

3 AN ORDINANCE RELATING TO PARKING OR NONMOVING VIOLATIONS; AMENDING  
4 TITLE 11, CHAPTER 10 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS,  
5 NEVADA, 1983 EDITION; PROVIDING PROCEDURES FOR RESPONDING TO NOTICES  
6 OF INFRACTION; PROVIDING AN OPPORTUNITY TO AGREE TO A BINDING HEARING  
7 IN THE NATURE OF AN ARBITRATION OR ALTERNATIVE DISPUTE RESOLUTION  
8 BEFORE A HEARING OFFICER; PROVIDING FOR AN ATTORNEY TO ACT AS A  
9 HEARING OFFICER; NARROWING THE AMOUNT OF CIVIL FINES AND PENALTIES;  
10 PROVIDING INCREASED PENALTIES FOR REPEAT OFFENSES CONCERNING PARKING  
11 IN A HANDICAPPED ZONE (CONSISTENT WITH NRS 484.408); PROVIDING  
12 CONDITIONS FOR THE DISMISSAL OF AN INFRACTION DUE TO LACK OF NOTICE;  
13 PROVIDING FOR WRITTEN DECISIONS FROM THE HEARING OFFICER; PROVIDING  
14 FOR THE TOWING AND "BOOTING" OF VEHICLES THROUGH THE ISSUANCE OR  
15 WRITS OF EXECUTION; AMENDING TITLE 11, CHAPTER 44 OF THE MUNICIPAL  
16 CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE, 11,  
17 CHAPTER 52 OF THE LAS VEGAS MUNICIPAL CODE OF THE CITY OF LAS VEGAS,  
18 NEVADA, 1983 EDITION; AMENDING TITLE 11, CHAPTER 54 OF THE MUNICIPAL  
19 CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING FOR  
20 ADDITIONAL PARKING VIOLATIONS; PROVIDING FOR OTHER MATTERS PROPERLY  
21 RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF  
22 ORDINANCES IN CONFLICT HEREWITH.

13 Sponsored by:

Summary: Amends Title 11 of the Municipal Code  
of the City of Las Vegas, Nevada, 1983  
Edition, so as to establish additional  
parking violations and revise provisions  
concerning the administration and  
enforcement of parking violations,  
including establishing provisions for a  
parking Hearing Officer.

14 Councilman Frank Hawkins Jr.

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

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

22 **11.10.010** (A) It is a civil infraction, for which both the registered owner and the  
23 operator of a vehicle are liable, for such vehicle to be parked or found in violation of any of the  
24 parking laws which are set forth in this Title.

25 (B) *Nothing in this Title shall prohibit the parking of a vehicle, consistent with public*  
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1 safety, by a physically handicapped person, a disabled veteran or a person transporting a  
2 physically handicapped person or disabled veteran in compliance with NRS 484.407.

3 (C) Definitions. For purposes of this Title, unless otherwise indicated:

4 (1) "Operator" means and includes every individual who operates a vehicle as the  
5 owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical  
6 control of a vehicle.

7 (2) "Park" or "parking" means the standing, stopping or halting of a vehicle,  
8 whether occupied or not, upon a street - including temporarily for the purpose of, and while  
9 engaged in, receiving or discharging passengers or loading or unloading freight, cargo,  
10 merchandise or other goods, but not including in obedience to traffic regulations, signs or signals  
11 or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator  
12 of the vehicle.

13 (3) "Parking meter" means and includes any mechanical device or meter not  
14 inconsistent with this Title placed or erected for the regulation of parking by authority of this  
15 Title. Each parking meter installed shall indicate by proper legend the legal parking time  
16 established by the City and when operated shall at all times indicate the balance of legal parking  
17 time, and at the expiration of such period shall indicate illegal or overtime parking.

18 (4) "Parking meter space" means any space within a parking meter zone, adjacent  
19 to a parking meter and which is duly designated for the parking of a single vehicle between  
20 parking meters, between a parking meter and a prohibited or restricted parking area or area so  
21 designated by line painted or otherwise durably marked on the curb or on the surface of the street  
22 adjacent to or adjoining the parking meters.

23 (5) "Parking meter zone" means and includes any restricted street upon which  
24 parking meters are installed and in operation.

25 (6) "Street" means any public street, avenue, road, alley, highway, lane, path or  
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1 *other public place located in the City and established for the use of vehicles.*

2 (7) "Vehicle" means any device in, upon or by which any person or property is or  
3 may be transported upon a highway, except a device which is operated upon rails or tracks.

4 **11.10.020** Whenever any vehicle is found in violation of the parking laws which are set  
5 forth in this Title, a Notice of Infraction must be issued.

6 **11.10.030 (A)** The Notice of Infraction must [be on the form which is prescribed by the  
7 Department of Detention and Enforcement and must] contain the following information:

8 [(A)] (1) The state and license number and the make of the vehicle which is parked in  
9 violation of the provisions of this Code;

10 [(B)] (2) The location at which the violation occurred;

11 [(C)] (3) The date and time of the violation;

12 [(D)] (4) The number of the parking meter which is adjacent to the vehicle, if the vehicle  
13 is violating a parking regulation respecting the use of parking meters, as provided for in Chapter  
14 54 of Title 11 of this Code;

15 [(E)] (5) The name of the person who issues the Notice of Infraction;

16 [(F)] (6) The section of this Code which allegedly is being violated;

17 [(G)] (7) The names of the operator and/or the registered owner of the vehicle, if they  
18 are known to the person who issues the Notice of Infraction;

19 [(H)] (8) Information which advises of the manner in which, and the time within which,  
20 the Notice of Infraction must be answered;

21 [(I)] (9) Any other reasonable information which is prescribed by the Department of  
22 Detention and Enforcement or Department of Business Activity.

23 (B) *Error concerning or omission of any of the above-described information is not*  
24 *grounds for the dismissal of an action relating to a Notice of Infraction unless the person*  
25 *requesting such a disposition demonstrates substantial prejudice therefrom by a preponderance*  
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1 of the evidence.

2 (C) Where the Notice of Infraction data is stored into a computer or similar device, any  
3 printout or other output readable by sight which accurately reflects such data is an "original"  
4 Notice of Infraction for purposes of this Chapter. Any such recording which is moved or copied  
5 into another computer or similar device and is intended to have the same effect by the issuing  
6 officer is also an "original" Notice of Infraction for purposes of this Chapter.

7 (D) Any Notice of Infraction issued pursuant to this Chapter, shall constitute a  
8 declaration which is subject to the penalty of perjury.

9 **11.10.040** The Notice of Infraction may be issued by any peace officer or by any person  
10 who is authorized to do so by the Director of the Department of Detention and Enforcement.

11 **11.10.050** An [The] original Notice of Infraction, or a facsimile thereof, must be filed  
12 with the [Las Vegas Municipal Court and retained by the Municipal Court,] Department of  
13 Business Activity and retained by that Department and is deemed to be a public record of matters  
14 which are observed pursuant to a duty which is imposed by law and is prima facie evidence of  
15 the facts which are alleged therein. An original or duplicate of the Notice of Infraction must be  
16 served on the person to whom it is issued as provided in Section 11.10.060.

17 **11.10.060** (A) The Notice of Infraction must be served upon the owner and/or operator  
18 of the vehicle by affixing the Notice to the vehicle in a conspicuous place. Service of the Notice  
19 of Infraction by affixation has the same force and effect and is subject to the same penalties for  
20 the disregard thereof as if the Notice of Infraction were personally served on the owner and/or  
21 operator of the vehicle. In lieu of service by affixation the Notice of Infraction may be personally  
22 served upon the owner and/or operator of the vehicle. In lieu of personal service or service by  
23 affixation, the Notice of Infraction may be mailed by regular mail to the owner and/or operator  
24 of the vehicle where the operator of the vehicle successfully resists affixation and immediate  
25 personal service of the Notice of Infraction, and such service has the same force and effect and  
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1 *is subject to the same penalties for the disregard thereof as if the Notice of Infraction were*  
2 *personally served upon the owner and/or operator of the vehicle.*

3 (B) For the purposes of this Chapter, an operator of a vehicle who is not the owner  
4 thereof but who uses or operates the vehicle with the permission of the owner, express or implied,  
5 is deemed to be the agent of the owner to receive a Notice of Infraction, whether it is personally  
6 served on the operator or served by affixation, and service made in either manner is also deemed  
7 to be lawful service upon the owner.

