

FIRST AMENDMENT

Bill No. 93-37

Ordinance No. 3734

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 NEW NOTICE REQUIREMENTS FOR PARKING INFRACTIONS; PROVIDING FOR THE DEVELOPMENT AND ADOPTION OF UNIFORM COURT RULES FOR PARKING INFRACTIONS; CLARIFYING THE JURISDICTION OF MUNICIPAL COURT REGARDING NOTICES OF INFRACTION; CLARIFYING AND ALLOWING THE DEPARTMENT OF DETENTION AND ENFORCEMENT TO TOW ABANDONED VEHICLES AND INSTALL AUTOMOBILE IMMOBILIZERS; EXPANDING THE DEFINITION OF VEHICLES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Councilman Scott Higginson
Councilman Bob Nolen

Summary: Amends Title 11, Chapter 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, changing the content of the notice, creating new procedures for responding to a notice of infraction, and clarifying the authority of Detention and Enforcement to tow abandoned vehicles or install immobilizers.

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

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

SECTION 2: **11.10.010** It is a civil infraction, for which both the registered owner and the operator of a vehicle are liable, for such vehicle to be parked or found in violation of any of the parking (~~nonmoving traffic~~) laws which are set forth in this Title.

11.10.020 Whenever any vehicle is found in violation of the parking (~~nonmoving traffic~~) laws which are set forth in this Title, a Notice of Infraction must be issued.

11.10.030 The Notice of Infraction must be on the form which is prescribed by the Department of Detention and Enforcement and must contain the following information:

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

3 (B) The location at which the violation occurred;

4 (C) The date and time of the violation;

5 (D) The number of the parking meter which is adjacent to the vehicle, if the vehicle is
6 violating a parking regulation respecting the use of parking meters, as proved for in Chapter 54
7 of Title 11 of this Code;

8 (E) The ~~signature~~ name of the person who issues the Notice of Infraction;

9 (F) The section of this Code which allegedly is being violated;

10 (G) The names of the operator and/or the registered owner of the vehicle, if they are
11 known to the person who issues the Notice of Infraction;

12 (H) Information which advises of the manner in which, and the time within which, the
13 Notice of Infraction must be answered;

14 (I) Any other reasonable information which is prescribed by the Department of
15 Detention and Enforcement.

16 **11.10.040** The Notice of Infraction may be issued by any peace officer or by any person
17 who is authorized by the Director of the Department of Detention and Enforcement.

18 **11.10.050** The original Notice of Infraction, or a facsimile thereof, must be filed with
19 the Las Vegas Municipal Court and retained by the Municipal Court, is deemed to be a public
20 record of matters which are observed pursuant to a duty which is imposed by law and is prima
21 facie evidence of the facts which are alleged therein. A duplicate of the Notice of Infraction must
22 be served on the person to whom it is issued as proved in Section 11.10.060.

23 **11.10.060** (A) The Notice of Infraction must be served upon the owner and/or operator
24 of the vehicle by affixing the Notice to the vehicle in a conspicuous place. Service of the Notice
25 of Infraction by affixation has the same force and effect and is subject to the same penalties for
26

1 the disregard thereof as if the Notice of Infraction were personally served on the owner and/or
2 operator of the vehicle. In lieu of service by affixation the Notice of Infraction may be personally
3 served upon the owner and/or operator of the vehicle.

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

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

17 **11.10.080** (A) A person who responds to a Notice of Infraction must:

18 (1) "Admit" the commission of the infraction and pay the appropriate civil fine;

19 (2) *Personally, or through counsel if one is retained, contact the City Attorney*
20 *or his designated deputy "Admit with explanation" the commission of the infraction who may (a)*
21 *negotiate a resolution of the amount owed as a result of the infraction; (b) negotiate the method*
22 *and time of payment of any stipulated amount owed; or (c) agree to withdraw the notice of*
23 *infraction; or*

24 (3) "Deny" liability for the infraction.

25 (B) A person may "admit" pursuant to paragraph (1) of subsection (A) of this section
26

1 by paying the amount of the civil fine which is appropriate for the violation which was committed.

