

BILL NO. 90-53

ORDINANCE No. 3529

AN ORDINANCE RELATING TO THE SENTENCING OF PERSONS CONVICTED OF VIOLATING NRS 484.379; AMENDING TITLE 11, CHAPTER 14 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 45, TO MANDATE PARTICIPATION IN STATE ASSESSMENT PROGRAMS PURSUANT TO CHAPTER 583, STATUTES OF NEVADA 1987, AS AMENDED BY CHAPTER 159, STATUTES OF NEVADA 1989; TO REQUIRE PERSONS CONVICTED OF VIOLATING ANY CITY ORDINANCE CORRESPONDING TO NRS 484.379(1) OR NRS 484.379(2) TO SUBMIT TO AND PAY THE FEE FOR AN ASSESSMENT OF THEIR NEED FOR TREATMENT FOR ALCOHOL OR CONTROLLED SUBSTANCE ABUSE AND TO REQUIRE MANDATORY SENTENCING OF SUCH PERSONS TO COMPLETE THE LEVEL OF EDUCATIONAL OR TREATMENT PROGRAMS RECOMMENDED BY THE ASSESSMENT AGENCY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:
Mayor Ron Lurie

Summary: Establishes mandatory assessment and treatment of DUI offenders.

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

SECTION 1: Title 11, Chapter 14, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 45, reading as follows:

11.14.045: (A) The City of Las Vegas desires to participate in a temporary program for the mandatory assessment and treatment of persons found guilty of a first or second offense of NRS 484.379, pursuant to the authority granted by Section 5 of Chapter 583, Statutes of Nevada 1987, as that Chapter has been amended by Chapter 159, Statutes of Nevada 1989. Therefore, any person who is convicted of violating any City ordinance corresponding to NRS 484.379(1) or NRS 484.379(2) shall, in addition to any other penalties authorized or required by law, be ordered by the sentencing judge to:

(1) Submit to and pay the fee for a drug and alcohol abuse assessment to be performed by a State certified DUI assessment center; provided, however, that the assessment fee may not exceed the sum of one hundred dollars.

1 (2) Complete and pay for the educational program or
2 level of treatment prescribed by the assessment center.

3 (B) The completion of a program pursuant to Paragraph 2
4 of Subsection (A) shall also fulfill any requirement to complete
5 an educational course on the abuse of alcohol and controlled
6 substances under NRS 484.379(2).

7 (C) The ordinance that is codified in this Section
8 shall expire on July 1, 1991, unless the authority to conduct
9 such temporary programs under Chapter 583, Statutes of Nevada
10 1987 is extended by the Nevada State Legislature, in which case
11 the ordinance shall expire at the same time as the State statute.

12 SECTION 2: If any section, subsection, subdivision,
13 paragraph, sentence, clause or phrase in this ordinance or any
14 part thereof, is for any reason held to be unconstitutional or
15 invalid or ineffective by any court of competent jurisdiction,
16 such decision shall not affect the validity or effectiveness of
17 the remaining portions of this ordinance or any part thereof.
18 The City Council of the City of Las Vegas, Nevada, hereby
19 declares that it would have passed each section, subsection, sub-
20 division, paragraph, sentence, clause or phrase thereof irrespec-
21 tive of the fact that any one or more sections, subsections, sub-
22 divisions, paragraphs, sentences, clauses or phrases be declared
23 unconstitutional, invalid or ineffective.

24 SECTION 3: All ordinances or parts of ordinances,
25 sections, subsections, phrases, sentences, clauses or paragraphs

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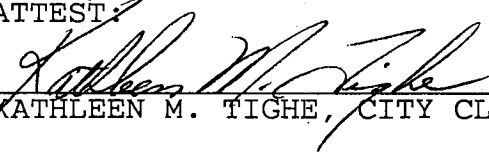
1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED AND APPROVED this 5th day of September,
4 1990.

5 APPROVED:

6 By 
7 RON LURIE, MAYOR OK 9-10-90 RAL

8 ATTEST:

9 
10 KATHLEEN M. TIGHE, CITY CLERK

11 The above and foregoing ordinance was first proposed and
12 read by title to the City Council on the 1st day of August,
13 1990, and referred to the following committee composed of

14 Mayor Lurie and Councilman Nolen

15 for recommendation; thereafter the said committee reported
16 favorably on said ordinance on the 5th day of September, 1990,
17 which was a regular meeting of said Council; that at said
18 regular meeting, the proposed ordinance was read by
19 title to the City Council as first introduced and adopted by the
20 following vote:

21 VOTING "AYE": Councilmen Adamsen Higginson, Miller, Nolen and Mayor Lurie

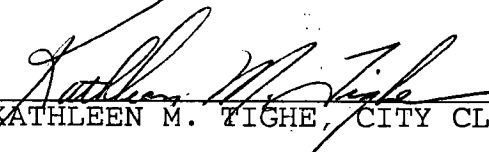
22 VOTING "NAY": NONE

23 ABSENT: NONE

24 APPROVED:

25 By 
26 RON LURIE, MAYOR OK 9-10-90 RAL

27 ATTEST:

28 
29 KATHLEEN M. TIGHE, CITY CLERK
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SEP 19 4 44 PM '90

