations which are set forth in
19 this Code.

20 11.10.150: For parking a vehicle (1) in the area which is posted
21 with a parking time limit or in a space which is
22 equipped with a parking meter for a period which is
23 longer than the prescribed time, or (2) in any space
24 which is equipped with a parking meter while said meter
25 is displaying a signal which indicates that the vehicle
26 in such parking space has already been parked beyond
27 the prescribed time, the civil fine is ten dollars
28 (\$10.00).

29 11.10.160: For parking a vehicle in an area which is posted with
30 a "No Parking" sign or in a space the curb adjacent to
31 which has been painted red, the civil fine is twenty-five
32 dollars (\$25.00).

- 1 11.10.170: For parking a vehicle in an area which is posted with
2 a handicapped parking sign or in a space, the curb
3 adjacent to which has been painted blue, when such
4 vehicle does not display a handicapped permit or license
5 plate, the civil fine is twenty-five dollars (\$25.00).
- 6 11.10.180: For other parking (non-moving traffic) infractions
7 of the provisions of this Code, the civil fine is
8 ten dollars (\$10.00).
- 9 11.10.190: The civil fine for any of the infractions which are
10 described in Sections 11.10.150 or 11.10.180 must be
11 reduced by fifty percent (50%) if it is paid within
12 ten (10) days after the date on which the Notice of
13 Infraction is issued.
- 14 11.10.200: Members of the Las Vegas Metropolitan Police Depart-
15 ment or employees of the Traffic Engineering Division
16 of the Department of Engineering Services are authorized
17 to remove a vehicle from a street or highway to the
18 nearest garage or other place of safety, or to a
19 garage which is designated or maintained by the Police
20 Department or otherwise maintained by the City, under
21 the circumstances which are hereinafter enumerated:
- 22 (A) When any vehicle is left unattended upon any
23 highway, bridge, viaduct or causeway, or in any
24 tube or tunnel, if such vehicle constitutes an
25 obstruction to traffic;
- 26 (B) When a vehicle upon a street or highway is so
27 disabled as to constitute an obstruction to traffic
28 and the person who is in charge of such vehicle is,
29 by reason of physical injury or other reason,
30 incapacitated to the extent that he is unable to
31 provide for its custody or removal, or is not in
32 the immediate vicinity of the disabled vehicle;

- 1 (C) When any vehicle is illegally parked in a parking
2 space or location for twenty-four hours or
3 more or is parked so illegally as to constitute a
4 definite hazard or obstruction to the normal
5 movement of traffic;
- 6 (D) When the person who is in charge of a vehicle is
7 unable to provide for its custody or removal within
8 1. Twenty-four (24) hours after abandoning such
9 vehicle on any freeway, United States highway
10 or other primary arterial street; or
11 2. Seventy-two (72) hours after abandoning such
12 vehicle on any other street;
- 13 (E) When the person who is driving or in actual physical
14 control of a vehicle is arrested for any alleged
15 offense for which the arresting officer is required
16 by law to take such person before a proper magis-
17 trate without unnecessary delay; or
- 18 (F) Whenever impoundment is ordered by the Las Vegas
19 Municipal Court after a show-cause hearing has
20 been conducted in connection with the immobiliza-
21 tion of such vehicle, as provided by Sections
22 11.10.230 to 11.10.280, inclusive.
- 23 11.10.210: Whenever a person removes a vehicle from a street,
24 as authorized in Section 11.10.200, and such person
25 knows or is able to ascertain from the registration
26 records in the vehicle or by other reasonable means
27 the name and address of the owner thereof, such person
28 must immediately give, or cause to be given, notice in
29 writing and by telephone, if possible, to the owner of
30 the fact of such removal, the reasons therefor and the
31 place to which the vehicle has been removed. In the
32 event that the vehicle is stored in a public garage, a

1 copy of the notice shall be given to the proprietor
2 of the garage.

3 11.10.220: Whenever a person removes a vehicle from a street
4 pursuant to Section 11.10.200 and does not know and is
5 not able to ascertain the name of the owner, or for any
6 other reason is unable to give the notice to the owner,
7 as provided in Section 11.10.210, and the vehicle is
8 not returned to the owner within a period of three days,
9 such person must immediately send or cause to be sent
10 a written notice of such removal by mail to the Nevada
11 Department of Motor Vehicles and file a copy of
12 such notice with the proprietor of the garage or place
13 in which the vehicle is stored. Such notice must
14 include a complete description of the vehicle, the date,
15 time and place from which it was removed, the reasons
16 for such removal and the name of the garage or place
17 in which the vehicle is stored.

18 11.10.230: The use of automobile immobilizers, sometimes referred
19 to as "Denver boots" or "French boots," is hereby
20 authorized within the City as an aid in the enforcement
21 of the parking ordinances of the City.

