

ORDINANCE NO. 1216

AN ORDINANCE REPEALING TITLE VI, CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION; AND PROVIDING A NEW TITLE VI, CHAPTER 4, SECTIONS 1 THROUGH 17; DEFINING CERTAIN TERMS; PROVIDING FOR THE ISSUANCE OF A PERMIT TO ENGAGE IN THE BUSINESS OF BUYING AND SELLING PISTOLS; DEFINING ESTABLISHMENTS TO WHICH SAID PERMIT MAY BE ISSUED; PROHIBITING SALES TO CERTAIN PERSONS; PROVIDING FOR A SEVENTY-TWO HOUR WAITING PERIOD FOR THE PURCHASE OF A PISTOL; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title VI, Chapter 4 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby repealed.

SECTION 2. Title VI, Chapter 4 of said Municipal Code is hereby amended by adding thereto a new chapter, being designated as Chapter 4, to read as follows:

- 6-4-1: PISTOL DEFINED: The term "pistol" shall mean any small firearm fired by hand, loaded or unloaded, capable of being concealed upon the person. The term shall include all small firearms with a barrel or barrels not exceeding twelve (12) inches in length including revolvers, automatics, derringers and like weapons from which a dangerous projectile may be propelled by means of explosives, springs, gas or air, except any smooth bore pistol designed and manufactured exclusively for propelling BB shot not exceeding .177 caliber by means of springs, gas or air.
- 6-4-2: PERSON DEFINED: The term "person" shall mean any individual, partnership, association or corporation.
- 6-4-3: DEALER DEFINED: The term "dealer" shall mean any person engaged in the business of buying or selling pistols at wholesale or retail, or of accepting pledges of pistols as security for loans.
- 6-4-4: DEALING IN PISTOLS WITHOUT PERMIT UNLAWFUL: It shall be unlawful for any person, except a dealer having a pistol permit issued under the provisions of this Chapter, to engage

in the business of buying or selling pistols at retail or whole-sale, or of accepting pledges of pistols as security for loans, and no such permit shall authorize the leasing of any pistol.

6-4-5: BUSINESSES TO WHICH PISTOL PERMITS MAY BE ISSUED:

Applications for pistol permits shall be accepted only from duly licensed hardware stores, gunsmith shops, sporting goods stores, antique gun dealers and pawn shops where pistols may be sold or purchased in compliance with this Chapter.

6-4-6: APPLICATION AND INVESTIGATION: Any person desiring a pistol permit to engage in the business of buying or selling pistols, or of accepting pledges of pistols as security for loans, under the provisions of this Chapter shall first apply to the Board of City Commissioners setting out his name, address and other information as may be required and the business (other than dealing in pistols) intended to be carried on and stating a request for a pistol permit to deal in pistols at such place. The application will then be referred to the Chief of Police for his investigation and his recommendation, then back to the Board of City Commissioners who may, after considering same in any manner that may appear to them proper, approve or disapprove such application. If disapproved, then no pistol permit shall be issued. If approved, the City Clerk shall issue a pistol permit to such applicant to deal in pistols at the place named and under the present business license of such applicant.

6-4-7: SALES TO CERTAIN PERSONS PROHIBITED: It shall be unlawful for a dealer or any other person to sell, lease, rent or otherwise transfer a pistol to any person whom he knows or has reasonable cause to believe is included within any one or more of the following categories:

- A. Who is under the age of 18 years.
- B. Who is under the influence of intoxicating beverages.
- C. Who is a fugitive from justice.

- D. Who has been convicted of a felony in the State of Nevada or any state or territory of the United States or any political subdivision thereof.
- E. Who is an unlawful user or seller of narcotics.
- F. Who is a member of an association advocating criminal syndicalism as defined in Sections 203.160 through 203.190 of the Nevada Revised Statutes.
- G. Who is foreign born and not a naturalized citizen of the United States of America.
- H. Who has been adjudged insane in this state or elsewhere and has not subsequently been adjudged sane by a court of competent jurisdiction.

6-4-8: CERTAIN PERSONS PROHIBITED FROM PURCHASING OR OWNING PISTOLS: It shall be unlawful for any person who is included within any one or more of the categories set forth in Section 7 of this Chapter, to receive from another by loan, gift, purchase or in any manner, or to attempt to obtain in any manner or have in his or her possession or control any pistol; provided, however, that a person under the age of 18 years may have a pistol in his or her possession or under his or her control while accompanied by or under the immediate charge of his or her parent, guardian, or responsible adult and while engaged in hunting or target practice or other lawful purpose.