8 **11.10.070** (A) The operator of a vehicle is liable for the civil fines and civil penalties  
9 which are imposed pursuant to this Chapter. The registered owner of the vehicle, even if he is  
10 not the operator thereof, is also liable for such civil fines and civil penalties unless he is able to  
11 demonstrate that the vehicle was used without his permission, express or implied. A registered  
12 owner who pays any civil fine and/or civil penalty pursuant to this Chapter has the right to  
13 recover from the operator of the vehicle the civil fine and/or civil penalty so paid and has a cause  
14 of action in any court which has appropriate jurisdiction against the operator of the vehicle for  
15 the amount so paid.

16 (B) *In order to hold the operator of a leased or rented vehicle primarily*  
17 *responsible for the issuance of the Notice of Infraction, the name, address and phone number of*  
18 *the person renting or leasing a vehicle found parked in violation of this Title must be provided by*  
19 *the rental or leasing agent or agency to the Director of the Department of Business Activity or his*  
20 *designee within seven calendar days of receiving notice of such infraction. Nothing in this*  
21 *provision shall absolve the owner of responsibility for the issuance of the Notice of Infraction as*  
22 *provided in this Chapter.*

23 **11.10.080** (A) A person who responds to a Notice of Infraction must:

24 (1) "Admit" [the] *responsibility for the commission of the infraction and liability*  
25 *for the penalty imposed and pay the appropriate civil fine and penalty;*  
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1 (2) [Personally, or through counsel if one is retained, contact the City Attorney or  
2 his designee; or] *Contact the Director of the Department of Business Activity, or his authorized*  
3 *designee, "admit" responsibility and liability for the commission of the infraction and any*  
4 *penalties thereon and arrange a schedule for the payment of such fines and penalties;*

5 (3) ["Deny" liability for the infraction.] *Accept responsibility as the owner and/or*  
6 *operator of the vehicle while reserving the right to dispute the propriety of the issuance of the*  
7 *Notice of Infraction and any penalties thereon and agree to a binding hearing in the nature of an*  
8 *arbitration or alternative dispute resolution as provided in subsections B through J, inclusive of*  
9 *this section; or*

10 (4) *Await the filing and receipt of a civil Complaint and Summons (or Affidavit of*  
11 *Complaint and Order) in accordance with Section 11.10.100 through Section 11.10.120, inclusive*  
12 *and appear as summonsed to defend against such civil Complaint (or Affidavit of Complaint) or*  
13 *be subject to the entry of a default judgment at the time of such failure to appear as summonsed*  
14 *(or ordered) and upon proof of service of the Complaint and Summons (or Affidavit of Complaint*  
15 *and Order) as provided in Section 11.10.110.*

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

18 (C)] *Unless the City has sought judicial enforcement of the Notice of Infraction pursuant*  
19 *to 11.10.100, a [A] person [whose notice of infraction has not been withdrawn by the City*  
20 *Attorney's Office may "deny" liability pursuant to paragraph (3) of subsection (A) of this section*  
21 *only by appearing in person before the Court Administrator of the Las Vegas Municipal Court,*  
22 *or his designee and under declaration of perjury stating that (1) such person was neither the*  
23 *operator nor owner of the vehicle at the time of the issuance of the Notice of Infraction; (2) such*  
24 *person was the owner or operator of the vehicle at the time of the issuance of the Notice of*  
25 *Infraction, but believes that the Notice of Infraction was improperly issued; or (3) such person*

1 was the owner, but that the vehicle was operated without express or implied permission at which  
2 time a return date on the infraction must be scheduled by the Municipal Court Administrator or  
3 his designee unless, under Section 11.10.110, such person has received a summons and complaint  
4 in which case a hearing date shall be set as provided by that section. The return date must be for  
5 an appearance before a Las Vegas Municipal Court Judge and be no sooner than ten working days  
6 from the date of the person's appearance before the Court Administrator. The Court Administrator  
7 must immediately notify the City Attorney's Office of the person's scheduled return date. The  
8 City Attorney must file a complaint identical to that required under Section 11.10.110 before the  
9 person's scheduled return date unless good cause can be shown for the failure to file such  
10 complaint. A person attending his or her scheduled return date must receive a copy of the  
11 complaint filed and if such person continues to deny liability for the Notice of Infraction, must  
12 also receive a date for a hearing on such complaint.] *may initiate a hearing pursuant to paragraph*  
13 *3 of subsection A of this Section by personally contacting the Director of the Department of*  
14 *Business Activity or his designee, identifying his/her name, current address and the Notice(s) of*  
15 *Infraction(s) and penalties thereon which such person wishes to subject to such hearing and*  
16 *receiving a date for such hearing. Any person initiating such a hearing in this manner thereby*  
17 *stipulates to be bound by the decision of the Hearing Officer concerning liability for the*  
18 *infraction(s) and responsibility for the penalties thereon and shall acknowledge the same in*  
19 *writing. Any person scheduling a hearing before the Hearing Officer thereby further stipulates that*  
20 *in the event of his or her failure to appear at such hearing without having first sought and*  
21 *obtained a continuance of such hearing, the Hearing Officer may enter a decision against the*  
22 *defendant for the full amount of fines and penalties scheduled to be reviewed and shall*  
23 *acknowledge the same in writing. The acknowledgment provided for herein shall be in*  
24 *substantially the following form:*

25 I \_\_\_\_\_, hereby request a binding hearing in  
26 the nature of arbitration or alternative dispute resolution before the Hearing

1 Officer. My address is \_\_\_\_\_  
2 \_\_\_\_\_ . I request that this hearing involve Notice(s) of Infraction(s)  
3 Number \_\_\_\_\_ . I understand that the Hearing Officer is an  
4 attorney and not an elected or appointed judge.

5 I understand that I am agreeing to be bound by the decision of the  
6 Hearing Officer. I understand that if I fail to appear for the scheduled hearing  
7 before the Hearing Officer without first obtaining a continuance of such hearing,  
8 the Hearing Officer can and will enter a decision against me for the full amount  
9 and penalties scheduled to be reviewed. I understand and agree that if necessary  
10 due to my lack of timely payment, the City of Las Vegas can and will use this  
11 binding decision to have a formal civil judgment entered against me in the Las  
12 Vegas Municipal Court.

13 I understand that if a civil judgment is obtained, the City may seek and  
14 obtain a writ of execution against me. I understand that if a writ of execution  
15 is obtained, my wages and/or bank accounts may be garnished, liens may be put  
16 on my property and my car(s) may be towed or immobilized.

17 Knowing all of the above, I still wish to request a binding hearing before  
18 the Hearing Officer on the above-described Notice(s) of Infraction(s).

19 I hereby acknowledge the above and further acknowledge that at my  
20 request a hearing has been set for \_\_\_\_\_, 19\_\_ at the hour  
21 of \_\_\_\_\_ m.

22 \_\_\_\_\_  
23 Defendant

24 (C) Any hearing conducted pursuant to subsection A, paragraph 3 and subsection B of  
25 this Section shall be presided over by a Hearing Officer who shall be an attorney licensed to  
26 practice law in the State of Nevada.

(D) With respect to any hearing conducted pursuant to subsection A, paragraph 3 and  
subsection B of this Section, a properly filed Notice of Infraction shall constitute a claim of  
liability and a claim for relief and no other such claim shall be required. Prima facie proof of the  
violation alleged shall be established by the City providing the Hearing Officer with either a  
certified copy of the Notice of Infraction or the data stored in a computer or other device as  
described in section 11.10.030, subsection B of this Chapter. No formal appearance by the City  
Attorney's Office is required. The hearings and dispositions of all such actions shall be informal,

1 with the Hearing Officer receiving witness statements or testimony and other evidence for the sole  
2 purpose of dispensing fair and speedy justice between the parties.

3 (E) The burden of proving any defense shall be upon the person raising such defense.