22 11.10.240: An automobile immobilizer may be used only if either
23 of the following conditions exists:

24 (A) The complaint and summons in a civil suit,
25 commenced pursuant to Section 11.10.110 in respect
26 of a Notice of Infraction which was affixed to
27 the vehicle on which the immobilizer is placed,
28 has been returned by the United States Postal
29 Service as undeliverable at the address which is
30 shown thereon, and service of such complaint and
31 summons has been attempted with due diligence and
32 not effected within ten (10) days after the date

1 of such return; or

2 (B) The registered owner of the vehicle on which the
3 immobilizer is placed has a judgment for civil
4 fine against him in respect of such vehicle which
5 remains unpaid for at least thirty (30) days after
6 such judgment has been served upon him, either
7 personally or by certified mail, return receipt
8 requested.

9 11.10.250: If either of the conditions which are set forth in
10 Section 11.10.240 exists, the procedures which are pre-
11 scribed in Sections 11.10.260 to 11.10.280, inclusive,
12 must be followed before an immobilizer may be placed
13 on the vehicle and the vehicle may be impounded.

14 11.10.260: (A) Upon receipt of an affidavit by the Traffic
15 Engineer which states that either of the conditions
16 which are set forth in Section 11.10.240 exists and
17 requests the use of the immobilizer, the Las Vegas
18 Municipal Court may issue an order to immobilize
19 the vehicle the registration of which is shown on
20 the Notice of Infraction which forms the basis of
21 the civil action in which the complaint and
22 summons or the judgment, as the case may be, was
23 issued.

24 (B) The order to immobilize must declare, among other
25 things:

26 (1) That the vehicle has been immobilized for
27 failure to pay the civil fine in connection
28 with a Notice of Infraction within forty-five
29 days after its issuance:

30 (2) That it is a misdemeanor for any unauthorized
31 person to deface, injure, tamper with, open,
32 break, destroy or remove the immobilizer,

1 impair the usefulness thereof or attempt to
2 do any of those acts.

3 (3) That the registered owner of the vehicle is
4 afforded a hearing in the Las Vegas Municipal
5 Court at nine a.m. on the following day to
6 show cause why the vehicle should not be im-
7 pounded; and

8 (4) That, if the registered owner does not appear
9 at the scheduled hearing, an order to impound
10 the vehicle shall be issued.

11 11.10.270: (A) If an immobilizer is placed on the vehicle, a
12 copy of the order to immobilize must be affixed
13 thereto, and the registered owner must be afforded
14 a hearing in the Las Vegas Municipal Court on the
15 following day to show cause why the vehicle should
16 not be impounded. In no case may a vehicle be
17 immobilized on a day which precedes a day on which
18 the Court is not in session.

19 (B) At the hearing, the registered owner may present
20 such evidence and argument as he deems appropriate
21 in order to persuade the Court not to enter an
22 order to impound. The Court must order the
23 immobilizer to be removed if the owner pays a
24 twenty-five dollar (\$25.00) removal fee plus the
25 civil fine, together with civil penalties, in
26 connection with the Notice of Infraction with re-
27 spect to which the immobilizer was placed on the
28 vehicle, if a judgment in respect of that Notice
29 of Infraction has been entered or if the owner
30 does not desire a trial on that infraction. If a
31 judgment in respect of that Notice of Infraction
32 has not been entered and the owner desires a trial

1 on that infraction, the Court must set a date for
2 that trial and order the immobilizer to be removed,
3 if the owner pays the twenty-five dollar (\$25.00)
4 removal fee and agrees to appear for trial.

5 (C) In the event the registered owner does not appear,
6 or does not pay the removal fee and either refuses
7 to pay the civil fine, together with civil penalties,
8 or refuses to agree to appear for trial, the court
9 must enter an order to impound the vehicle. In
10 hardship cases, the court may allow the fine to be
11 paid in installments.

12 11.10.280: Upon the issuance of an order to impound, the vehicle
13 must be taken to the impound yard, impounded and the
14 immobilizer removed and returned to the Traffic Engineer-
15 ing Division of the Department of Engineering Services.
16 If a vehicle is impounded pursuant to this Section, it
17 may only be released by a further order of the Court,
18 and only then, if all of the charges for the removal of
19 the immobilizer and for towing and storage are paid in
20 full, in addition to the civil fine, together with civil
21 penalties, in connection with the Notice of Infraction
22 with respect to which the vehicle was impounded.

23 11.10.290: Automobile immobilizers may be placed by members of
24 the Las Vegas Metropolitan Police Department or by
25 employees of the Traffic Engineering Division of the
26 Department of Engineering Services.

27 11.10.300: It is unlawful for any unauthorized person to deface,
28 injure, tamper with, open, break, destroy or remove
29 any automobile immobilizer, impair the usefulness
30 thereof or attempt to do any of those acts.

31 SECTION 3: Title 11, Chapter 52, Section 50, of the
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

1 hereby amended to read as follows:

2 11.52.050: No person shall park any vehicle upon a street [, other
3 than an] or alley, in such a manner or under such
4 conditions as to leave available less than ten feet of
5 the width of the roadway or alley for free movement
6 of vehicular traffic.