6-4-9: SEVENTY-TWO HOURS MUST ELAPSE BETWEEN SALE AND DELIVERY OF PISTOL: When any sale of a pistol is made by a dealer under this Chapter, seventy-two (72) hours must elapse between the time of sale and the time of delivery to the purchaser, and when delivered, all pistols must be securely wrapped, must be unloaded and must be accompanied by a receipt, signed by dealer, setting forth the name, address and description of the purchaser or transferee, a complete description of the pistol,

including the manufacturer, model and manufacturer's serial number thereof, the date and time of sale and the date and time of delivery of such pistol, and a statement notifying the purchaser or transferee that said pistol must be registered with the Chief of Police within twenty-four (24) hours.

The aforesaid seventy-two (72) hour waiting period shall not apply to the sale of a pistol to any person who, at the time of such sale, produces bona fide documentary evidence that he is a member of a federal law enforcement agency, that he is a peace officer of the State of Nevada or any political subdivision thereof who is regularly employed for pay by the State or such subdivision, or that he currently owns a pistol which is duly registered in his name with any law enforcement agency in Clark County, Nevada, nor shall said waiting period apply to any person who requires the use of a pistol in his employment and receives written permission from the Chief of Police to waive said waiting period; provided, however, that all of the other provisions shall apply to any of such sales.

6-4-10: CHIEF OF POLICE TO BE NOTIFIED: A dealer making a sale of a pistol shall, within twenty-four (24) hours after the delivery thereof, deliver to the Chief of Police a duplicate copy of the receipt referred to in Section 9 of this Chapter, signed by the dealer and by the purchaser or transferee of such pistol.

6-4-11: REGISTRATION OF PISTOLS WITHIN TWENTY-FOUR HOURS: Any person receiving title to a pistol, whether by purchase, gift, or any other transfer, and whether from a dealer or from any other person, shall, within twenty-four (24) hours of such receipt, personally appear at the police station, together with said pistol, for the purpose of registering the

same with the Chief of Police. It shall be the duty of the Chief of Police to register said pistol and he may and is authorized to cooperate in any manner he sees fit with other law enforcement agencies and licensed dealers in effecting registration of pistols to the end that efficient registration will be secured at a minimum of cost and duplication.

- 6-4-12: SALE OR POSSESSION OF CERTAIN PISTOLS PROHIBITED: It shall be unlawful to purchase, sell, or to transfer in any manner or to have in possession or control any pistol on which the name of the manufacturer, model or manufacturer's serial number has been removed or altered.
- 6-4-13: WINDOW DISPLAYS OF PISTOLS AND AMMUNITION PROHIBITED: No pistols or ammunition shall be displayed in any store or business window.
- 6-4-14: SALE OF FOREIGN MADE PISTOLS WITH AMMUNITION RESTRICTED: No pistol of foreign make shall be sold with ammunition for the same unless said ammunition is expressly made for the pistol.
- 6-4-15: SALE OF HOME-MADE PISTOLS PROHIBITED: No home-made pistols shall be bought or sold except as provided by law under the Federal Firearms Act.
- 6-4-16: CONDITION OF PISTOLS SOLD: All secondhand and used pistols, except antique pieces, sold or purchased shall be in a safe and first class condition.
- 6-4-17: UNLAWFUL TO PERMIT PERSONS UNDER 18 YEARS TO HAVE POSSESSION OR CONTROL OF PISTOL: It shall be unlawful for any person to aid or knowingly permit another under the age of 18 years to handle or have in his or her possession or under his or her control any pistol except while accompanied by or under the immediate charge of his or her parent, guardian, or responsible adult and while engaged in hunting, target practice or other lawful purpose.

SECTION 3. The provisions of this ordinance shall be separable and if any of the provisions hereof shall be held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any of the remaining provisions of this ordinance. It is hereby declared as the intent of the Board of Commissioners that this ordinance would have been adopted had such invalid or unconstitutional provisions not been included.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 5. All ordinances, parts of ordinances, sections, subsections, phrases, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 20th day of October, 1965.