4 (F) If the Hearing Officer finds that the infraction did not occur or that an infraction was  
5 committed, but one or more of the defenses set forth below is applicable, the Hearing Officer shall  
6 enter his decision for the defendant. Such a decision shall release the registered owner and/or  
7 operator from all liability thereunder. Such defenses include, but are not limited to:

8 (1) At the time of the receipt of the notice, possession of the subject vehicle had  
9 been acquired by another in violation of the laws of the State of Nevada.

10 (2) If the notice alleges a violation of any ordinance pertaining to a meter, such  
11 meter was mechanically malfunctioning to the extent that its reliability was questionable.

12 (3) Compliance with the subject ordinances would have presented an imminent  
13 danger to persons or property.

14 (4) The area of the alleged violation was so inadequately marked or lit as to fail  
15 to give sufficient notice that access to the area was restricted or prohibited.

16 (5) A mechanical malfunction of the vehicle caused it to be parked in the area  
17 alleged and it was removed as soon as could be reasonably expected thereafter.

18 (6) At the time of the issuance of the Notice of Infraction, the vehicle was parked  
19 consistent with public safety, by a physically handicapped person, a disabled veteran or a person  
20 transporting a physically handicapped person or disabled veteran in compliance with NRS  
21 484.407.

22 (G) Except as provided in subsection H of this section, the defendant shall pay the total  
23 civil fines and penalties forthwith or at such times and on such conditions as the Hearing Officer  
24 shall prescribe if it is found that the person has either failed to appear or otherwise defend against  
25 the issuance of the infraction as agreed or that the infraction has been committed and no  
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1 applicable defense exists. It is the defendant's burden to establish by a preponderance of the  
2 evidence that, through no fault of himself or his agent, he failed to receive notice of the issuance  
3 of the Notice of Infraction as provided in this Chapter. If the defendant meets this burden, he is  
4 not liable for any civil penalties which would otherwise apply and such penalties shall not be  
5 included in any decision against the defendant.

6 (H) Upon request and proper proof, the Hearing Officer may reduce his decision  
7 concerning liability by up to 25% of the original amount found due in consideration of the timely  
8 payment of the prior balance if satisfied by the defendant that a preponderance of the evidence  
9 shows that the defendant has become indigent and will be unable to pay the balance.

10 (I) Upon reaching a decision, the Hearing Officer shall as soon as practicable thereafter,  
11 file a written decision substantially conforming to the following form:

12 City of Las Vegas, Clark County, Nevada, City of Las Vegas,  
13 plaintiff v. \_\_\_\_\_, defendant.  
14 Before \_\_\_\_\_, Hearing Officer for the City of  
15 Las Vegas, Clark County, Nevada, decision is entered in favor of  
16 \_\_\_\_\_ (plaintiff or defendant) for \$ \_\_\_\_\_ (enter \$0.00  
17 if judgment is for the defendant), on the \_\_\_\_\_ day of \_\_\_\_\_,  
18 19\_\_\_\_. I certify that the foregoing is a correct reflection of the decision  
19 entered in the action properly brought for my consideration pursuant to  
20 Title 11, Chapter 10, Section 080 of the Las Vegas Municipal Code.

21 \_\_\_\_\_  
22 Hearing Officer

23 (J) Based upon the defendant's stipulation to be bound by the decision of the Hearing  
24 Officer, the City Attorney may petition the Las Vegas Municipal Court for the entry of a civil  
25 judgment against the defendant in an amount equal to that stated in the written decision of the  
26 Hearing Officer if the City Attorney determines this action to be necessary to enforce such  
decision. Service of such petition on the defendant must be made by certified mail, return receipt  
requested, restricted delivery, addressed to the registered owner of the vehicle at his last known  
address, as indicated by the vehicle registration which is maintained by the Nevada Department  
of Motor Vehicles or in any other manner which is authorized by law. An affidavit or declaration

1 of mailing, a signed, returned receipt, or other evidence of service shall be filed upon such service  
2 of the petition.

3 **11.10.090** (A) A response to a Notice of Infraction, as provided in Section 11.10.080,  
4 *subsection A and/or B* must be made within [fifteen] *thirty calendar* days after the date on which  
5 the Notice of Infraction is [issued] *served*. If no response is [made] *received* during such [fifteen]  
6 *thirty* day period, an additional civil penalty which is equal to the amount of the original civil fine  
7 must be assessed.

8 (B) After the expiration of the [fifteen-day] *thirty-day* response period, the [Las Vegas  
9 Municipal Court] *Director of the department of Business Activity, or his authorized designee* must  
10 send a Notice of Delinquency by mail to the registered owner of the vehicle at the registered  
11 owner's last known address, as indicated by the vehicle registration which is maintained by the  
12 Nevada Department of Motor Vehicles. The Notice of Delinquency must contain the date of the  
13 infraction, the amount of the civil fine and the amount of any penalty which is associated  
14 therewith. The registered owner has [thirty] *fifteen calendar* days after the date [of mailing] of  
15 the Notice of Delinquency in which to respond thereto in the manner which is provided in Section  
16 11.10.080, *subsection A or B*. Except in cases of violations of Section 11.10.170, if no response  
17 is made to the Notice of Delinquency within such [thirty-day] *additional fifteen-day* period, a civil  
18 penalty must be assessed equal to [five] *two* times the original civil fine amount, in addition to  
19 the original civil fine.

20 **11.10.100** *The City Attorney may also seek [J]judicial enforcement of Notices of*  
21 *Infraction [must be] by way of civil suit in the Las Vegas Municipal Court. A certified copy of*  
22 *the Notice of Infraction constitutes a prima facie showing that an infraction occurred.*

23 **11.10.110** (A) *An Action under Section 11.10.100 [The action] may be commenced at*  
24 *any time [after the expiration of thirty days following the date on which the Notice of Delinquency*  
25 *was mailed to the registered owner of the vehicle, pursuant to Subsection (B) of Section*  
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1 11.10.090,] by the filing of *either an "Affidavit of Complaint and Order" in substantially the same*  
2 *form as provided in Justice Court Rules of Civil Procedure, Rule 89 or a "C[c]omplaint" in the*  
3 *name of the City of Las Vegas and the issuance of a "S[s]ummons" with respect thereto[.]. [and*  
4 *s]Service of such affidavit of complaint and order or such complaint and summons on the*  
5 *defendant must be made by certified mail, return receipt requested, restricted delivery, addressed*  
6 *to the registered owner of the vehicle at his last known address, as indicated by the vehicle*  
7 *registration which is maintained by the Nevada Department of Motor Vehicles or in any other*  
8 *manner which is authorized by law. An affidavit or declaration of mailing, a signed, returned*  
9 *receipt, or other evidence of service shall be filed upon such service of the affidavit and order or*  
10 *the summons and complaint.*

11 (B) *Once a petition for civil judgment pursuant to subsection J of section 11.10.80,*  
12 *a complaint and summons or an affidavit of complaint and order [Unless and until a complaint]*  
13 *has been filed with the Las Vegas Municipal Court pursuant to this Chapter [Section], the*  
14 *assigned judge of the Las Vegas Municipal Court has [is without] jurisdiction to grant or deny*  
15 *the relief prayed for therein [entertain any matter related to a Notice of Infraction issued] pursuant*  
16 *to this Chapter.*

17 [(B)] (C) *Within six months from the effective date of this provision, the Las Vegas*  
18 *Municipal Court shall adopt uniform codified rules of judicial procedure which shall apply to any*  
19 *hearing concerning parking infractions issued under [the Chapter] this Section, provided that such*  
20 *rules are consistent with the provisions of this Chapter and the Nevada Justices Court Rules of*  
21 *Civil Procedure. Such rules shall be established after receiving the recommendation of a*  
22 *committee which shall be comprised of a Municipal Court Judge, the City Attorney or his*  
23 *designee and a representative of the Nevada State bar as selected by the Municipal Court Judges.*

24 **11.10.120 (A)** *Civil actions instituted pursuant to [this Chapter] subsection A of section*  
25 *11.10.110 may only be commenced within two years after the date on which the infraction*  
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1 occurred, and the standard of proof which is to be applied is the preponderance of the evidence.  
2 The City has satisfied its burden of proof if it shows that an infraction occurred and that the  
3 vehicle was registered to *or operated by* the defendant on the date on which the infraction  
4 occurred, unless either of these elements is satisfactorily rebutted by the defendant.