7 SECTION 4: Title 11, Chapter 52, Section 130, of the
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
9 hereby amended to read as follows:

10 11.52.130: No person shall stop, stand or park a vehicle, except
11 when necessary to avoid conflict with other traffic in
12 compliance with law or the directions of a Police Officer
13 or traffic-control devices, in any of the following
14 places:

- 15 (A) At any place where official signs and/or curb
16 painting prohibit or restrict stopping, standing
17 or parking for a period longer or purpose other
18 than is permitted by such signs or curb painting;
- 19 (B) In front of any sidewalk elevator or chute or within
20 a space of five feet on either side of such side-
21 walk elevator or chute;
- 22 (C) At any school zone during school hours, unless
23 properly posted as a passenger loading zone as
24 provided in Section 11.44.020;
- 25 (D) Where signs are posted limiting parking to handi-
26 capped only, no person other than a person display-
27 ing a handicapped permit or special handicapped
28 license plate on his vehicle, shall stop, stand or
29 park the vehicle on any street described in
30 Schedule 17-VII, a copy of which is to be maintained
31 for public inspection in the offices of the City
32 Clerk and the City Traffic Engineer, or in such

1 other handicapped parking zones as may be added
2 to said schedule by resolution of the Board of
3 Commissioners. Any person displaying a handi-
4 capped permit or special handicapped license plate
5 may stop, stand or park in any such zone for a
6 period not to exceed four hours[.];

7 (E) On a sidewalk;

8 (F) In front of a public or private driveway;

9 (G) Within 50 feet of the nearest rail of a railroad;

10 (H) Within 20 feet of a driveway entrance to any
11 fire station and, on the side of a highway opposite
12 the entrance to any fire station, within 75 feet
13 of such station; or

14 (I) On the highway side of any vehicle which is
15 stopped or parked at the edge of or curb of a
16 highway.

17 SECTION 5: Nothing in this ordinance shall affect the
18 validity or enforceability of any parking citation which was
19 issued prior to the effective date of this ordinance.

20 SECTION 6: If any section, subsection, subdivision,
21 paragraph, sentence, clause or phrase in this ordinance or any
22 part thereof, is for any reason held to be unconstitutional or
23 invalid or ineffective by any court of competent jurisdiction,
24 such decision shall not affect the validity or effectiveness of
25 the remaining portions of this ordinance or any part thereof.
26 The City Council of the City of Las Vegas, Nevada, hereby declares
27 that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of
29 the fact that any one or more sections, subsections, subdivisions,
30 paragraphs, sentences, clauses or phrases be declared unconstitu-
31 tional, invalid or ineffective.

32

1 SECTION 7: All ordinances or parts of ordinances,
2 sections, subsections, phrases, sentences, clauses or paragraphs
3 contained in the Municipal Code of the City of Las Vegas, Nevada,
4 1983 Edition, in conflict herewith are hereby repealed.

5 PASSED, ADOPTED and APPROVED this 16th day of
6 November, 1983.

7 APPROVED:

8
9 By William H. Briare
10 WILLIAM H. BRIARE, MAYOR

11 ATTEST:

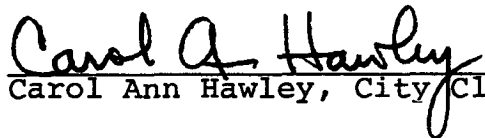
12 Carol A. Hawley
13 Carol Ann Hawley, City Clerk
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1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the 19th day of
3 October, 1983, and referred to the following committee
4 composed of Councilmen Lurie and
5 Levy for recommendation; thereafter
6 the said committee reported favorably on said ordinance on the
7 16th day of November, 1983, which was a regular meeting
8 of said City Council; that at said regular meeting, the
9 proposed ordinance was read by title to the City Council as
10 amended and adopted by the following vote:
11 VOTING "AYE" Councilmen: Christensen, Levy, Lurie and Nolen
12 VOTING "NAY" Councilmen: None
13 ABSENT: Mayor Briare

15 APPROVED:

16 
17 BY WILLIAM H. BRIARE, MAYOR

18 ATTEST:

19
20 
21 Carol Ann Hawley, City Clerk

BILL NO. 83 - 65

Ordinance No. _____

AN ORDINANCE RELATING TO PARKING (NON-MOVING TRAFFIC) LAWS AND REGULATIONS; AMENDING TITLE 11 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY REPEALING CHAPTER 10 OF SAID TITLE AND ADOPTING IN LIEU THEREOF A NEW CHAPTER, DESIGNATED AS CHAPTER 10 AND CONSISTING OF SECTIONS 11.10.010 to 11.10.300, INCLUSIVE, PROVIDING THAT VIOLATIONS OF PARKING (NON-MOVING TRAFFIC) LAWS AND REGULATIONS BE TREATED AS CIVIL INFRACTIONS, PROVIDING FOR CIVIL LIABILITY THEREFOR TO BE IMPOSED ON THE OPERATOR AND THE REGISTERED OWNER OF A VEHICLE WHICH IS PARKED IN VIOLATION OF SUCH LAWS AND REGULATIONS, PROVIDING PROCEDURES FOR THE ENFORCEMENT OF SUCH LAWS AND REGULATIONS AND PROVIDING FOR CIVIL FINES AND CIVIL PENALTIES FOR SUCH INFRACTIONS; PROVIDING FOR OTHER MATTERS RELATED THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Councilman Ron Lurie

Summary: Decriminalizes violations of the parking laws and regulations, imposes civil liability for such violations and provides a civil procedure for the enforcement and collection of monetary sanctions which are associated therewith.