2 ~~(C) A person may "admit with explanation" pursuant to paragraph (2) of subsection (A)~~
3 ~~of this section only by appearing in person before the Court Administrator of the Las Vegas~~
4 ~~Municipal Court, or his designee. The civil fine may be excused only if it is determined that:~~

5 ~~(1) The Notice of Infraction was improperly issued or:~~

6 ~~(2) If the person who responds to the Notice is the registered owner of the~~
7 ~~vehicle the vehicle was, at the time of the violation, being used without his express or implied~~
8 ~~permission.~~

9 ~~(D)~~(C) A person whose notice of infraction has not been withdrawn by the City Attorney's
10 office may "deny" liability pursuant to paragraph (3) of subsection (A) of this section only by
11 appearing in person before the Court Administrator of the Las Vegas Municipal Court, or his
12 designee and under declaration of perjury stating that (1) such person was neither the operator
13 nor owner of the vehicle at the time of the issuance of the Notice of Infraction; (2) such person
14 was the owner or operator of the vehicle at the time of the issuance of the Notice of Infraction,
15 but believes that the Notice of Infraction was improperly issued; or (3) such person was the owner,
16 but that the vehicle was operated without express or implied permission at which time a ~~trial~~
17 return date on the infraction must be scheduled by the Municipal Court Administrator or his
18 designee unless, under Section 11.10.110, such person has received a summons and compliant in
19 which case a hearing date shall be set as provided by that section. The return date must be for
20 an appearance before a Las Vegas Municipal Court Judge and be no sooner than ten working
21 days from the date of the person's appearance before the Court Administrator. The Court
22 Administrator must immediately notify the City Attorney's Office of the person's scheduled return
23 date. The City Attorney must file a complaint identical to that required under Section 11.10.110
24 before the person's scheduled return date unless good cause can be shown for the failure to file
25 such complaint. A person attending his or her scheduled return date must receive a copy of the

1 *complaint filed and if such person continues to deny liability for the Notice of Infraction, must also*
2 *receive a date for a hearing on such complaint.*

3 **11.10.090** (A) A response to a Notice of Infraction, as provided in Section 11.10.080,
4 must be made within fifteen days after the date on which the Notice of Infraction is issued. If no
5 response is made during such fifteen day period, an additional civil penalty which is equal to the
6 amount of the original civil fine must be ~~imposed~~ *assessed*.

7 (B) After the expiration of the fifteen-day response period, the Las Vegas Municipal
8 Court must send a Notice of Delinquency by mail to the registered owner of the vehicle at the
9 registered owner's last known address, as indicated by the vehicle registration which is maintained
10 by the Nevada Department of Motor Vehicles. The Notice of Delinquency must contain the date
11 of the infraction, the amount of the civil fine and the amount of any penalty which is associated
12 therewith. The registered owner has thirty days after the date of mailing of the Notice of
13 Delinquency in which to respond thereto in the manner which is provided in Section 11.10.080.
14 Except in cases of violations of Section 11.10.170, if no response is made to the Notice of
15 Delinquency within such thirty-day period, a civil penalty must be ~~imposed~~ *assessed* equal to five
16 times the original civil fine amount, in addition to the original civil fine. ~~In addition to the~~
17 ~~authority of the Court Administrator of the Las Vegas Municipal Court, or his designee, to excuse~~
18 ~~the original civil fine, as provided in Section 11.10.080, said Court Administrator or his designee,~~
19 ~~may excuse all or part of any civil penalty upon a showing of good cause why a response to the~~
20 ~~Notice of Infraction or Notice of Delinquency was not timely made.~~

21 **11.10.100** Judicial enforcement of Notices of Infraction must be by way of civil suit
22 in the Las Vegas Municipal Court. A certified copy of the Notice of Infraction constitutes a prima
23 facie showing that an infraction occurred.

24 **11.10.110** The action may be commenced at any time after the expiration of thirty days
25 following the date on which the Notice of Delinquency was mailed to the registered owner of the
26

1 vehicle, pursuant to subsection (B) of Section 11.10.090, by the filing of a complaint in the name
2 of the City of Las Vegas and the issuance of a summons with respect thereto, and service of such
3 complaint and summons on the defendant must be made by certified mail, return receipt
4 requested, addressed to the registered owner of the vehicle at his last known address, as indicated
5 by the vehicle registration which is maintained by the Nevada Department of Motor Vehicles or
6 in any other manner which is authorized by law. ~~The normal rules of procedure which are~~
7 ~~permissible in the Las Vegas Municipal Court shall apply.~~ *Unless and until a complaint has been*
8 *filed with the Las Vegas Municipal Court pursuant to this Section, the Las Vegas Municipal Court*
9 *is without jurisdiction to entertain any matter related to a Notice of Infraction issued pursuant to*
10 *this Chapter.*

