

1 **Bill No. 95-55**

2 **Ordinance No. 3923**

3
4 **AN ORDINANCE RELATING TO ADMINISTRATIVE ASSESSMENT FEES; ADDING A**
5 **NEW CHAPTER TO THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS,**
6 **NEVADA, 1983 EDITION; ALLOWING THE MUNICIPAL COURT OF THE CITY OF**
7 **LAS VEGAS TO ASSESS A TEN DOLLAR ADMINISTRATIVE ASSESSMENT FEE TO**
8 **BE USED FOR ACQUIRING, CONSTRUCTING, RENOVATING OR PAYING DEBT**
9 **SERVICE ON ANY BONDS RELATING TO MUNICIPAL COURT FACILITIES OR A**
10 **REGIONAL JUSTICE CENTER; SPECIFYING DETAILS IN CONNECTION**
11 **THEREWITH; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING**
12 **THERE TO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN**
13 **CONFLICT HEREWITH.**

14 **Sponsored by:**

Summary: Allows for the collection of a ten dollar
administrative assessment fee for the acquisition,
construction, renovation and or debt servicing for
municipal court facilities or a regional justice
center.

15 **Councilman Arnie Adamsen**

16
17 **THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY**
18 **ORDAIN AS FOLLOWS:**

19 **WHEREAS, A.B. 364 of the 1995 Nevada Legislature authorizes the collection**
20 **of an administrative assessment for certain municipal courts and justices' courts for the**
21 **provision of court facilities, including regional justice centers; and**

22 **WHEREAS, the City of Las Vegas, in conjunction with Clark County, has**
23 **approved preliminary funding for architectural and engineering services for the design and**
24 **construction of a regional justice center; and**

25 **WHEREAS, in the event that the City of Las Vegas or Clark County does not**
26 **participate in the proposed regional justice center, the administrative assessment fees collected**
will be used for municipal court facilities as provided for in A.B. 364; and

WHEREAS, the Municipal Court for the City of Las Vegas, Clark County,
Nevada has recommended the adoption of an ordinance providing for the collection of such

1 administrative fees to be used in furtherance of the plan, design and construction of such a
2 regional justice center or municipal court facilities, and for interim court facilities costs;

3 NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS,
4 STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

5 SECTION 1: A new chapter of the Las Vegas Municipal Code, 1983 Edition,
6 is hereby adopted to read as follows:

7 1. When a defendant pleads or is found guilty of a misdemeanor prosecuted
8 in the Las Vegas Township, Clark County, Nevada, including the violation of any municipal
9 ordinance, the judge shall include in the sentence the sum of \$10.00 as an administrative
10 assessment for the provision of court facilities and render a judgment against the defendant for
11 the assessment. This administrative assessment is in addition to any assessment imposed
12 pursuant to NRS 176.059 or other statutory authority.

13 2. The provisions of Section 1 do not apply to:

- 14 (a) An ordinance regulating metered parking; or
15 (b) An ordinance which is specifically designated as imposing a civil
16 penalty or liability pursuant to NRS 244.3575 or 268.019.

17 3. The money collected for the administrative assessment provided for in
18 this Chapter must not be deducted from the fine imposed by the judge but must be taxed
19 against the defendant in addition to the fine. The money collected for this administrative
20 assessment must be stated separately on the court's docket and must be included in the amount
21 posted for bail. If the defendant is found not guilty or the charges are dismissed, the money
22 deposited with the court must be returned to the defendant. If the judge cancels a fine because
23 the fine has been determined to be uncollectible, any balance of the fine and the administrative
24 assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not
25 required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a
26

1 refund of the fine or administrative assessment he has paid and the justice or judge shall not
2 recalculate the administrative assessment.

3 4. If the judge permits the fine and any administrative assessments provided
4 for by law to be paid in installments, the payments must be applied in the following order:

5 (a) To pay the unpaid balance of an administrative assessment
6 imposed pursuant to NRS 176.059;

7 (b) To pay the unpaid balance of the administrative assessment
8 provided for in this Chapter; and

9 (c) To pay the fine.

10 5. The money collected for the administrative assessment provided for in
11 this Chapter must be paid by the clerk of the court to the City Treasurer on or before the fifth
12 day of each month for the preceding month. The City Treasurer shall deposit the money
13 received to a special revenue fund. The City may use the money in the special revenue fund
14 only to:

15 (a) Acquire land on which to construct additional facilities for the
16 municipal courts or a regional justice center which includes the municipal courts.

17 (b) Construct or acquire additional facilities for the municipal courts
18 or a regional justice center which includes the municipal courts.

19 (c) Renovate or remodel existing facilities for the municipal courts.

20 (d) Acquire furniture, fixtures and equipment necessitated by the
21 construction, or acquisition of additional facilities or the renovation of an existing facility for
22 the municipal courts or a regional justice center which includes the municipal courts.

23 (e) Acquire advanced technology for use in the additional or
24 renovated facilities.

25 (f) Pay debt service on any bonds issued pursuant to subsection 3 of
26

1 NRS 350.020 for the acquisition of land or facilities or the construction or renovation of
2 facilities for the municipal courts or a regional justice center which includes the justices'
3 courts.

4 6. Any money remaining in the special revenue fund after five fiscal years
5 from the effective date of this chapter must be deposited in the city general fund for the
6 continued maintenance of court facilities if it has not been committed for expenditure pursuant
7 to a plan for the construction or acquisition of court facilities or improvements to court
8 facilities. The City Treasurer shall provide, upon request by the municipal court, monthly
9 reports of the revenue credited to and expenditures made from the special revenue fund.

10 SECTION 2: The administrative assessment provided for in this Chapter shall
11 be assessed for a period of twenty-five years from the enactment of this ordinance.