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

SECTION 1: Title 11, Chapter 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 10 and consisting of Sections 11.10.010 to 11.10.300, inclusive, reading as follows:

11.10.010: It is a civil infraction, for which both the registered owner and the operator of a vehicle are liable, for such vehicle to be parked or found in violation of any of the parking (non-moving traffic) laws which are set forth in this Code.

11.10.020: Whenever any vehicle is found in violation of the parking (non-moving traffic) laws which are set forth in this Code, a Notice of Infraction must be issued.

1 11.10.030: The Notice of Infraction must be on the form which
2 is prescribed by the Traffic Engineering Division of
3 the Department of Engineering Services and must contain
4 the following information:

5 (A) The state and license number and the make and
6 model of the vehicle which is parked in violation
7 of the provisions of this Code.

8 (B) The location at which the violation occurred.

9 (C) The date and time of the violation.

10 (D) The number of the parking meter which is adjacent
11 to the vehicle, if the vehicle is violating a
12 parking regulation respecting the use of parking
13 meters, as provided for in Chapter 54 of Title 11
14 of this Code.

15 (E) The signature of the person who issues the
16 Notice of Infraction.

17 (F) The section of this Code which allegedly is
18 being violated.

19 (G) The names of the operator and/or the registered
20 owner of the vehicle, if they are known to the
21 person who issues the Notice of Infraction.

22 (H) Information which advises of the manner in which,
23 and the time within which, the Notice of Infraction
24 must be answered.

25 (I) Any other reasonable information which is pre-
26 scribed by the Traffic Engineering Division of
27 the Department of Engineering Services.

28 11.10.040: The Notice of Infraction may be issued by any peace
29 officer or by any person who is authorized by the
30 Traffic Engineer.

31 11.10.050: The original Notice of Infraction, or a facsimile
32 thereof, must be filed with the Las Vegas Municipal Court

1 and retained by the Municipal Court, is deemed to be a
2 public record of matters which are observed pursuant
3 to a duty which is imposed by law and is prima facie
4 evidence of the facts which are alleged therein. A
5 duplicate of the Notice of Infraction must be served
6 on the person to whom it is issued as provided in
7 Section 11.10.060.

8 11.10.060: (A) The Notice of Infraction must be served upon
9 the owner and/or operator of the vehicle by
10 affixing the Notice to the vehicle in a conspicuous
11 place. Service of the Notice of Infraction by
12 affixation has the same force and effect and is
13 subject to the same penalties for the disregard
14 thereof as if the Notice of Infraction were per-
15 sonally served on the owner and/or operator of the
16 vehicle. In lieu of service by affixation, the
17 Notice of Infraction may be personally served
18 upon the owner and/or operator of the vehicle.

19 (B) For the purposes of this Chapter, an operator of
20 a vehicle who is not the owner thereof but who
21 uses or operates the vehicle with the permission
22 of the owner, express or implied, is deemed to be
23 the agent of the owner to receive a Notice of
24 Infraction, whether it is personally served on
25 the operator or served by affixation, and service
26 made in either manner is also deemed to be lawful
27 service upon the owner.

28 11.10.070: The operator of a vehicle is liable for the civil
29 fines and civil penalties which are imposed pursuant to
30 this Chapter. The registered owner of the vehicle,
31 even if he is not the operator thereof, is also liable
32 for such civil fines and civil penalties unless he is

1 able to demonstrate that the vehicle was used without
2 his permission, express or implied. A registered
3 owner who pays any civil fine and/or civil penalty
4 pursuant to this Chapter has the right to recover from
5 the operator of the vehicle the civil fine and/or civil
6 penalty so paid and has a cause of action in any court
7 which has appropriate jurisdiction against the operator
8 of the vehicle for the amount so paid.

9 11.10.080: (A) A person who responds to a Notice of Infraction
10 must:

- 11 1. "admit" the commission of the infraction and
- 12 pay the appropriate civil fine;
- 13 2. "admit with explanation" the commission of
- 14 the infraction; or
- 15 3. "deny" liability for the infraction.

16 (B) A person may "admit" pursuant to paragraph 1 of
17 subsection A of this Section by paying the amount
18 of the civil fine which is appropriate for the
19 violation which was committed.