11 (B) *Within six months from the effective date of this provision, the Las Vegas Municipal*
12 *Court shall adopted uniform codified rules of judicial procedure which shall apply to any hearing*
13 *concerning parking infractions issued under this Chapter, provided that such rules are consistent*
14 *with the provisions of this Chapter and the Nevada Justices Court Rules of Civil Procedure. Such*
15 *rules shall be established after receiving the recommendation of a committee which shall be*
16 *comprised of a Municipal Court Judge, the City Attorney or his designee and a representative of*
17 *the Nevada State Bar as selected by the Municipal Court Judges.*

18 **11.10.120** Civil actions pursuant to this Chapter may only be commenced within two
19 years after the date on which the infraction occurred, and the standard of proof which is to be
20 applied is the preponderance of the evidence. The City has satisfied its burden of proof if it
21 shows that an infraction occurred and that the vehicle was registered to the defendant on the date
22 on which the infraction occurred, unless either of these elements is satisfactorily rebutted by the
23 defendant.

24 **11.10.130** Wherever in this Title any act is prohibited or is made or declared to be
25 unlawful or an offense or a misdemeanor or wherever in this Title the doing of any act is required
26

1 or the failure to do any act is declared to be unlawful, the sanction therefor is civil in nature in
2 the monetary amount which is set forth in Sections 11.10.150 to 11.10.190, inclusive.

3 **11.10.140** The schedule of civil fines which is contained in Sections 11.10.150 to
4 11.10.190, inclusive, is established for infractions of the parking ~~(nonmoving traffic)~~ laws and
5 regulations which are set forth in this Code.

6 **11.10.150** For parking a vehicle (1) in the area which is posted with a parking time
7 limit or in a space which is equipped with a parking meter for a period which is longer than the
8 prescribed time, or (2) in any space which is equipped with a parking meter while said meter is
9 displaying a signal which indicates that the vehicle in such parking space has already been parked
10 beyond the prescribed time, the civil fine is ten dollars.

11 **11.10.160** (A) For parking a vehicle in an area which is posted with a "No Parking"
12 sign, the civil fine is twenty-five dollars, unless such area has been designated as a fire lane
13 pursuant to Section 10.207 of the Fire Code of the City.

14 (B) For parking a vehicle in a space the curb adjacent to which has been painted red,
15 in a space designated for emergency vehicles only, or in an area which has been designated as a
16 fire lane pursuant to Section 10.207 of the Fire Code of the City, the civil fine is seventy-five
17 dollars.

18 **11.10.170** For parking a vehicle in an area which is posted with a handicapped parking
19 sign when such vehicle does not display a handicapped permit or license plate, the civil fine is
20 one hundred dollars.

21 **11.10.180** (A) Except as provided in subsection (B) of this Section, for other parking
22 ~~(nonmoving traffic)~~ infractions of the provisions of this Code, the civil fine is ten dollars.

23 (B) For abandoning or parking a vehicle on any City highway, street or thoroughfare
24 in violations of LVMC 11.24.010, the civil fine is fifty dollars, plus any towing and storage fees
25 which may be assessed in connection with the removal of the vehicle pursuant to this Title.
26

1 **11.10.190** The civil fine for any of the infractions which are described in LVMC
2 11.10.150 or 11.10.180 must be reduced by fifty percent if it is paid within ten days after the date
3 on which the Notice of Infraction is issued.

4 **11.10.200** ~~Members of t~~ The Las Vegas Metropolitan Police Department and officers
5 ~~of the Park Ranger Unit of~~ the Department of Detention and Enforcement are authorized to
6 remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a
7 garage which is designated or maintained by the Las Vegas Metropolitan Police Department or
8 otherwise maintained by the City, under the circumstances which are hereinafter enumerated:

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

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

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

18 (D) When the person who is in charge of a vehicle is unable to provide for it custody
19 or removal within;

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

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

23 (E) When the person who is driving or in actual physical control of a vehicle is arrested
24 for any alleged offense for which the arresting officer is required by law to take such person
25 before a proper magistrate without unnecessary delay; or
26

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

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

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

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

23 **11.10.230** The use of automobile immobilizers, sometimes referred to as "Denver boots"
24 or "French boots" is hereby authorized within the City as an aid in the enforcement of the parking
25 ordinances of the City.