5 *(B) The defendant has no right against self-incrimination in any proceedings under*  
6 *this Chapter. If the defendant indicates a desire to take responsibility for the vehicle on the day*  
7 *the infraction was issued, the City has satisfactorily shown that the vehicle was operated or owned*  
8 *by the defendant.*

9 **11.10.130** Wherever in this Title any act is prohibited or is made or declared to be  
10 unlawful or an offense or a misdemeanor or wherever in this Title the doing of any act is required  
11 or the failure to do any act is declared to be unlawful, the sanction therefor is civil in nature in  
12 the monetary amount which is set forth in Sections 11.10.150 to 11.10.190, inclusive.

13 **11.10.140** (A) The schedule of civil fines which is contained in Sections 11.10.150 to  
14 11.10.190, inclusive, is established for infractions of the parking laws and regulations which are  
15 set forth in this Code.

16 *(B) The owner and/or operator shall be liable for an additional collection fee where the*  
17 *collection of the fines and penalties provided for herein are referred for collection to a private*  
18 *collection agency. The amount of such fee shall be twenty-five percent (25%) of the outstanding*  
19 *indebtedness or \$250, whichever is less. Upon application of the Las Vegas City Attorney's Office,*  
20 *a judgment or amended judgment entered under this Title shall include the fee provided for in this*  
21 *provision.*

22 **11.10.150** For parking a vehicle (1) in the area which is posted with a parking time  
23 limit or in a space which is equipped with a parking meter for a period which is longer than the  
24 prescribed time, or (2) in any space which is equipped with a parking meter while said meter is  
25 displaying a signal which indicates that the vehicle in such parking space has already been parked  
26

1 beyond the prescribed time, the civil fine is [ten] *twenty* dollars.

2       **11.10.160** (A) For parking a vehicle in an area which is posted with a "No Parking"  
3 sign, the civil fine is [twenty-five] *thirty* dollars, unless such area has been designated as a fire  
4 lane pursuant to Section 10.207 of the Fire Code of the City.

5       (B) For parking a vehicle *at any curb within fifteen feet of a fire hydrant* or in a space  
6 the curb adjacent to which has been painted red, in a space designated for emergency vehicles  
7 only, or in an area which has been designated as a fire lane pursuant to Section 10.207 of the Fire  
8 Code of the City, the civil fine is [seventy-five] *one-hundred* dollars.

9       **11.10.170** For parking a vehicle in an area which is posted with a *lawful* handicapped  
10 parking sign when such vehicle does not display a handicapped permit or license plate, the civil  
11 fine is one hundred dollars *for a first offense, two hundred and fifty dollars for a second offense*  
12 *and no less than two hundred and fifty, but no more than one thousand dollars for a third or*  
13 *subsequent offense (as provided for by NRS 484.408).*

14       **11.10.180** (A) Except as provided in Subsection (B) of this Section, for other parking  
15 infractions of the provisions of this Code, the civil fine is [ten] *twenty* dollars.

16       (B) For abandoning or parking a vehicle on any City highway, street or thoroughfare  
17 in violations of LVMC 11.24.010, the civil fine is [fifty] *seventy-five* dollars, plus any towing and  
18 storage fees which may be assessed in connection with the removal of the vehicle pursuant to this  
19 Title.

20       **11.10.190** The civil fine for any of the infractions which are described in LVMC  
21 11.10.150 [or 11.10.180] must be reduced by fifty percent if [it is paid] *payment is received*  
22 within [ten] *fifteen calendar* days after the date on which the Notice of Infraction is issued.

23       **11.10.200** The Las Vegas Metropolitan Police Department and the Department of  
24 Detention and Enforcement are authorized to remove a vehicle [from a street or highway] to the  
25 nearest garage or other place of safety, or to a garage which is designated or maintained by the  
26

1 Las Vegas Metropolitan Police Department or otherwise maintained by the City, under the  
2 circumstances which are hereinafter enumerated:

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

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

9 (C) When any vehicle is illegally parked in a parking space or location for twenty-four  
10 hours or more or is parked so illegally as to constitute a definite hazard or obstruction to the  
11 normal movement of traffic;

12 (D) When the person who is in charge of a vehicle is unable to provide for its' custody  
13 or removal within;

14 (1) Twenty-four hours after abandoning such vehicle on any freeway, United  
15 States highway or other primary arterial street, or

16 (2) Seventy-two hours after abandoning such vehicle on any other street;

17 (E) When the person who is driving or in actual physical control of a vehicle is arrested  
18 for any alleged offense for which the arresting officer is required by law to take such person  
19 before a proper magistrate without unnecessary delay; or

20 (F) [Whenever impoundment is ordered by the Las Vegas Municipal Court after a  
21 show-cause hearing has been conducted in connection with the immobilization of such vehicle,  
22 as provided by LVMC 11.10.230 to 11.10.280, inclusive.

23 (G) As used in this Section 11.10.200 to Section 11.10.280, the term "vehicle" shall  
24 include any automobile, motorcycle, truck, boat trailer, utility trailer, or any other vehicle capable  
25 of being driven or towed on any street, highway, or right-of-way.

26

1           (G) *Prior to the release of any vehicle impounded pursuant to this Section, the operator,*  
2 *registered owner or his designee must pay the costs of such impoundment.*

3           **11.10.210** Whenever a person removes a vehicle [from a street], as authorized in  
4 LVMC 11.10.200, and such person knows or is able to ascertain from the registration records in  
5 the vehicle or by other reasonable means the name and address of the owner thereof, such person  
6 must immediately give, or cause to be given, notice in writing and by telephone, if possible, to  
7 the owner of the fact of such removal, the reasons therefor and the place to which the vehicle has  
8 been removed. In the event that the vehicle is stored in a public garage, a copy of the notice shall  
9 be given to the proprietor of the garage.

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

19           **11.10.230** (A) The use of *writs of execution issued by the Las Vegas Municipal Court*  
20 *[automobile immobilizers, sometimes referred to as "Denver boots" or "French boots"]* is hereby  
21 authorized within the City as an aid in the enforcement of the parking ordinances of the City.

22           (B) *The City of Las Vegas in whose favor a judgment is given may upon the entry*  
23 *of such judgment, or at any time before the judgment expires, obtain the issuance of a writ of*  
24 *execution for its enforcement as prescribed in Chapter 21 of the Nevada Revised Statutes and*  
25 *Justice Court Rules of Civil Procedure, Rule 69. Such issuance may be conditioned upon the*  
26

1 failure of the judgment debtor to pay the judgment and expenses of enforcement thereof within a  
2 specified period of time or any other reasonable and just condition.

3 (C) Upon the City's request, a writ of execution issued pursuant to subsection B of  
4 this Section shall allow the City to obtain possession of the defendant's vehicle(s) through towing  
5 the vehicle(s), at the expense of the defendant, from any public street, highway, viaduct,  
6 causeway, parking space, tube, tunnel, bridge or alley in compliance with the procedures  
7 prescribed in sections 11.10.210 and 11.10.220. Upon the City's request, a writ of execution  
8 issued pursuant to subsection B of this Section shall allow the City to obtain possession of the  
9 defendant's vehicle(s) through the use of an automobile immobilizer, sometimes referred to as a  
10 "French boot" or "Denver boot". A fee of \$50 per vehicle shall be recovered from the owner or  
11 operator of the vehicle(s) prior to the removal of such automobile immobilizer.

12 **11.10.240** An automobile immobilizer may be used only [if either of the following  
13 conditions exist:

14 (A) The complaint and summons in a civil suit, commenced pursuant to Section  
15 11.10.100 in respect of a Notice of Infraction which was affixed to the vehicle on which the  
16 immobilizer is placed, has been returned by the United States Postal Service as undeliverable at  
17 the address which is shown thereon, and service of such complaint and summons has been  
18 attempted with due diligence and not effected within ten days after the date of such return; or

19 (B) The registered owner of the vehicle on which the immobilizer is placed has a  
20 judgment for civil fine against him in respect of such vehicle which remains unpaid for at least  
21 thirty days after such judgment has been served upon him, either personally or by certified mail,  
22 return receipt requested.] as prescribed by sections 11.10.230 and 11.10.250.