20 (C) A person may "admit with explanation" pursuant to
21 paragraph 2 of subsection A of this Section only
22 by appearing in person before the Court Administrator
23 of the Las Vegas Municipal Court, or his designee.
24 The civil fine may be excused only if it is
25 determined that:

- 26 1. The Notice of Infraction was improperly issued;
- 27 or,
- 28 2. If the person who responds to the Notice is
- 29 the registered owner of the vehicle, the
- 30 vehicle was, at the time of the violation,
- 31 being used without his express or implied per-
- 32 mission.

1 (D) A person may "deny" liability pursuant to paragraph
2 3 of subsection A of this Section only by appear-
3 ing in person before the Court Administrator of
4 the Las Vegas Municipal Court, or his designee, at
5 which time a trial date on the infraction must be
6 scheduled by the Municipal Court.

7 11.10.090: (A) A response to a Notice of Infraction, as provided
8 in Section 11.10.080, must be made within fifteen
9 (15) days after the date on which the Notice of
10 Infraction is issued. If no response is made
11 during such fifteen (15) day period, an additional
12 civil penalty which is equal to the amount of the
13 original civil fine must be imposed.

14 (B) After the expiration of the fifteen (15) day re-
15 sponse period, the Las Vegas Municipal Court must
16 send a Notice of Delinquency by mail to the
17 registered owner of the vehicle at the registered
18 owner's last known address, as indicated by the
19 vehicle registration which is maintained by the
20 Nevada Department of Motor Vehicles. The Notice of
21 Delinquency must contain the date of the infraction,
22 the amount of the civil fine and the amount of any
23 penalty which is associated therewith. The reg-
24 istered owner has thirty (30) days after the date
25 of mailing of the Notice of Delinquency in which
26 to respond thereto in the manner which is provided
27 in Section 11.10.080. If no response is made to
28 the Notice of Delinquency within such thirty (30)
29 day period, a civil penalty must be imposed equal
30 to five (5) times the original civil fine amount,
31 in addition to the original civil fine. In addition
32 to the authority of the Court Administrator of the

1 Las Vegas Municipal Court, or his designee, to
2 excuse the original civil fine, as provided in
3 Section 11.10.080, said Court Administrator or
4 his designee, may excuse all or part of any civil
5 penalty upon a showing of good cause why a response
6 to the Notice of Infraction or Notice of Delin-
7 quency was not timely made.

8 11.10.100: Judicial enforcement of Notices of Infraction must be
9 by way of civil suit in the Las Vegas Municipal Court.
10 A certified copy of the Notice of Infraction constitutes
11 a prima facie showing that an infraction occurred.

12 11.10.110: The action may be commenced at any time after the
13 expiration of thirty (30) days following the date on
14 which the Notice of Delinquency was mailed to the regis-
15 tered owner of the vehicle, pursuant to subsection B of
16 Section 11.10.090, by the filing of a complaint in the
17 name of the City of Las Vegas and the issuance of a
18 summons with respect thereto, and service of such
19 complaint and summons on the defendant must be made by
20 certified mail, return receipt requested, addressed to
21 the registered owner of the vehicle at his last known
22 address, as indicated by the vehicle registration which
23 is maintained by the Nevada Department of Motor Vehicles
24 or in any other manner which is authorized by law. The
25 normal rules of procedure which are permissible in the
26 Las Vegas Municipal Court shall apply.

27 11.10.120: Civil actions pursuant to this Chapter may only be
28 commenced within two years after the date on which the
29 infraction occurred, and the standard of proof which
30 is to be applied is the preponderance of the evidence.
31 The City has satisfied its burden of proof if it shows
32 that an infraction occurred and that the vehicle was

1 registered to the defendant on the date on which the
2 infraction occurred, unless either of these elements is
3 satisfactorily rebutted by the defendant.

4 11.10.130: Wherever in this Code or in any ordinance of the
5 City which relates to parking (non-moving traffic) laws
6 or regulations any act is prohibited or is made or
7 declared to be unlawful or an offense or a misdemeanor
8 or wherever in this Code or any ordinance of the City
9 which relates to parking (non-moving traffic) laws or
10 regulations, the doing of any act is required or the
11 failure to do any act is declared to be unlawful, the
12 sanction therefor is civil in nature in the monetary
13 amount which is set forth in Sections 11.10.150 to
14 11.10.190, inclusive.

15 11.10.140: The schedule of civil fines which is contained in
16 Sections 11.10.150 to 11.10.190, inclusive, is estab-
17 lished for infractions of the parking (non-moving
18 traffic) laws and regulations which are set forth in
19 this Code.

20 11.10.150: For parking a vehicle (1) in the area which is posted
21 with a parking time limit or in a space which is
22 equipped with a parking meter for a period which is
23 longer than the prescribed time, or (2) in any space
24 which is equipped with a parking meter while said meter
25 is displaying a signal which indicates that the vehicle
26 in such parking space has already been parked beyond
27 the prescribed time, the civil fine is ten dollars
28 (\$10.00).