1 **11.10.240** An automobile immobilizer may be used only if either of the following
2 conditions exists:

3 (A) The complaint and summons in a civil suit, commenced pursuant to Section
4 11.10.100 in respect of a Notice of Infraction which was affixed to the vehicle on which the
5 immobilizer is placed, has been returned by the United States Postal Service as undeliverable at
6 the address which is shown thereon, and service of such complaint and summons has been
7 attempted with due diligence and not effected within ten days after the date of such return; or

8 (B) The registered owner of the vehicle on which the immobilizer is placed has a
9 judgment for civil fine against him in respect of such vehicle which remains unpaid for at least
10 thirty days after such judgment has been served upon him, either personally or by certified mail,
11 return receipt requested.

12 **11.10.250** If either of the conditions which are set forth in Section 11.10.240 exists, the
13 procedures which are prescribed in Sections 11.10.260 to 11.10.280, inclusive, must be followed
14 before an immobilizer may be placed on the vehicle and the vehicle may be impounded.

15 **11.10.260** (A) Upon receipt of an affidavit by the Traffic Engineer which states that
16 either of the conditions which are set forth in Section 11.10.240 exists and requests the use of the
17 immobilizer, the Las Vegas Municipal Court may issue an order to immobilize the vehicle the
18 registration of which is shown on the Notice of Infraction which forms the basis of the civil action
19 in which the complaint and summons or the judgment, as the case may be, was issued.

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

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

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

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

4 (4) That, if the registered owner does not appear at the scheduled hearing, an
5 order to impound the vehicle shall be issued.

6 **11.10.270** (A) If an immobilizer is placed on the vehicle, a copy of the order to
7 immobilize must be affixed thereto, and the registered owner must be afforded a hearing in the
8 Las Vegas Municipal Court on the following day to show cause why the vehicle should not be
9 impounded. In no case may a vehicle be immobilized on a day which precedes a day on which
10 the Court is not in session.

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

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

24 **11.10.280** Upon the issuance of an order to impound, the vehicle must be taken to the
25 impound yard, impounded and the immobilizer removed and returned to the Traffic Engineering
26

1 Division of the Department of Engineering Services. If a vehicle is impounded pursuant to this
2 Section, it may only be released by a further order of the Court, and only then, if all of the
3 charges for the removal of the immobilizer and for towing and storage are paid in full, in addition
4 to the civil fine, together with civil penalties, in connection with the Notice of Infraction with
5 respect to which the vehicle was impounded.

6 **11.10.290** Automobile immobilizers may be place by ~~members of the Las Vegas~~
7 ~~Metropolitan Police Department and the Department of Detention and Enforcement. or by~~
8 ~~employees of the Traffic Engineering Division of the Department of Engineering Services.~~

9 **11.10.300** It is unlawful for any un authorized person to deface, injure, tamper with,
10 open, break, destroy or remove any automobile immobilizer, impair the usefulness thereof or
11 attempt to do any of those acts.

12 **SECTION 3:** If any section, subsection, subdivision paragraph, sentence, clause or
13 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or
14 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
15 validity or effectiveness of the remaining portions of this ordinance or any part thereof.

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

20 **SECTION 8:** All ordinances or parts of ordinances, sections, subsections, phrases,

21 . . .

22 . . .

23 . . .

24 . . .

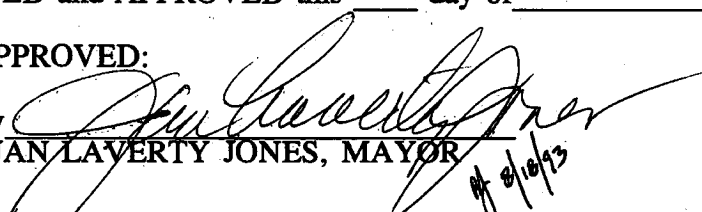
25 . . .

26

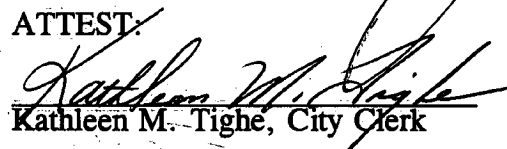
1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas,
2 Nevada, 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 18th day of August, 1993.