AFFIDAVIT OF PUBLICATION

CITY CLERK
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ORDINANCE NO. 3529

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REQUIRE PERSONS CONVICTED OF VIOLATING ANY CITY ORDINANCE CORRESPONDING TO NRS 484.379(1) OR NRS 484.379(2) TO SUBMIT TO AND PAY THE FEE FOR AN ASSESSMENT OF THEIR NEED FOR TREATMENT FOR ALCOHOL OR CONTROLLED SUBSTANCE ABUSE AND TO REQUIRE MANDATORY SENTENCING OF SUCH PERSONS TO COMPLETE THE LEVEL OF EDUCATIONAL OR TREATMENT PROGRAMS RECOMMENDED BY THE ASSESSMENT AGENCY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Mayor Ron Lurie
Summary: Establishes mandatory assessment and treatment of DUI offenders

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of August, 1990, and referred to the following committee composed of Mayor Lurie and Councilman Nolen for recommendation; thereafter the said committee reported favorably on said ordinance on the 5th day of September, 1990, which was a regular meeting of said Council; 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: Adamson, Higginson, Miller, Nolen and Mayor Lurie

VOTING "NAY" Councilmen: None
ABSENT: None

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: Sept. 8, 1990
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

CHRISTY A. FERGUSON, 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 SEPTEMBER 8, 1990 to SEPTEMBER 8, 1990, on the following days:

SEPTEMBER 8, 1990

Signed:

Christy A. Ferguson

Subscribed and sworn to before me this

10 day of Sept., 1990

Maria C. Therien

Notary Public

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 11, 1994

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CITY CLERK

FINANCE DEPT

MARIA C. THIEREN
Notary Public - State of Nevada
SEP 19 4 00 PM '33
My Appointment Expires May 11, 1934

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AUG 22 4 06 PM '90

AFFIDAVIT OF PUBLICATION

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State of Nevada, and that the advertise-
ment, 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 16, 1990
to AUGUST 16, 1990, on the following
days:

AUGUST 16, 1990

Signed:

Christy A. Ferguson

Subscribed and sworn to before me this

16 day of Aug, 1990

Maria C. Therien
Notary Public

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 11, 1994

BILL NO. 90-53:
AN ORDINANCE RELATING TO
THE SENTENCING OF PERSONS
CONVICTED OF VIOLATING NRS.
484.379, AMENDING TITLE 21,
CHAPTER 114 OF THE MUNICIPAL
CODE OF THE CITY OF LAS VE-
GAS, NEVADA, 1983 EDITION, BY
ADDING THERETO A NEW SEC-
TION DESIGNATED AS SECTION
45A TO MANDATE PARTICIPATION
IN STATE ASSESSMENT PRO-
GRAMS PURSUANT TO CHAPTER
583B STATUTES OF NEVADA AND
AS AMENDED BY CHAPTER 159,
STATUTES OF NEVADA 1989; TO
REQUIRE PERSONS CONVICTED
OF VIOLATING ANY CITY ORDI-
NANCE CORRESPONDING TO NRS.
484.379(1) OR NRS 484.379(2) TO
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FOR AN ASSESSMENT OF THEIR
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MANDATORY SENTENCING OF
SUCH PERSONS TO COMPLETE
THE LEVEL OF EDUCATIONAL OR
TREATMENT PROGRAMS REC-
COMMENDED BY THE ASSES-
SMENT AGENCY; PROVIDING FOR
OTHER MATTERS PROPERLY RE-
LATING THERETO AND REPEAL-
ING ALL ORDINANCES IN CON-
FLICT HEREWITH.
SPONSORED BY:
MAYOR Ron Lurie
SUMMARY: Establishes mandatory
assessment and treatment of DUI
offenders.
At a City Council meeting
August 1, 1990
BILL NO. 90-53 WAS READ BY
TITLE AND REFERRED TO REC-
OMMENDING COMMITTEE: Mayor
Lurie and Councilman Nolan
COPIES OF THE COMPLETE ORDI-
NANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE OF-
FICE OF THE CITY CLERK, 10TH
FLOOR, CITY HALL, 5400 EAST
STEWART AVENUE, LAS VEGAS,
NEVADA
PUB: August 16, 1990
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Sponsored by: Mayor Ron Lurie
Summary: Establishes mandatory assessment and treatment of DL offenders.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of August, 1990, and referred to the following committee composed of Mayor Lurie and Councilman Nole for recommendation; thereafter the said committee reported favorable on said ordinance on the 5th day of September, 1990, which was a regular meeting of said Council; 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: Adamson, Higginson, Miller, Nolen and Mayor Lurie
VOTING "NAY" Councilmen: None
ABSENT: None

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COUNTY OF CLARK)

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Subscribed and sworn to before me this

10

day of

Sept

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Maria C. Therien

Notary Public

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Notary Public-State of Nevada
CLARK COUNTY

My Appointment Expires May 11, 1994



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PUB: August 16, 1990
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