29 11.10.160: For parking a vehicle in an area which is posted with
30 a "No Parking" sign or in a space the curb adjacent to
31 which has been painted red, the civil fine is twenty
32 dollars (\$20.00).

1 11.10.170: For parking a vehicle in an area which is posted with
2 a handicapped parking sign or in a space, the curb
3 adjacent to which has been painted blue, when such
4 vehicle does not display a handicapped permit or license
5 plate, the civil fine is twenty-five dollars (\$25.00).

6 11.10.180: For other parking (non-moving traffic) infractions
7 of the provisions of this Code, the civil fine is
8 ten dollars (\$10.00).

9 11.10.190: The civil fine for any of the infractions which are
10 described in Sections 11.10.150, 11.10.160 or 11.10.180
11 must be reduced by fifty percent (50%) if it is paid
12 within ten (10) days after the date on which the Notice
13 of Infraction is issued.

14 11.10.200: Members of the Las Vegas Metropolitan Police Depart-
15 ment or employees of the Traffic Engineering Division
16 of the Department of Engineering Services are authorized
17 to remove a vehicle from a street or highway to the
18 nearest garage or other place of safety, or to a
19 garage which is designated or maintained by the Police
20 Department or otherwise maintained by the City, under
21 the circumstances which are hereinafter enumerated:

22 (A) When any vehicle is left unattended upon any
23 highway, bridge, viaduct or causeway, or in any
24 tube or tunnel, if such vehicle constitutes an
25 obstruction to traffic;

26 (B) When a vehicle upon a street or highway is so
27 disabled as to constitute an obstruction to traffic
28 and the person who is in charge of such vehicle is,
29 by reason of physical injury or other reason,
30 incapacitated to the extent that he is unable to
31 provide for its custody or removal, or is not in
32 the immediate vicinity of the disabled vehicle;

- 1 (C) When any vehicle is illegally parked in a parking
2 space or location for twenty-four hours or
3 more or is parked so illegally as to constitute a
4 definite hazard or obstruction to the normal
5 movement of traffic;
- 6 (D) When the person who is in charge of a vehicle is
7 unable to provide for its custody or removal within
8 1. Twenty-four (24) hours after abandoning such
9 vehicle on any freeway, United States highway
10 or other primary arterial street; or
11 2. Seventy-two (72) hours after abandoning such
12 vehicle on any other street;
- 13 (E) When the person who is driving or in actual physical
14 control of a vehicle is arrested for any alleged
15 offense for which the arresting officer is required
16 by law to take such person before a proper magis-
17 trate without unnecessary delay; or
- 18 (F) Whenever impoundment is ordered by the Las Vegas
19 Municipal Court after a show-cause hearing has
20 been conducted in connection with the immobiliza-
21 tion of such vehicle, as provided by Sections
22 11.10.230 to 11.10.280, inclusive.
- 23 11.10.210: Whenever a person removes a vehicle from a street,
24 as authorized in Section 11.10.200, and such person
25 knows or is able to ascertain from the registration
26 records in the vehicle or by other reasonable means
27 the name and address of the owner thereof, such person
28 must immediately give, or cause to be given, notice in
29 writing and by telephone, if possible, to the owner of
30 the fact of such removal, the reasons therefor and the
31 place to which the vehicle has been removed. In the
32 event that the vehicle is stored in a public garage, a

1 copy of the notice shall be given to the proprietor
2 of the garage.

3 11.10.220: Whenever a person removes a vehicle from a street
4 pursuant to Section 11.10.200 and does not know and is
5 not able to ascertain the name of the owner, or for any
6 other reason is unable to give the notice to the owner,
7 as provided in Section 11.10.210, and the vehicle is
8 not returned to the owner within a period of three days,
9 such person must immediately send or cause to be sent
10 a written notice of such removal by mail to the Nevada
11 Department of Motor Vehicles and file a copy of
12 such notice with the proprietor of the garage or place
13 in which the vehicle is stored. Such notice must
14 include a complete description of the vehicle, the date,
15 time and place from which it was removed, the reasons
16 for such removal and the name of the garage or place
17 in which the vehicle is stored.

18 11.10.230: The use of automobile immobilizers, sometimes referred
19 to as "Denver boots" or "French boots," is hereby
20 authorized within the City as an aid in the enforcement
21 of the parking ordinances of the City.

22 11.10.240: An automobile immobilizer may be used only if either
23 of the following conditions exists:

24 (A) The complaint and summons in a civil suit,
25 commenced pursuant to Section 11.10.110 in respect
26 of a Notice of Infraction which was affixed to
27 the vehicle on which the immobilizer is placed,
28 has been returned by the United States Postal
29 Service as undeliverable at the address which is
30 shown thereon, and service of such complaint and
31 summons has been attempted with due diligence and
32 not effected within ten (10) days after the date

1 of such return; or

2 (B) The registered owner of the vehicle on which the
3 immobilizer is placed has a judgment for civil
4 fine against him in respect of such vehicle which
5 remains unpaid for at least thirty (30) days after
6 such judgment has been served upon him, either
7 personally or by certified mail, return receipt
8 requested.