23 **11.10.250** [If either of the conditions which are set forth in Section 11.10.240 exists,  
24 the procedures which are prescribed in Sections 11.10.260 to 11.10.280, inclusive, must be  
25 followed before an immobilizer may be placed on the vehicle and the vehicle may be impounded.]  
26

1 Upon the issuance of a writ of execution pursuant to section 11.10.230, the provisions of Chapter  
2 21 of the Nevada Revised Statutes shall apply, including the following:

3 (1) The writ must be issued in the name of the City of Las Vegas, sealed with the seal of  
4 the Las Vegas Municipal Court, subscribed by a clerk of such court, directed to the Sheriff of  
5 Clark County or the sheriff of the county where the real or personal property subject to execution  
6 is located and otherwise in substantially the same form as directed by Nevada Revised Statutes  
7 21.025.

8 (2) A notice of execution as prescribed in Nevada Revised Statute 21.075 and 21.076 must  
9 be prepared with the City of Las Vegas named as the judgment creditor.

10 (3) The notice and a copy of the writ must be provided to the sheriff who must serve the  
11 notice on the defendant - judgment debtor by regular mail at his last known address, or, if  
12 represented by an attorney, at the attorney's office. The notice must be served by regular mail the  
13 next business day after the writ of execution was served.

14 (4) In order to claim exemption of any property, the defendant must, within eight calendar  
15 days after the notice is mailed, serve the sheriff and the City of Las Vegas, through the City  
16 Attorney and file with a clerk of the Las Vegas Municipal Court an affidavit setting out the claim  
17 of exemption. The Municipal Court Administrator shall provide the form for the affidavit.

18 (5) When the affidavit is served, the sheriff shall release the property unless within five  
19 calendar days after written demand by the sheriff, the City of Las Vegas files a motion for a  
20 hearing to determine whether the money or property is exempt.

21 (6) The hearing to determine whether the property or money is exempt must be held  
22 within ten calendar days after the filing of the motion for a hearing, unless the court continues  
23 the hearing for good cause shown. The defendant shall receive at least five calendar days' notice  
24 of the hearing.

25 (7) If at any time the defendant satisfies the judgment, including costs for the enforcement  
26

1 *thereof, any property taken pursuant to a writ of execution shall be released to the defendant as*  
2 *soon as possible thereafter.*

3 **11.10.260** [(A) Upon receipt of an affidavit by the Traffic Engineer which states that  
4 either of the conditions which are set forth in Section 11.10.240 exists and requests the use of the  
5 immobilizer, the Las Vegas Municipal Court may issue an order to immobilize the vehicle the  
6 registration of which is shown on the Notice of Infraction which forms the basis of the civil action  
7 in which the complaint and summons or the judgment, as the case may be, was issued.

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

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

11 (2) That it is a misdemeanor for any unauthorized person to deface, injure,  
12 tamper with, open, break, destroy or remove the immobilizer, impair the usefulness thereof or  
13 attempt to do any of those acts;

14 (3) That the registered owner of the vehicle is afforded a hearing in the Las  
15 Vegas Municipal Court at nine a.m. on the following day to show cause why the vehicle should  
16 not be impounded; and

17 (4) That, if the registered owner does not appear at the scheduled hearing, an  
18 order to impound the vehicle shall be issued.] *If the defendant - judgment debtor fails to timely*  
19 *file a claim of exemption or fails to appear at the scheduled hearing to resolve the validity of the*  
20 *claimed exemption, title and/or lawful possession of the property taken pursuant to the writ of*  
21 *execution may be transferred in satisfaction of the judgment and expenses of enforcing such*  
22 *judgment as provided by Chapter 21 of the Nevada Revised Statutes. If such property is sold, any*  
23 *amount received in excess of the judgment and expenses shall be returned to the judgment debtor*  
24 *as provided by Chapter 21 of the Nevada Revised Statutes.*

25 **11.10.270** [(A) If an immobilizer is placed on the vehicle, a copy of the order to  
26

1 immobilize must be affixed thereto, and the registered owner must be afforded a hearing in the  
2 Las Vegas Municipal Court on the following day to show cause why the vehicle should not be  
3 impounded. In no case may a vehicle be immobilized on a day which precedes a day on which  
4 the Court is not in session.

5 (B) At the hearing, the registered owner may present such evidence and argument as  
6 he deems appropriate in order to persuade the court not to enter an order to impound. The Court  
7 must order the immobilizer to be removed if the owner pays a twenty-five-dollar removal fee plus  
8 the civil fine, together with civil penalties, in connection with the Notice of Infraction with respect  
9 to which the immobilizer was placed on the vehicle, if a judgment in respect of that Notice of  
10 Infraction has been entered or if the owner does not desire a trial on that infraction. If a judgment  
11 in respect of that Notice of Infraction has not been entered and the owner desires a trial on that  
12 infraction, the Court must set a date for that trial and order the immobilizer to be removed, if the  
13 owner pays the twenty-five dollar removal fee and agrees to appear for trial.

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

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

25 **11.10.290]** Automobiles *may be towed and immobilizers may be placed pursuant to the*  
26

1 *issuance of a writ of execution* by the [Las Vegas Metropolitan Police Department and the  
2 Department of Detention and Enforcement] *Sheriff of Clark County, or his authorized designee.*

3 **[11.10.300]** *11.10.280* It is unlawful for any unauthorized person to deface, injure,  
4 tamper with, open, break, destroy or remove any automobile immobilizer, impair the usefulness  
5 thereof or attempt to do any of those acts.

6 SECTION 2: Title 11, Chapter 44, Section 060 of the Municipal Code of the City of Las  
7 Vegas, 1983 Edition, is hereby amended to read as follows:

8 **11.44.060** Commercial - Designated. Upon those streets or highways or parts of streets  
9 or highways described in Schedule 18-V, a copy of which shall be maintained for public  
10 inspection in the offices of the City Clerk and the City Traffic Engineer, which may be amended  
11 from time to time by resolution of the City Council, no person shall stop, stand or park a vehicle  
12 for any purpose or length of time other than for the expeditious *and continuous* loading and  
13 delivery or pickup and loading of [materials] *heavy or voluminous freight, cargo or other goods*  
14 in any place marked as a commercial loading zone during hours when the provisions applicable  
15 to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed  
16 thirty minutes, day or night. *Any vehicle, other than a vehicle with commercial markings*  
17 *evidencing its commercial use, while parked in a commercial loading zone, must prominently*  
18 *display a commercially printed sign, no less than 8 inches in width and 10 inches in height which*  
19 *identifies the commercial use of the vehicle parked. This provision shall not apply to one who has*  
20 *obtained a loading permit under LVMC 11.52.090.*

21 SECTION 3: Title 11, Chapter 52, Section 30 of the Municipal Code of the City of Las  
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **11.52.030** The following *zones* [colors] shall be [used] *established by the posting of*  
24 *appropriate signage,*[to indicate and regulate parking] by painting *the color(s) indicated below*  
25 upon curbs [and in the event no curb exists, then by signs] *or by other durable markings:*

26

1 (A) Red indicates no stopping, standing or parking, whether the vehicle is attended or  
2 unattended; except that red zones marked or signposted as bus load zones\bus stop or courtesy  
3 mailbox zones may be used as follows:

4 (1) Bus loading zones\bus stop, by buses loading and unloading passengers;

5 (2) Courtesy mailbox zones, by persons depositing mail in mailboxes adjacent to  
6 such zones.

7 (B) Yellow indicates stopping only for the purpose of loading or unloading of passengers  
8 or freight for such *use and time* as [provided in Sections 11.52.010 and 11.52.020] *posted on the*  
9 *sign.*

10 (C) White indicates stopping only for loading and unloading of *public transit* passengers.

11 (D) Green indicates time-limited parking by and as required by this code.