Oran K. Gragson
ORAN K. GRAGSON Mayor

ATTEST:

Edwina M. Caca
City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 6th day of October, 1965, and referred to the following committee composed of Commissioners Whipple and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of October, 1965, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners Commissioners Stewart, Fountain, Whipple and
Mayor Gragson

VOTING "NAY": None ABSENT: Commissioner Mirabelli

APPROVED:

Oran K. Gragson
ORAN K. GRAGSON Mayor

ATTEST:

Edwina M. Caca
City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,)
COUNTY OF CLARK,) SS

LOUIE MURATORE, being first duly sworn deposes and says that he is foreman for the Las Vegas Review-Journal, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of TWO (2) insertions from October 25 to November 1, inclusive, being the issue of said newspaper for the following dates to wit:

October 25, November 1, 1965

That said newspaper was regularly issued and circulated on each of the dates above named.

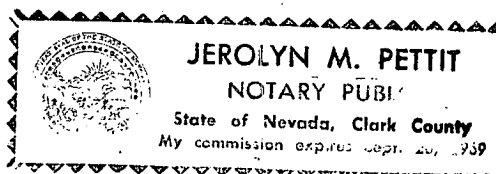
SIGNED

L. Muratore
LOUIE MURATORE

Subscribed and sworn to
before me

this 1st day of November, 19 65

Jerolyn M. Pettit
NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA
My commission expires
September 28, 1969



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PERSON DEFINED: The term "person" shall mean any individual, partnership, association or corporation.

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DEALER DEFINED: The term "dealer" shall mean any person engaged in the business of buying or selling pistols at wholesale or retail, or of accepting pledges of pistols as security for loans.

6-4-4:

DEALING IN PISTOLS WITHOUT PERMIT UNLAWFUL: It shall be unlawful for any person, except a dealer having a pistol permit issued under the provisions of this Chapter, to engage in the business of buying or selling pistols at retail or wholesale, or of accepting pledges of pistols as security for loans, and no such permit shall authorize the leasing of any pistol.

6-4-5:

BUSINESSES TO WHICH PISTOL PERMITS MAY BE ISSUED: Applications for pistol permits shall be accepted only from duly licensed hardware stores, gunsmith shops, sporting goods stores, antique gun dealers and pawn shops where pistols may be sold or purchased in compliance with this Chapter.

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The aforesaid seventy-two (72) hour waiting period shall not apply to the sale of a pistol to any person who, at the time of such sale, produces bona fide documentary evidence that he is a member of a federal law enforcement agency, that he is a peace officer of the State of Nevada or any political subdivision thereof who is regularly employed for pay by the State or such subdivision, or that he currently owns a pistol which is duly registered in his name with any law enforcement agency in Clark County, Nevada, nor shall said waiting period apply to any person who requires the use of a pistol in his employment and receives written permission from the Chief of Police to waive said waiting period; provided however, that all of the other provisions shall apply to any of such sales.

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CHIEF OF POLICE TO BE NOTIFIED: A dealer making a sale of a pistol shall, within twenty-four (24) hours after the delivery thereof, deliver to the Chief of Police a duplicate copy of the receipt referred to in Section 9 of this Chapter, signed by the dealer and by the purchaser or transferee of such pistol.

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the end that efficient registration will be secured at a minimum of cost and duplication.

6-4-12:

SALE OR POSSESSION OF CERTAIN PISTOLS PROHIBITED: It shall be unlawful to purchase, sell, or to transfer in any manner or to have in possession or control any pistol on which the name of the manufacturer, model or manufacturer's serial number has been removed or altered.

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WINDOW DISPLAYS OF PISTOLS AND AMMUNITION PROHIBITED: No pistols or ammunition shall be displayed in any store or business window.

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CONDITION OF PISTOLS SOLD: All secondhand and used pistols, except antique pieces, sold or purchased shall be in a safe and first class condition.

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SECTION 3. The provisions of this ordinance shall be separable and if any of the provisions hereof, shall be held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any of the remaining provisions of this ordinance. It is hereby declared as the intent of the Board of Commissioners that this ordinance would have been adopted had such invalid or unconstitutional provisions not been included.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 5. All ordinances, parts of ordinances, sections, subsections, phrases, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 20th day of October, 1965.

ORAN K. GRAGSON
Mayor

ATTEST:

Edwina M. Cole
City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 6th day of October, 1965, and referred to the following committee composed of Commissioners Whipple and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of October, 1965, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners Stewart, Fountain, Whipple and Mayor Gragson.

VOTING "NAY": None.

ABSENT: Commissioner Mirabelli

APPROVED:
ORAN K. GRAGSON,
Mayor

(SEAL)

ATTEST:
Edwina M. Cole
City Clerk

Oct. 25, Nov. 1