4 APPROVED:

5 By 
JAN LAVERTY JONES, MAYOR *8/10/93*

6 ATTEST:

7 
8 Kathleen M. Tighe, City Clerk

9 The above and foregoing ordinance was first proposed and read by title to the City Council
10 on the 7th day of July, 1993, and referred to the following committee composed of

11 FULL COUNCIL

and

12 for recommendation; thereafter the said committee reported favorably on said ordinance on the
13 18th day of August, 1993, which was a regular meeting of said Council; that
14 at said regular meeting, the proposed ordinance was read by title to the City Council
15 as first introduced and adopted by the following vote:

16 VOTING "AYE" Councilmen Nolen, Adamsen, Higginson and Hawkins Jr.

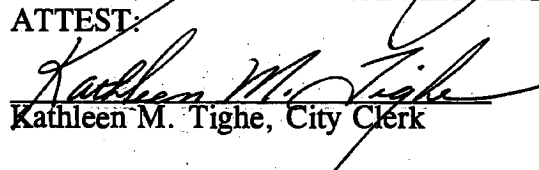
17 VOTING "NAY" NONE

18 ABSENT: EXCUSED: Mayor Jones

19 APPROVED:

20 By 
JAN LAVERTY JONES, MAYOR *8/10/93*

21 ATTEST:

22 
23 Kathleen M. Tighe, City Clerk

1 Bill No. 93-37

2 Ordinance No. _____

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 NEW NOTICE REQUIREMENTS FOR PARKING
7 INFRACTIONS; PROVIDING FOR THE DEVELOPMENT AND ADOPTION OF UNIFORM
8 COURT RULES FOR PARKING INFRACTIONS; CLARIFYING AND ALLOWING THE
9 DEPARTMENT OF DETENTION AND ENFORCEMENT TO TOW ABANDONED
10 VEHICLES AND INSTALL AUTOMOBILE IMMOBILIZERS; PROVIDING FOR OTHER
11 MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES
12 AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

13 Sponsored by:

14 Councilman Scott Higginson
15 Councilman Bob Nolen

Summary: Amends Title 11, Chapter 10 of the
Municipal Code of the City of Las Vegas, Nevada,
1983 Edition, changing the content of the notice,
creating new procedures for responding to a notice of
infraction, and clarifying the authority of Detention
and Enforcement to tow abandoned vehicles or install
immobilizers.

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

18 SECTION 1: Title 11, Chapter 10 of the Municipal Code of the City of Las Vegas,
19 Nevada, 1983 Edition, is hereby amended as follows:

20 SECTION 2: **11.10.010** It is a civil infraction, for which both the registered owner and
21 the operator of a vehicle are liable, for such vehicle to be parked or found in violation of any of
22 the parking (nonmoving traffic) laws which are set forth in this Title.

23 **11.10.020** Whenever any vehicle is found in violation of the parking (nonmoving traffic)
24 laws which are set forth in this Title, a Notice of Infraction must be issued.

25 **11.10.030** The Notice of Infraction must be on the form which is prescribed by the
26 Department of Detention and Enforcement and must contain the following information:

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

- 1 (B) The location at which the violation occurred;
- 2 (C) The date and time of the violation;
- 3 (D) The number of the parking meter which is adjacent to the vehicle, if the vehicle is
- 4 violating a parking regulation respecting the use of parking meters, as proved for in Chapter 54
- 5 of Title 11 of this Code;
- 6 (E) The [signature] *name* of the person who issues the Notice of Infraction;
- 7 (F) The section of this Code which allegedly is being violated;
- 8 (G) The names of the operator and/or the registered owner of the vehicle, if they are
- 9 known to the person who issues the Notice of Infraction;
- 10 (H) Information which advises of the manner in which, and the time within which, the
- 11 Notice of Infraction must be answered;
- 12 (I) Any other reasonable information which is prescribed by the Department of
- 13 Detention and Enforcement.

14 **11.10.040** The Notice of Infraction may be issued by any peace officer or by any person

15 who is authorized by the Director of the Department of Detention and Enforcement.

16 **11.10.050** The original Notice of Infraction, or a facsimile thereof, must be filed with

17 the Las Vegas Municipal Court and retained by the Municipal Court, is deemed to be a public

18 record of matters which are observed pursuant to a duty which is imposed by law and is prima

19 facie evidence of the facts which are alleged therein. A duplicate of the Notice of Infraction must

20 be served on the person to whom it is issued as proved in Section 11.10.060.

