

ORDINANCE NO. 1362

AN ORDINANCE TO AMEND ORDINANCE NO. 1349 AND TO AMEND TITLE X, CHAPTER 21 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, BY AMENDING SECTION 3 OF SAID TITLE AND CHAPTER TO PROVIDE FOR CIRCUMSTANCES UNDER WHICH A BAIL FORFEITURE SHALL BE CONSIDERED A CONVICTION; 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. Ordinance No. 1349 and Title X, Chapter 21, Section 3 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

10-21-3: WHEN PERSON CITED MUST APPEAR IN COURT:

- (A) Whenever a person is cited for a violation of any provision of this code punishable as a misdemeanor, and such person is not immediately taken before a magistrate as hereinbefore required, the officer shall prepare in quadruplicate written notice to appear in court containing the name and address of such person, the license number of his vehicle, if any, the offense charged and the time and place when and where such person shall appear in court; provided, however, that such person shall not be required to appear in court in such cases as are hereinafter provided in subsection (E).
- (B) The time specified in said notice to appear must be at least seven (7) days after such citation unless the person cited shall demand an earlier hearing.
- (C) In order to secure release as provided in this section, said person must give his written promise to appear in court by signing at least one (1) copy of the written notice prepared by the officer. The officer shall deliver a copy of the notice to the person promising to appear. Thereupon, said officer shall forthwith release the person.
- (D) Whenever any person is released as hereinabove provided, such person must appear in court on the date and time indicated on the face of the traffic complaint in any of the

following cases:

1. When the person desires to plead not guilty to the offense charged;
  2. When the person is charged with the offense of reckless driving;
  3. When the person is charged with the offense of driving on a suspended or revoked driver's license;
  4. When the person is charged with the offense of fraudulent use of driver's license or motor vehicle license plates;
  5. When the person is charged with the offense of exceeding the speed limit by twenty one (21) miles per hour or more;
  6. When the person is charged with violation of pedestrian right-of-way;
  7. When the person has been convicted of two (2) or more moving violations within twelve (12) months next preceding the date of the offense charged; provided, however, that for the purpose of computing the number of convictions, a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction;
  8. When the person is a juvenile, seventeen (17) years of age or younger, he must appear with his parent or guardian in Juvenile Court as indicated on the traffic complaint; or
  9. When the person is charged with an offense as a result of an accident.
- (E) Whenever any person is charged with a traffic violation not listed above in subsection (D) of this section or in Title 10, Chapter 21, Section 2, such person may pay a prescribed fine at the Traffic Violations Bureau without appearing in court, upon signing a statement printed on the reverse side of the original traffic complaint waiving right to trial, entering a plea of guilty to the offense described in the complaint, and consenting to

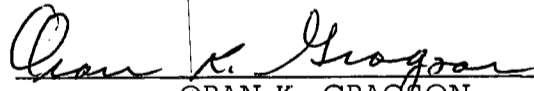
judgment imposing the prescribed fine; provided, that payment of fine must be made not sooner than two (2) days (excluding Sunday, any holiday, or the day issued), after receiving the traffic complaint, and at least three (3) days (excluding Sunday or any holiday) before the court date indicated on the traffic complaint.

- (F) The Magistrates of the Municipal Court shall immediately, upon passage and approval of this ordinance, establish prescribed fines for all traffic offenses for which a fine may be paid without a court appearance as provided in subsection (E) above. A copy of said prescribed fines shall be conspicuously posted in the Traffic Violations Bureau. The prescribed fine schedule may be revised from time to time at the discretion of the municipal Magistrates, provided that any revision in the fine schedule shall be conspicuously posted in the Traffic Violations Bureau at least ten (10) days prior to the effective date thereof.

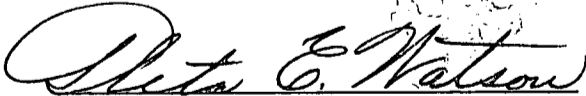
SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the city jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 3. All ordinances or parts of ordinances, sections, subsections, phrases, clauses, sentences 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 2nd day of October, 1968.