12 (E) Gray indicates the removal of parking restrictions or regulations and parking is  
13 permitted.

14 (F) Blue indicates parking for handicapped persons only when a handicapped permit or  
15 license plate is displayed on the vehicle for a period not to exceed four hours as posted on signs.

16 (G) *Orange indicates stopping and standing for taxicabs only.*

17 SECTION 4: Title 11, Chapter 52, Section 090 of the Municipal Code of the City of Las  
18 Vegas, 1983 Edition, is hereby amended to read as follows:

19 **11.52.090** Loading permits. The Director of Business Activity or City Traffic Engineer  
20 is authorized to issue special permits to permit the backing of a vehicle to the curb or building  
21 or alleys for the purposes of loading or unloading merchandise or materials subject to the terms  
22 and conditions of such permit. Such permits may be issued either to the owner or lessee of real  
23 property or to the owner of the vehicle and shall grant to such person the privilege as therein  
24 stated and authorized herein. *The Director of Business Activity or City Traffic Engineer shall*  
25 *immediately provide notice to the Department of Detention and Enforcement of the issuance of a*  
26

1 *permit under this section by causing a copy thereof to be forwarded to such Department.*

2 SECTION 5: Title 11, Chapter 52, Section 130 of the Municipal Code of the City of Las  
3 Vegas, 1983 Edition, is hereby amended to read as follows:

4 **11.52.130** No person shall stop, stand or park a vehicle, except when necessary to  
5 avoid conflict with other traffic in compliance with law or the directions of a Police Officer or  
6 traffic-control devices, in any of the following places:

7 (A) At any place where official signs and/or curb painting prohibit or restrict stopping,  
8 standing or parking for a period longer or purpose other than is permitted by such signs or curb  
9 painting;

10 (B) In front of any sidewalk elevator or chute or within a space of five feet on each side  
11 of such sidewalk elevator or chute;

12 (C) [At any school zone during school hours, unless properly posted as a passenger  
13 loading zone as provided in Section 11.44.020;

14 (D)] On a sidewalk;

15 [(E)] (D) In front of *or within five feet of* a public or private driveway;

16 [(F)] (E) Within fifty feet of the nearest rail of a railroad *track*;

17 [(G)] (F) Within twenty feet of a driveway entrance to any fire station and on the side  
18 of a highway opposite the entrance to any fire station within seventy-five of such station; [or]

19 [(H)] (G) On the highway side of any vehicle which is stopped or parked at the edge of  
20 or a curb of a highway;

21 (H) *Within fifteen feet of an intersection; or*

22 (I) *Within twenty feet of any marked crosswalk.*

23 SECTION 6: Title 11, Chapter 52, Section 180 of the Municipal Code of the City of Las  
24 Vegas, 1983 Edition, is hereby amended to read as follows:

25 **11.52.180 Alleys - Parking prohibited when.**

26

1 (A) When signs are posted giving notice thereof, no person shall, stop, stand or park  
2 a vehicle, other than a *vehicle with commercial markings evidencing its commercial use or a*  
3 *vehicle prominently displaying a commercially printed sign, no less than 8 inches in width and 10*  
4 *inches in height which identifies the commercial use of the vehicle parked* [commercial vehicle]  
5 actually engaged in loading or unloading *heavy or voluminous freight, cargo or other goods*  
6 [merchandise], in an alley described in Schedule 17-1, a copy of which is to be maintained for  
7 public inspection in the office of the City Clerk and the City Traffic Engineer, and such other  
8 alleys as may be added to said schedule by resolution of the City Council.

9 (B) When signs are posted giving notice thereof, no person shall park a vehicle at any  
10 time in alleys or portions described in Schedule 17-II, a copy of which is to be maintained for  
11 public inspection in the office of the City Clerk and the City Traffic Engineer, and such other  
12 alleys as may be added to said schedule by resolution of the City Council.

13 (C) A vehicle *otherwise* lawfully parked in an alley shall not park for a greater period  
14 than thirty minutes [at a time] *within any one hour period.*

15 SECTION 7: Title 11, Chapter 52, Section 240 of the Municipal Code of the City of Las  
16 Vegas, 1983 Edition, is hereby amended to read as follows:

17 **11.52.240** *Except as provided in LVMC 11.52.030, [W]hen signs are erected or red*  
18 *curbing is provided giving notice thereof, no person shall park a vehicle at any time upon any*  
19 *streets or parts of streets described in Schedule 17-III, a copy of which is to be maintained for*  
20 *public inspection in the offices of the City Clerk and the Traffic Engineer, and such other*  
21 *additions, deletions, correction or amendments that may be made to said schedule by resolution*  
22 *of the City Council.*

23 SECTION 8: Title 11, Chapter 52 of the Municipal Code of the City of Las Vegas, 1983  
24 Edition, is hereby amended by adding thereto a new section, designated as Section 245, reading  
25 as follows:  
26

1           **11.52.245** *When signs are erected giving notice thereof, no person shall park a vehicle*  
2 *at any time upon any of the streets or parts of streets described in Schedule 17-IIIa, except for*  
3 *those vehicles which are exempted from the parking restrictions called out in the Schedule. Said*  
4 *Schedule is to be maintained for public inspection in the offices of the City Clerk and the Traffic*  
5 *Engineer, including such other additions, deletions, corrections or amendments that may be made*  
6 *to said Schedule by resolution of the City Council.*

7           SECTION 9: Title 11, Chapter 52, Section 280 of the Municipal Code of the City of Las  
8 Vegas, 1983 Edition, is hereby amended to read as follows:

9           **11.52.280** Whenever by this or any other provision of this Code any parking time limit  
10 is imposed or parking is prohibited on designated streets, it shall be the duty of the City Traffic  
11 Engineer to erect appropriate signs, *meters, markings and/or curb painting* giving notice thereof  
12 and no such regulations shall be effective unless said signs, *meters, markings and/or curb painting*  
13 are erected and in place at the time of any alleged offense.

14           SECTION 10: Title 11, Chapter 54, Section 010 of the Municipal Code of the City of  
15 Las Vegas, 1983 Edition, is hereby amended to read as follows:

16           **11.54.010** Definitions. For purposes of this Chapter *the terms "operator", "park",*  
17 *"parking", "parking meter", "parking meter space", "parking meter zone", "street" and "vehicle"*  
18 *have the meaning subscribed in Chapter 10, Section 010, Subsection C of this Title.[:*

19           (A) "Operator" means and includes every individual who operates a vehicle as the  
20 owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical  
21 control of a vehicle.

22           (B) "Park" or "parking" means the standing of a vehicle, whether occupied or not,  
23 upon a street otherwise than temporarily for the purpose of, and while engaged in, receiving or  
24 discharging passengers or loading or unloading merchandise or in obedience to traffic regulations,  
25 signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control  
26

1 of the operator of the vehicle.

2 (C) "Parking meter" means and includes any mechanical device or meter not  
3 inconsistent with this chapter placed or erected for the regulation of parking by authority of this  
4 Chapter. Each parking meter installed shall indicate by proper legend the legal parking time  
5 established by the City and when operated shall at all times indicate the balance of legal parking  
6 time, and at the expiration of such period shall indicate illegal or overtime parking.

7 (D) "Parking meter space" means any space within a parking meter zone, adjacent  
8 to a parking meter and which is duly designated for the parking of a single vehicle by line painted  
9 or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining  
10 the parking meters.

11 (E) "Parking meter zone" means and includes any restricted street upon which  
12 parking meters are installed and in operation.

13 (F) "Street" means any public street, avenue, road, alley, highway, lane, path or  
14 other public place located in the City and established for the use of vehicles.

15 (G) "Vehicle" means any device in, upon or by which any person or property is  
16 or may be transported upon a highway, except a device which is operated upon rails or tracks.]