9 11.10.250: If either of the conditions which are set forth in
10 Section 11.10.240 exists, the procedures which are pre-
11 scribed in Sections 11.10.260 to 11.10.280, inclusive,
12 must be followed before an immobilizer may be placed
13 on the vehicle and the vehicle may be impounded.

14 11.10.260: (A) Upon receipt of an affidavit by the Traffic
15 Engineer which states that either of the conditions
16 which are set forth in Section 11.10.240 exists and
17 requests the use of the immobilizer, the Las Vegas
18 Municipal Court may issue an order to immobilize
19 the vehicle the registration of which is shown on
20 the Notice of Infraction which forms the basis of
21 the civil action in which the complaint and
22 summons or the judgment, as the case may be, was
23 issued.

24 (B) The order to immobilize must declare, among other
25 things:

26 (1) That the vehicle has been immobilized for
27 failure to pay the civil fine in connection
28 with a Notice of Infraction within forty-five
29 days after its issuance;

30 (2) That it is a misdemeanor for any unauthorized
31 person to deface, injure, tamper with, open,
32 break, destroy or remove the immobilizer,

1 impair the usefulness thereof or attempt to
2 do any of those acts.

3 (3) That the registered owner of the vehicle is
4 afforded a hearing in the Las Vegas Municipal
5 Court at nine a.m. on the following day to
6 show cause why the vehicle should not be im-
7 pounded; and

8 (4) That, if the registered owner does not appear
9 at the scheduled hearing, an order to impound
10 the vehicle shall be issued.

11 11.10.270: (A) If an immobilizer is placed on the vehicle, a
12 copy of the order to immobilize must be affixed
13 thereto, and the registered owner must be afforded
14 a hearing in the Las Vegas Municipal Court on the
15 following day to show cause why the vehicle should
16 not be impounded. In no case may a vehicle be
17 immobilized on a day which precedes a day on which
18 the Court is not in session.

19 (B) At the hearing, the registered owner may present
20 such evidence and argument as he deems appropriate
21 in order to persuade the Court not to enter an
22 order to impound. The Court must order the
23 immobilizer to be removed if the owner pays a
24 twenty-five dollar (\$25.00) removal fee plus the
25 civil fine, together with civil penalties, in
26 connection with the Notice of Infraction with re-
27 spect to which the immobilizer was placed on the
28 vehicle, if a judgment in respect of that Notice
29 of Infraction has been entered or if the owner
30 does not desire a trial on that infraction. If a
31 judgment in respect of that Notice of Infraction
32 has not been entered and the owner desires a trial

1 on that infraction, the Court must set a date for
2 that trial and order the immobilizer to be removed,
3 if the owner pays the twenty-five dollar (\$25.00)
4 removal fee and agrees to appear for trial.

5 (C) In the event the registered owner does not appear,
6 or does not pay the removal fee and either refuses
7 to pay the civil fine, together with civil penalties,
8 or refuses to agree to appear for trial, the court
9 must enter an order to impound the vehicle. In
10 hardship cases, the court may allow the fine to be
11 paid in installments.

12 11.10.280: Upon the issuance of an order to impound, the vehicle
13 must be taken to the impound yard, impounded and the
14 immobilizer removed and returned to the Traffic Engineer-
15 ing Division of the Department of Engineering Services.
16 If a vehicle is impounded pursuant to this Section, it
17 may only be released by a further order of the Court,
18 and only then, if all of the charges for the removal of
19 the immobilizer and for towing and storage are paid in
20 full, in addition to the civil fine, together with civil
21 penalties, in connection with the Notice of Infraction
22 with respect to which the vehicle was impounded.

23 11.10.290: Automobile immobilizers may be placed by members of
24 the Las Vegas Metropolitan Police Department or by
25 employees of the Traffic Engineering Division of the
26 Department of Engineering Services.

27 11.10.300: It is unlawful for any unauthorized person to deface,
28 injure, tamper with, open, break, destroy or remove
29 any automobile immobilizer, impair the usefulness
30 thereof or attempt to do any of those acts.

31 SECTION 3: Nothing in this ordinance shall affect the
32 validity or enforceability of any parking citation which was

1 issued prior to the effective date of this ordinance.

2 SECTION 4: If any section, subsection, subdivision,
3 paragraph, sentence, clause or phrase in this ordinance or any
4 part thereof, is for any reason held to be unconstitutional or
5 invalid or ineffective by any court of competent jurisdiction,
6 such decision shall not affect the validity or effectiveness of
7 the remaining portions of this ordinance or any part thereof.
8 The City Council of the City of Las Vegas, Nevada, hereby declares
9 that it would have passed each section, subsection, subdivision,
10 paragraph, sentence, clause or phrase thereof irrespective of
11 the fact that any one or more sections, subsections, subdivisions,
12 paragraphs, sentences, clauses or phrases be declared unconstitu-
13 tional, invalid or ineffective.