  
ORAN K. GRAGSON  
MAYOR

ATTEST:

  
Assistant City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 18th day of September, 1968, and referred to the following committee

composed of Commissioners Stewart and Corey for recommendation; thereafter the said committee reported favorably on said ordinance on the 2nd day of October, 1968, 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 Howery, Corey, Stewart, Mirabelli and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:

Oran K. Gragson  
ORAN K. GRAGSON  
MAYOR

ATTEST:

Meta E. Watson  
Assistant City Clerk

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }  
COUNTY OF CLARK } ss.

Robert E. Hunter, being first duly sworn,

deposes and says: That he is Shop Foreman of the  
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published  
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 2 days

from October 5, 1968 to October 12, 1968

inclusive, being the issues of said newspaper for the following dates, to-wit:

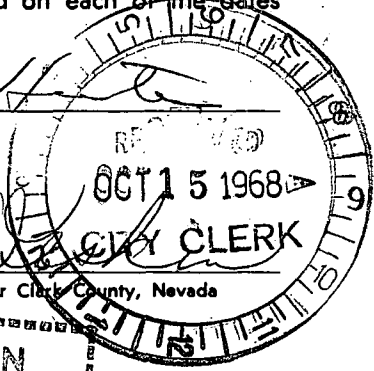
October 5, 12, 1968

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

Signed Robert E. Hunter

Subscribed and sworn to before me this 14th  
day of October, 1968.

Ruthe V. Deskin  
Notary Public in and for Clark County, Nevada



My Commission Expires



**RUTHE V. DESKIN**  
Notary Public - State of Nevada  
My Commission Expires April 14, 1971

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10-21-3:

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(B) The time specified in said notice to appear must be at least seven (7) days after such citation unless the person cited shall demand an earlier hearing.

(C) In order to secure release as provided in this section, said person must give his written promise to appear in court by signing at least one (1) copy of the written notice prepared by the officer. The officer shall deliver a copy of the notice to the person promising to appear. Thereupon, said officer shall forthwith release the person.

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4. When the person is charged with the offense of fraudulent use of driver's license or motor vehicle license plates;
5. When the person is charged with the offense of exceeding the speed limit by twenty one (21) miles per hour or more;
6. When the person is charged with violation of pedestrian right-of-way;
7. When the person has been convicted of two (2) or more moving violations within twelve (12) months next preceding the date of the offense charged; provided, however, that for the purpose of computing the number of convictions, a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction;
8. When the person is a juvenile, seventeen (17) years of age or younger, he must appear with his parent or guardian in Juvenile Court as indicated on the traffic complaint; or
9. When the person is charged with an offense as a result of an accident.

(E) Whenever any person is charged with a traffic violation not listed above in subsection (D) of this section or in Title 10, Chapter 21, Section 2, such person may pay a prescribed fine at the Traffic Violations Bureau without appearing in court; upon signing a statement printed on the reverse side of the original traffic complaint waiving right to trial, entering a plea of guilty to the offense described in the complaint, and consenting to judgment imposing the prescribed fine; provided, that payment of fine must be made not sooner than two (2) days (excluding Sunday, any holiday, or the day issued), after receiving the traffic complaint, and at least three (3) days (excluding Sunday or any holiday) before the court date indicated on the traffic complaint.

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SECTION 2. 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.

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PASSED, ADOPTED AND APPROVED this 2nd day of October, 1968.

/s/ ORAN K. GRAGSON, Mayor

ATTEST:

/s/ ALETA E. WATSON  
Assistant City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 18th day of September, 1968, and referred to the following committee composed of Commissioners Stewart and Carey for recommendation; thereafter the said committee reported favorably on said ordinance on the 2nd day of October, 1968, 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 was first proposed and read by title the following vote:

VOTING "AYE": Commissioners Hawery, Carey, Stewart, Mirabelli and Mayor Gragson

VOTING "NAY": None

ABSENT: None

APPROVED:

/s/ ORAN K. GRAGSON, Mayor

ATTEST:

/s/ ALETA E. WATSON  
Assistant City Clerk

Pub.: Oct. 5, 12, 1968.