17 SECTION 11: Title 11, Chapter 54, Section 040 of the Municipal Code of the City of  
18 Las Vegas, 1983 Edition, is hereby amended to read as follows:

19 **11.54.040 Space designation.** The Traffic Engineer is directed and authorized to mark  
20 off individual parking spaces in the parking zones which may be established. *Except for metered*  
21 *parking spaces on the street, [P]parking spaces are to be designated by lines painted or durably*  
22 *marked on the curbing or surfaces [on the street] within such parking zone. [At each space] In any*  
23 *parking zone so marked off, it shall be unlawful to park any vehicle in such a way that the vehicle*  
24 *shall not be entirely within the limits of [the] a single space so designated or in an area not*  
25 *marked off for parking.*

1 SECTION 12: Title 11, Chapter 54, Section 050 of the Municipal Code of the City of  
2 Las Vegas, 1983 Edition, is hereby amended to read as follows:

3 **11.54.050 Meter installation and specifications.** In parking meter zones, the Traffic  
4 Engineer shall cause parking meter[s] *posts* to be installed upon the curb or sidewalk immediately  
5 adjacent to the parking spaces provided in this Chapter, such installation to be placed not more  
6 than two feet from the curb nor more than four feet from the front line of the parking space as  
7 indicated, and the [Traffic Engineer] *Department of Detention and Enforcement* shall be  
8 responsible for the enforcement, *installation*, operation, maintenance and use of [such] parking  
9 meters. Each device shall be so set as to display a signal showing legal parking upon the deposit  
10 of the appropriate coin, lawful money of the United States of America, for the period of time  
11 prescribed by this Chapter. Each device shall be so arranged so that upon the expiration of the  
12 lawful time it will indicate by a proper visible signal that the lawful parking period has expired  
13 and in such cases the right of the vehicle to occupy such space shall cease and the operator,  
14 owner, possessor or manager thereof shall be subject to the penalties [hereinafter] provided *in this*  
15 *Title*.

16 SECTION 13: Title 11, Chapter 54, Section 070 of the Municipal Code of the City of  
17 Las Vegas, 1983 Edition, is hereby amended to read as follows:

18 **11.54.070** If a vehicle shall remain parked in any parking space contemplated in LVMC  
19 11.54.060 beyond the parking time limit set for such parking space, and if the meter shall indicate  
20 such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime  
21 and beyond the period of legal parking time, and such parking shall be deemed a violation of this  
22 Chapter. *This provision shall not apply to any person lawfully displaying a special or temporary*  
23 *handicapped parking permit or plate, and parking such vehicle for a period of 4 hours or less as*  
24 *provided in Chapter 484, Section 407 of the Nevada Revised Statute.*

25 SECTION 14: Title 11, Chapter 54, Section 210 of the Municipal Code of the City of  
26

1 Las Vegas, 1983 Edition, is hereby amended to read as follows:

2 **11.54.210** [Nonmoving violation tickets] *Notices of Infractions* which are issued due  
3 to a [nonfunctioning] *malfunctioning* parking meter, and [violations] *Notices of Infractions* issued  
4 in error, *with written notice thereof* may be referred by the [Traffic Engineer] *issuing agency*, to  
5 the City Attorney for [dismissal in court] *formal withdrawal of the Notice of Infraction and any*  
6 *Complaint and/or Summons or Affidavit of Complaint and Order previously filed.*

7 SECTION 15: If any section, subsection, subdivision paragraph, sentence, clause or  
8 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or  
9 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the  
10 validity or effectiveness of the remaining portions of this ordinance or any part thereof.

11 The City Council of the City of Las Vegas, Nevada, hereby declares that it would have passed  
12 each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof,  
13 irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,  
14 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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

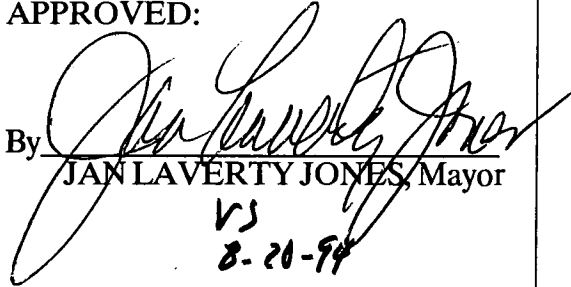
18 SECTION 17: This ordinance shall take effect 45 days after passage, adoption and  
19 approval by the Las Vegas City Council. Title 11, Chapter 10, Sections 150 through 190 shall be

20 ...  
21 ...  
22 ...  
23 ...  
24 ...  
25 ...  
26 ...

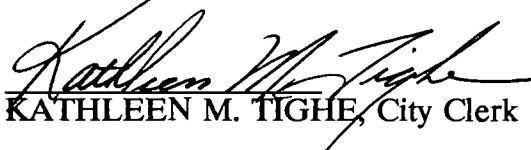
1 applied prospectively. The remaining provisions of this ordinance shall be applied  
2 retroactively.

3 PASSED, ADOPTED and APPROVED this 17th day of August, 1994.

4 APPROVED:

5  
6 By   
JAN LAVERTY JONES, Mayor  
VS  
8-20-94

7 ATTEST:

8   
9 KATHLEEN M. TIGHE, City Clerk

10 The above and foregoing ordinance was first proposed and read by title to the City Council  
11 on the 20th day of July, 1994, and referred to the following committee composed of \_\_\_  
12 Councilmen Hawkins Jr. and Higginson for recommendation; thereafter the said  
13 committee reported favorably on said ordinance on the 17th day of August, 1994, which  
14 was a regular meeting of said Council; that at said regular meeting, the proposed  
15 ordinance was read by title to the City Council as first introduced and adopted by the  
16 following vote:

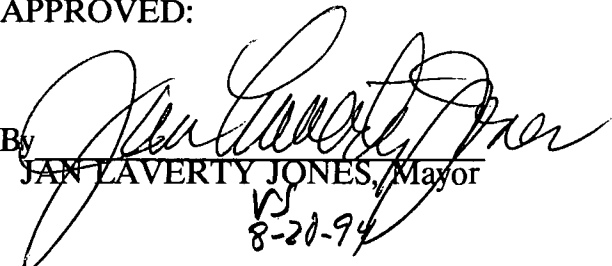
17 VOTING "AYE": Councilmen Adamsen, Higginson, and Hawkins Jr.

18 VOTING "NAY": NONE

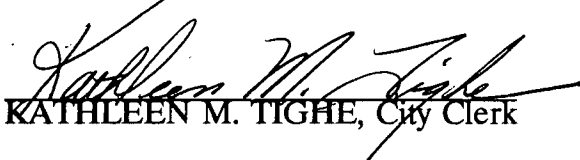
19 ABSENT: NONE

20 DID NOT VOTE: Councilman Brass and Mayor Jones

21 APPROVED:

22  
23 By   
JAN LAVERTY JONES, Mayor  
VS  
8-20-94

24 ATTEST:

25   
26 KATHLEEN M. TIGHE, City Clerk

# AFFIDAVIT OF PUBLICATION

RECEIVED  
CITY CLERK  
SEP 1 11 33 AM '94

PAST

BILL NO. 94-61  
ORDINANCE NO. 3829

ERE

AN ORDINANCE RELATING TO PARKING OR NONMOVING VIOLATIONS; AMENDING TITLE 11, CHAPTER 10 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING PROCEDURES FOR RESPONDING TO NOTICES OF INFRACTION; PROVIDING AN OPPORTUNITY TO AGREE TO A BINDING HEARING IN THE NATURE OF AN ARBITRATION OR ALTERNATIVE DISPUTE RESOLUTION BEFORE A HEARING OFFICER; PROVIDING FOR AN ATTORNEY TO ACT AS A HEARING OFFICER; NARROWING THE AMOUNT OF CIVIL FINES AND PENALTIES; PROVIDING INCREASED PENALTIES FOR REPEAT OFFENSES CONCERNING PARKING IN A HANDICAPPED ZONE (CONSISTENT WITH NRS 484.489); PROVIDING CONDITIONS FOR THE DISMISSAL OF AN INFRACTION DUE TO LACK OF NOTICE; PROVIDING FOR WRITTEN DECISIONS FROM THE HEARING OFFICER; PROVIDING FOR THE TOWING AND "BOOTING" OF VEHICLES THROUGH THE ISSUANCE OR WRITS OF EXECUTION; AMENDING TITLE 11, CHAPTER 44 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 11, CHAPTER 52 OF THE LAS VEGAS MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 11 CHAPTER 54 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING FOR ADDITIONAL PARKING VIOLATIONS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Councilman Frank Hawkins Jr.

