

1 **BILL NO. 2003-9**

2 **ORDINANCE NO. 5570**

3 AN ORDINANCE TO UPDATE THE CITY'S TEMPORARY TRAFFIC CONTROL
4 REGULATIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Charles Kajkowski, Deputy Summary: Updates the City's temporary traffic
6 Director, Department of Public Works control regulations.

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

9 SECTION 1: Title 11, Chapter 50, Section 10, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **11.50.010:** [That certain document, three copies of which are on file in the office of the City Clerk,
12 being marked and designated as "Nevada-1980-Traffic Control Manual," is adopted by reference and
13 said manual, as the same may hereafter be amended] The "Manual on Uniform Traffic Control
14 Devices," in the version adopted by the Nevada Department of Transportation pursuant to NAC
15 408.411 (hereinafter [collectively] referred to as ["the Manual"] the "MUTCD"), shall govern the
16 operations of all contractors, subcontractors [and/or persons affected by said regulations, who are] and
17 other persons who are engaged in work subject to the MUTCD within the corporate limits of the City.

18 SECTION 2: Title 11, Chapter 50, Section 20, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby repealed.

20 SECTION 3: Title 11, Chapter 50, Section 30, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **11.50.030:** Violation of any regulation contained in the [manual] MUTCD or elsewhere shall be
23 corrected within two hours by the violator, after receipt of written notice from the City Traffic
24 Engineer or his duly authorized representative that a violation exists.

25 SECTION 4: Title 11, Chapter 50, Section 40, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **11.50.040:** (A) The City is authorized to charge fees related to the placement of traffic
28 barricades in accordance with the fee schedule established pursuant to LVMC 13.40.050. The fees

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1 may include, without limitation, fees relating to the approval and renewal of traffic barricade plans,
2 and the fees described in this Section.

3 (B) In the case of a violation referred to in LVMC 11.50.030, [Failure] failure on
4 the part of the violator to correct any such deficiencies within [said] the two-hour period described in
5 that section shall be sufficient authorization for the City to correct the existing deficiencies. [A
6 minimum assessment of fifty dollars per day, in addition to fifty cents for each unit per day, in
7 addition to all damages, shall be billed to the violator by the City.] The City Traffic Engineer is
8 authorized to charge the violator a noncompliance correction fee in accordance with the fee schedule
9 established pursuant to LVMC 13.40.050. The City Traffic Engineer, in his discretion, may order a
10 cessation of work on the operation with respect to which such deficiencies exist until the same shall
11 have been corrected.

12 (C) Where barricades or other traffic-control devices are left within the travel lanes
13 or sidewalk areas of a right-of-way for longer than the period authorized by a permit, the City is
14 authorized to charge a noncompliance correction fee and lane/sidewalk rental fees, including fees
15 charged on a per-unit of equipment basis, in accordance with the fee schedule established pursuant
16 to LVMC 13.40.050.

17 SECTION 5: Title 11, Chapter 50, Section 50, of the Municipal Code of the City of
18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **11.50.050:** (A) No person shall place, maintain, or display upon or in view of any construction
20 site, any temporary traffic-control device which, in the opinion of the [City, or the] City Traffic
21 Engineer[,] or his designee is deemed as substandard, damaged, worn out, faded, or otherwise
22 nonconforming.

23 (B) Any temporary traffic-control device which is in violation of this Section shall
24 be red-tagged, and shall be corrected within four hours by the violator after receipt of notice of said
25 red tag.

26 (C) Failure on the part of the violator to correct any such deficiencies within said
27 four-hour period shall constitute a misdemeanor.

28 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or

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

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

15 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,
16 sentences, clauses or paragraphs 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 19th day of February, 2003.

19 APPROVED:

20
21 By 
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:
24 
25 BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:
27 Val Steed 1-8-03
28 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 22nd day of January, 2003, and referred to a committee for recommendation; thereafter the
3 committee reported favorably on said ordinance on the 19th day of February, 2003, which was a
4 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by
5 title to the City Council as first read and adopted by the following vote:

6 VOTING "AYE": Mayor Goodman, Councilmembers Reese, M. McDonald, Brown, L. B.
McDonald, Weekly and Mack

7 VOTING "NAY": None

8 EXCUSED: None

9 ABSTAINED: None

10 APPROVED:

11 

12 _____
OSCAR B. GOODMAN, Mayor

13 ATTEST:

14 
15 _____
BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the 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 attached for,

LV CITY CLERK
2612840

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/07/2003 to 02/07/2003, on the following days: FEB. 7, 2003

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

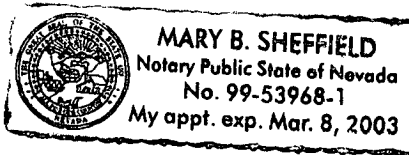
10

day of _____ 2003

February

Notary Public

Mary B. Sheffield



BILL NO. 2003-9
AN ORDINANCE TO UPDATE THE CITY'S TEMPORARY TRAFFIC CONTROL REGULATIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.
Proposed by: Charles Kajkowski, Deputy Director, Department of Public Works
Summary: Updates the City's temporary traffic control regulations.
At the City Council meeting of JANUARY 22, 2003 BILL NO. 2003-9 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: Feb. 7, 2003
LV Review-Journal

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CITY CLERK

2003 FEB 28 P 12: 08

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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LV CITY CLERK
2636892

2296311LV

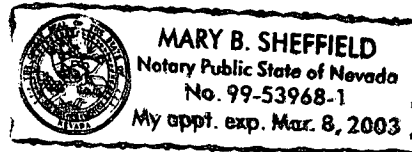
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/22/2003 to 02/22/2003, on the following days: FEB. 22, 2003

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 25

day of February 2003

Mary B. Sheffield
Notary Public



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The above and foregoing ordinance was first proposed and read by title to the City Council on the 22nd day of January, 2003, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 19th day of February, 2003, 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": Mayor Goodman and Councilmembers Reese, M. McDonald, Brown, L.B. McDonald, Weekly, and Mack
VOTING "NAY": NONE
EXCUSED: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: February 22, 2003
LV Review-Journal