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

18 PASSED, ADOPTED and APPROVED this _____ day of
19 _____, 1983.

20 APPROVED:

21
22 By _____
23 WILLIAM H. BRIARE, MAYOR

24 ATTEST:

25
26 _____
27 Carol Ann Hawley, City Clerk
28
29
30
31
32

1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the ____ day of
3 _____, 1983, and referred to the following committee
4 composed of Councilmen _____ and
5 _____ for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the ____
7 day of _____, 1983, which was a _____ meeting of
8 said City Council; that at said _____ 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: _____

12 VOTING "NAY" Councilmen: _____

13 ABSENT: _____

14 APPROVED:

15

16 By _____
17 WILLIAM H. BRIARE, MAYOR

18 ATTEST:

19

20

21 Carol Ann Hawley, City Clerk

22

23

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AFFIDAVIT OF PUBLICATION

FIRST AMENDMENT

BILL NO. 83-65

ORDINANCE NO. 3089

AN ORDINANCE RELATING TO PARKING (NON-MOVING TRAFFIC) LAWS AND REGULATIONS: AMENDING TITLE II OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY REPEALING CHAPTER 10 OF SAID TITLE AND ADOPTING IN LIEU THEREOF A NEW CHAPTER, DESIGNATED AS CHAPTER 10 AND CONSISTING OF SECTIONS 11.10.010 TO 11.10.300, INCLUSIVE, PROVIDING THAT VIOLATIONS OF PARKING (NON-MOVING TRAFFIC) LAWS AND REGULATIONS BE TREATED AS CIVIL INFRACTIONS, PROVIDING FOR CIVIL LIABILITY THEREFOR TO BE IMPOSED ON THE OPERATOR AND THE REGISTERED OWNER OF A VEHICLE WHICH IS PARKED IN VIOLATION OF SUCH LAWS AND REGULATIONS, PROVIDING PROCEDURES FOR THE ENFORCEMENT OF SUCH LAWS AND REGULATIONS AND PROVIDING FOR CIVIL FINES AND CIVIL PENALTIES FOR SUCH INFRACTIONS; PROVIDING FOR OTHER MATTERS RELATED THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored By:

Councilman Ron Lurie

Summary: Decriminalizes violations of the parking laws and regulations, imposes civil liability for such violations and provides a civil procedure for the enforcement and collection of monetary sanctions which are associated therewith.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 19th day of October, 1983, and referred to the following committee composed of Councilmen Lurie and Levy, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 16th day of November, 1983, 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:

Christensen, Levy, Lurie and Nolen

VOTING "NAY" Councilmen: None

ABSENT: Mayor Briere

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: November 19, 1983

Las Vegas SUN

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Carol Black

, 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 November 19, 1983 to November 19, 1983

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

November 19, 1983

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 November, 1983

Ruth V. Deskin

Notary Public in and for Clark County, Nevada

RUTHE V. DESKIN

Notary Public-State of Nevada

COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

My Commission Expires



RECEIVED

Nov 28 12 59 PM '83

CITY CLERK

07105

BILL NO. 83-85

AN ORDINANCE RELATING TO PARKING (NON-MOVING TRAFFIC) LAWS AND REGULATIONS; AMENDING TITLE 11 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY REPEALING CHAPTER 10 OF SAID TITLE AND ADOPTING IN LIEU THEREOF A NEW CHAPTER, DESIGNATED AS CHAPTER 10 AND CONSISTING OF SECTIONS 11.10.010 TO 11.10.300, INCLUSIVE, PROVIDING THAT VIOLATIONS OF PARKING (NON-MOVING TRAFFIC) LAWS AND REGULATIONS BE TREATED AS CIVIL INFRACTIONS, PROVIDING FOR CIVIL LIABILITY THEREFOR TO BE IMPOSED ON THE OPERATOR AND THE REGISTERED OWNER OF A VEHICLE WHICH IS PARKED IN VIOLATION OF SUCH LAWS AND REGULATIONS, PROVIDING PROCEDURES FOR THE ENFORCEMENT OF SUCH LAWS AND REGULATIONS AND PROVIDING FOR CIVIL FINES AND CIVIL PENALTIES FOR SUCH INFRACTIONS; PROVIDING FOR OTHER MATTERS RELATED THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by:
COUNCILMAN RON LURIE

Summary: Decriminalizes violations of the parking laws and regulations, imposes civil liability for such violations and provides a civil procedure for the enforcement and collection of monetary sanctions which are associated therewith.

At a City Council Meeting on
October 19, 1983

BILL NO. 83-85 WAS READ BY
TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

COUNCILMEN: Lurie and Levy
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: November 5, 1983
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Carol Black

, 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 November 5, 1983 to November 5, 1983

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

November 5, 1983

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 5th
day of November, 1983

Ruthie V. Deskin

Notary Public In and For Clark County, Nevada

RUTHE V. DESKIN

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

My Commission Expires



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