Summary: Amends Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, so as to establish additional parking violations and revise provisions concerning the administration and enforcement of parking violations, including establishing provisions for a parking Hearing Officer.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of July, 1994, and referred to the following committee composed of Councilmen Hawkins Jr. and Higginson, for recommendation; thereafter the said committee reported favorably on said ordinance on the 17th day of August, 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: Adomsen, Higginson and Hawkins Jr.

VOTING "NAY" NONE  
VOTING "ABSTAIN" NONE  
DID NOT VOTE Councilman Brass and Mayor Jones

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: August 20, 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 AUGUST 20, 1994 to AUGUST 20, 1994, on the following days:

AUGUST 20, 1994

Signed:

*Andrea Davis*

Subscribed and sworn to before me this

26 day of Aug, 19 94

*Peggy D. Barron*

Notary Public



PEGGY D. BARRON  
Notary Public - Nevada  
Clark County  
My appt. exp. Feb. 17, 1998

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# AFFIDAVIT OF PUBLICATION

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BILL NO. 94-61

AN ORDINANCE RELATING TO PARKING OR NONMOVING VIOLATIONS; AMENDING TITLE 11, CHAPTER 10 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING PROCEDURES FOR RESPONDING TO NOTICES OF INFRACTION; PROVIDING AN OPPORTUNITY TO AGREE TO A BINDING HEARING IN THE NATURE OF AN ARBITRATION OR ALTERNATIVE DISPUTE RESOLUTION BEFORE A HEARING OFFICER; PROVIDING FOR AN ATTORNEY TO ACT AS A HEARING OFFICER; NARROWING THE AMOUNT OF CIVIL FINES AND PENALTIES; PROVIDING INCREASED PENALTIES FOR REPEAT OFFENSES CONCERNING PARKING IN A HANDICAPPED ZONE (CONSISTENT WITH NRS 484.408); PROVIDING CONDITIONS FOR THE DISMISSAL OF AN INFRACTION DUE TO LACK OF NOTICE; PROVIDING FOR WRITTEN DECISIONS FROM THE HEARING OFFICER; PROVIDING FOR THE TOWING AND "BOOTING" OF VEHICLES THROUGH THE ISSUANCE OR WRITS OF EXECUTION; AMENDING TITLE 11, CHAPTER 44 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 11, CHAPTER 52 OF THE LAS VEGAS MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 11 CHAPTER 54 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING FOR ADDITIONAL PARKING VIOLATIONS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Councilman Frank Hawkins Jr.

Summary: Amends Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, so as to establish additional parking violations and revise provisions concerning the administration and enforcement of parking violations, including establishing provisions for a parking Hearing Officer.

At a City Council meeting  
JULY 20, 1994

BILL NO. 94-61 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Hawkins Jr. AND Higginson

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: August 4, 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 AUGUST 4, 1994 to AUGUST 4, 1994, on the following days:

AUGUST 4, 1994

Signed:

*Andrea Davis*

Subscribed and sworn to before me this

5 day of Aug, 1994

*Glenda L. Harris*

Notary Public



GLENDAL. HARRIS  
Notary Public - Nevada  
Clark County  
My appt. exp. Jan. 14, 1998

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CITY CLERK

AUG 11 11 32 AM '94

# AFFIDAVIT OF PUBLICATION

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BILL NO. 94-61

AN ORDINANCE RELATING TO PARKING OR NONMOVING VIOLATIONS; AMENDING TITLE II, CHAPTER 10 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING PROCEDURES FOR RESPONDING TO NOTICES OF INFRACTION; PROVIDING AN OPPORTUNITY TO AGREE TO A BINDING HEARING IN THE NATURE OF AN ARBITRATION OR ALTERNATIVE DISPUTE RESOLUTION BEFORE A HEARING OFFICER; PROVIDING FOR AN ATTORNEY TO ACT AS A HEARING OFFICER; NARROWING THE AMOUNT OF CIVIL FINES AND PENALTIES; PROVIDING INCREASED PENALTIES FOR REPEAT OFFENSES CONCERNING PARKING IN A HANDICAPPED ZONE (CONSISTENT WITH NRS 484.408); PROVIDING CONDITIONS FOR THE DISMISSAL OF AN INFRACTION DUE TO LACK OF NOTICE; PROVIDING FOR WRITTEN DECISIONS FROM THE HEARING OFFICER; PROVIDING FOR THE TOWING AND "BOOTING" OF VEHICLES THROUGH THE ISSUANCE OR WRITS OF EXECUTION; AMENDING TITLE II, CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE II, CHAPTER 52 OF THE LAS VEGAS MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE II, CHAPTER 54 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING FOR ADDITIONAL PARKING VIOLATIONS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Councilman Frank Hawkins Jr.

Summary: Amends Title II of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, so as to establish additional parking violations and revise provisions concerning the administration and enforcement of parking violations, including establishing provisions for a parking Hearing Officer.

At a City Council meeting  
JULY 20, 1994

BILL NO. 94-61 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Hawkins Jr. AND Higginson

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: August 4, 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 AUGUST 4, 1994 to AUGUST 4, 1994, on the following days:

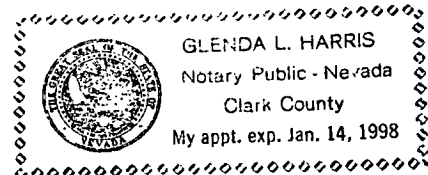
AUGUST 4, 1994

Signed:

Subscribed and sworn to before me this

5 day of Aug, 1994

Notary Public



087360

# AFFIDAVIT OF PUBLICATION

SEP 1 11 33 AM '94

RECEIVED  
CITY CLERK

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BILL NO. 94-61  
ORDINANCE NO. 3829

AN ORDINANCE RELATING TO PARKING OR NONMOVING VIOLATIONS; AMENDING TITLE 11, CHAPTER 10 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING PROCEDURES FOR RESPONDING TO NOTICES OF INFRACTION; PROVIDING AN OPPORTUNITY TO AGREE TO A BINDING HEARING IN THE NATURE OF AN ARBITRATION OR ALTERNATIVE DISPUTE RESOLUTION BEFORE A HEARING OFFICER; PROVIDING FOR AN ATTORNEY TO ACT AS A HEARING OFFICER; NARROWING THE AMOUNT OF CIVIL FINES AND PENALTIES; PROVIDING INCREASED PENALTIES FOR REPEAT OFFENSES CONCERNING PARKING IN A HANDICAPPED ZONE (CONSISTENT WITH NRS 484.408); PROVIDING CONDITIONS FOR THE DISMISSAL OF AN INFRACTION DUE TO LACK OF NOTICE; PROVIDING FOR WRITTEN DECISIONS FROM THE HEARING OFFICER; PROVIDING FOR THE TOWING AND "BOOTING" OF VEHICLES THROUGH THE ISSUANCE OR WRITS OF EXECUTION; AMENDING TITLE 11, CHAPTER 44 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 11, CHAPTER 52 OF THE LAS VEGAS MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 11 CHAPTER 54 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; PROVIDING FOR ADDITIONAL PARKING VIOLATIONS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Councilman Frank Hawkins Jr.

Summary: Amends Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, so as to establish additional parking violations and revise provisions concerning the administration and enforcement of parking violations, including establishing provisions for a parking Hearing Officer.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of July, 1994, and referred to the following committee composed of Councilmen Hawkins Jr. and Higginson, for recommendation; thereafter the said committee reported favorably on said ordinance on the 17th day of August, 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 and Hawkins Jr. VOTING "NAY" NONE VOTING "ABSTAIN" NONE DID NOT VOTE Councilman Brass and Mayor Jones

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: August 20, 1994  
Las Vegas Review-Journal

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

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AUGUST 20, 1994

Signed:

*Andrea Davis*

Subscribed and sworn to before me this

20 day of Aug, 19 94

*Peggy D. Barron*

Notary Public



PEGGY D. BARRON  
Notary Public - Nevada

Clark County  
My appt. exp. Feb. 17, 1998