21 **11.10.060** (A) The Notice of Infraction must be served upon the owner and/or operator

22 of the vehicle by affixing the Notice to the vehicle in a conspicuous place. Service of the Notice

23 of Infraction by affixation has the same force and effect and is subject to the same penalties for

24 the disregard thereof as if the Notice of Infraction were personally served on the owner and/or

25 operator of the vehicle. In lieu of service by affixation the Notice of Infraction may be personally

26

1 served upon the owner and/or operator of the vehicle.

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

7 **11.10.070** The operator of a vehicle is liable for the civil fines and civil penalties which
8 are imposed pursuant to this Chapter. The registered owner of the vehicle, even if he is not the
9 operator thereof, is also liable for such civil fines and civil penalties unless he is able to
10 demonstrate that the vehicle was used without his permission, express or implied. A registered
11 owner who pays any civil fine and/or civil penalty pursuant to this Chapter has the right to
12 recover from the operator of the vehicle the civil fine and/or civil penalty so paid and has a cause
13 of action in any court which has appropriate jurisdiction against the operator of the vehicle for
14 the amount so paid.

15 **11.10.080** (A) A person who responds to a Notice of Infraction must:

16 (1) "Admit" the commission of the infraction and pay the appropriate civil fine;

17 (2) *Personally, or through counsel if one is retained, contact the City Attorney*
18 *or his designated deputy and "a["A]dmit with explanation" the commission of the infraction and*
19 *attempt to negotiate a resolution of the amount owed as a result of the infraction or timely*
20 *payment thereof as well as a method of payment of such amount owing; or*

21 (3) "Deny" liability for the infraction.

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

24 [(C) A person may "admit with explanation" pursuant to paragraph (2) of subsection (A)
25 of this section only by appearing in person before the Court Administrator of the Las Vegas
26

1 Municipal Court, or his designee. The civil fine may be excused only if it is determined that:

2 (1) The Notice of Infraction was improperly issued or:

3 (2) If the person who responds to the Notice is the registered owner of the
4 vehicle the vehicle was, at the time of the violation, being used without his express or implied
5 permission.

6 (D)](C) A person may "deny" liability pursuant to paragraph (3) of subsection (A) of this
7 section only by appearing in person before the Court Administrator of the Las Vegas Municipal
8 Court, or his designee *and under declaration of perjury stating that (1) such person was neither*
9 *the user nor owner of the vehicle at the time of the issuance of the Notice of Infraction; (2) such*
10 *person was the owner or user of the vehicle at the time of the issuance of the Notice of Infraction,*
11 *but believes that the Notice of Infraction was improperly issued; or (3) such person was the owner,*
12 *but that the vehicle was used without express or implied permission at which time a [trial] return*
13 *date on the infraction must be scheduled by the Municipal Court Administrator or his designee.*
14 *Such return date must be no sooner than ten working days from the date of the person's*
15 *appearance before the Court Administrator. The Court Administrator must immediately notify the*
16 *City Attorney's Office of the person's scheduled return date. The City Attorney must file a*
17 *complaint identical to that required under Section 11.10.110 before the person's scheduled return*
18 *date unless good cause can be shown for the failure to file such complaint. A person attending his*
19 *or her scheduled return date must receive a copy of the complaint filed and if such person*
20 *continues to deny liability for the Notice of Infraction, must also receive a date for a hearing on*
21 *such complaint.*

22 **11.10.090** (A) A response to a Notice of Infraction, as provided in Section 11.10.080,
23 must be made within fifteen days after the date on which the Notice of Infraction is issued. If no
24 response is made during such fifteen day period, an additional civil penalty which is equal to the
25 amount of the original civil fine must be imposed.

1 (B) After the expiration of the fifteen-day response period, the Las Vegas Municipal
2 Court must send a Notice of Delinquency by mail to the registered owner of the vehicle at the
3 registered owner's last known address, as indicated by the vehicle registration which is maintained
4 by the Nevada Department of Motor Vehicles. The Notice of Delinquency must contain the date
5 of the infraction, the amount of the civil fine and the amount of any penalty which is associated
6 therewith. The registered owner has thirty days after the date of mailing of the Notice of
7 Delinquency in which to respond thereto in the manner which is provided in Section 11.10.080.
8 Except in cases of violations of Section 11.10.170, if no response is made to the Notice of
9 Delinquency within such thirty-day period, a civil penalty must be imposed equal to five times
10 the original civil fine amount, in addition to the original civil fine. [In addition to the authority
11 of the Court Administrator of the Las Vegas Municipal Court, or his designee, to excuse the
12 original civil fine, as provided in Section 11.10.080, said Court Administrator or his designee,
13 may excuse all or part of any civil penalty upon a showing of good cause why a response to the
14 Notice of Infraction or Notice of Delinquency was not timely made.]