12 SECTION 3: If any section, subsection, subdivision, paragraph, sentence,
13 clause or phrase in this ordinance or any part thereof is for any reason held to be
14 unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision
15 shall not affect the validity or effectiveness of the remaining portions of this ordinance or any
16 part thereof. The City Council of the City of Las Vegas, Nevada, hereby declared that it
17 would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
18 thereof irrespective of the fact that any one or more sections, subsections, subdivisions,
19 paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid or ineffective.

20 SECTION 4: All ordinances or parts of ordinances, sections, subsections,
21 phrases, sentences, clauses or paragraphs contain in the Municipal Code of Las Vegas,

22 . . .

23 . . .

24 . . .

25 . . .

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1 Nevada, 1983 Edition, in conflict herewith are hereby repealed.

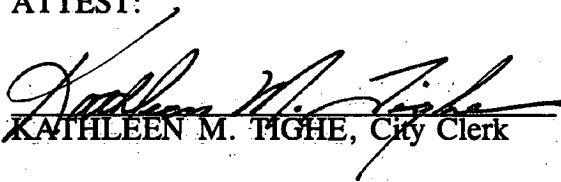
2 PASSED, ADOPTED and APPROVED this 16th day of August,
3 1995,

4 APPROVED:

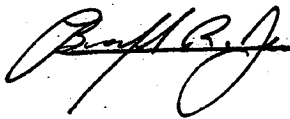
5 
6 JAN LAVERTY JONES, Mayor

7 ARNIE ADAMSEN, MAYOR PRO-TEM

8 ATTEST:

9 
10 KATHLEEN M. TIGHE, City Clerk

11
12
13 Approved as to form:

14
15  8/17/95
16 Date

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CITY CLERK

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AFFIDAVIT OF PUBLICATION

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BILL NO. 95-55
ORDINANCE NO. 3923

AN ORDINANCE RELATING TO ADMINISTRATIVE ASSESSMENT FEES; ADDING A NEW CHAPTER TO THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; ALLOWING THE MUNICIPAL COURT OF THE CITY OF LAS VEGAS TO ASSESS A TEN DOLLAR ADMINISTRATIVE ASSESSMENT FEE TO BE USED FOR ACQUIRING, CONSTRUCTING, RENOVATING OR PAYING DEBT SERVICE ON ANY BONDS RELATING TO MUNICIPAL COURT FACILITIES OR A REGIONAL JUSTICE CENTER; SPECIFYING DETAILS IN CONNECTION THEREWITH; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

SPONSORED BY: Councilman
Arnie Adamsen
SUMMARY: Allows for the collection of a ten dollar administrative assessment fee for the acquisition, construction, renovation and or debt servicing for municipal court facilities or a regional justice center.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of August, 1995, and referred to the following committee composed of Councilmen Adamsen and McDonald for recommendation; thereafter the said committee reported favorably on said ordinance on the 16th day of August, 1995, 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, McDonald, and Reese
VOTING "NAY" NONE
VOTING "ABSTAIN" NONE
ABSENT Councilman Callister DID NOT VOTE: 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 19, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, 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 19, 1995 to AUGUST 19, 1995, on the following days:

AUGUST 19, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 22 day of Aug, 1995

Peggy D. Barron
Notary Public



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

AFFIDAVIT OF PUBLICATION

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BILL NO. 95-55

AN ORDINANCE RELATING TO ADMINISTRATIVE ASSESSMENT FEES; ADDING A NEW CHAPTER TO THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA 1983 EDITION; ALLOWING THE MUNICIPAL COURT OF THE CITY OF LAS VEGAS TO ASSESS A TEN DOLLAR ADMINISTRATIVE ASSESSMENT FEE TO BE USED FOR ACQUIRING, CONSTRUCTING, RENOVATING OR PAYING DEBT SERVICE ON ANY BONDS RELATING TO MUNICIPAL COURT FACILITIES OR A REGIONAL JUSTICE CENTER; SPECIFYING DETAILS IN CONNECTION THEREWITH; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Arnie Adomson

SUMMARY: Allows for the collection of a ten dollar administrative assessment fee for the acquisition, construction, renovation and or debt servicing for municipal court facilities or a regional justice center. At a City Council meeting August 2, 1995. BILL NO. 95-55 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Adomson and McDonald. 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, 1995 Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, 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, 1995 to AUGUST 4, 1995, on the following days:

AUGUST 4, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 4 day of Aug, 1995

Peggy J. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1996

1 The above and foregoing ordinance was first proposed and read by title to the
2 City Council on the 2nd day of August, 1995, and referred to the following committee composed
3 of Councilmen Adamsen and McDonald, for recommendation; thereafter the said committee
4 reported favorably on said ordinance on the 16th day of August, 1995, which was a regular
5 meeting of said City Council; and that at said regular meeting the proposed ordinance was read
6 by title to the City Council as first introduced and adopted by the following vote:

7 VOTING "AYE" Councilmen Adamsen, McDonald and Reese

8 VOTING "NAY" NONE

9 VOTING "ABSTAIN" NONE

10 ABSENT Councilman Callister

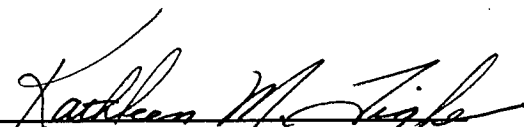
11 DID NOT VOTE: Mayor Jones

12 APPROVED

13 By 
14 JAN LAVERTY JONES, MAYOR

ARNIE ADAMSEN, MAYOR PRO-TEM

15 ATTEST:

16 
17 KATHLEEN M. TIGHE, City Clerk