15 **11.10.100** Judicial enforcement of Notices of Infraction must be by way of civil suit
16 in the Las Vegas Municipal Court. A certified copy of the Notice of Infraction constitutes a prima
17 facie showing that an infraction occurred.

18 **11.10.110** The action may be commenced at any time after the expiration of thirty days
19 following the date on which the Notice of Delinquency was mailed to the registered owner of the
20 vehicle, pursuant to subsection (B) of Section 11.10.090, by the filing of a complaint in the name
21 of the City of Las Vegas and the issuance of a summons with respect thereto, and service of such
22 complaint and summons on the defendant must be made by certified mail, return receipt
23 requested, addressed to the registered owner of the vehicle at his last known address, as indicated
24 by the vehicle registration which is maintained by the Nevada Department of Motor Vehicles or
25 in any other manner which is authorized by law. [The normal rules of procedure which are
26

1 permissible in the Las Vegas Municipal Court shall apply.]

2 (B) *Within six months from the effective date of this provision, the Las Vegas Municipal*
3 *Court shall adopted uniform codified rules of judicial procedure which shall apply to any hearing*
4 *concerning parking infractions issued under this Chapter, provided that such rules are consistent*
5 *with the provisions of this Chapter and the Nevada Justices Court Rules of Civil Procedure. Such*
6 *rules shall be established after receiving the recommendation of a committee which shall be*
7 *comprised of the Chief Municipal Court Judge or his two designees, the City Attorney or his two*
8 *designees and the State Public Defender or his two designees.*

9 **11.10.120** Civil actions pursuant to this Chapter may only be commenced within two
10 years after the date on which the infraction occurred, and the standard of proof which is to be
11 applied is the preponderance of the evidence. The City has satisfied its burden of proof if it
12 shows that an infraction occurred and that the vehicle was registered to the defendant on the date
13 on which the infraction occurred, unless either of these elements is satisfactorily rebutted by the
14 defendant.

15 **11.10.130** Wherever in this Title any act is prohibited or is made or declared to be
16 unlawful or an offense or a misdemeanor or wherever in this Title the doing of any act is required
17 or the failure to do any act is declared to be unlawful, the sanction therefor is civil in nature in
18 the monetary amount which is set forth in Sections 11.10.150 to 11.10.190, inclusive.

19 **11.10.140** The schedule of civil fines which is contained in Sections 11.10.150 to
20 11.10.190, inclusive, is established for infractions of the parking (nonmoving traffic) laws and
21 regulations which are set forth in this Code.

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

beyond the prescribed time, the civil fine is ten dollars.

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

(B) For parking a vehicle in a space the curb adjacent to which has been painted red, in a space designated for emergency vehicles only, or in an area which has been designated as a fire lane pursuant to Section 10.207 of the Fire Code of the City, the civil fine is seventy-five dollars.

11.10.170 For parking a vehicle in an area which is posted with a handicapped parking sign when such vehicle does not display a handicapped permit or license plate, the civil fine is one hundred dollars.

11.10.180 (A) Except as provided in subsection (B) of this Section, for other parking (nonmoving traffic) infractions of the provisions of this Code, the civil fine is ten dollars.

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

11.10.190 The civil fine for any of the infractions which are described in LVMC 11.10.150 or 11.10.180 must be reduced by fifty percent if it is paid within ten days after the date on which the Notice of Infraction is issued.

11.10.200 [Members of t]The Las Vegas Metropolitan Police Department and [officers of the Park Ranger Unit of] the Department of Detention and Enforcement are authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage which is designated or maintained by the Las Vegas Metropolitan Police Department or otherwise maintained by the City, under the circumstances which are hereinafter enumerated:

(A) When any vehicle is left unattended upon any highway, bridge, viaduct or

1 causeway, or in any tube or tunnel, if such vehicle constitutes an obstruction to traffic;

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

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

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

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

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

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

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

20 **11.10.210** Whenever a person removes a vehicle from a street, as authorized in LVMC
21 11.10.200, and such person knows or is able to ascertain from the registration records in the
22 vehicle or by other reasonable means the name and address of the owner thereof, such person
23 must immediately give, or cause to be given, notice in writing and by telephone, if possible, to
24 the owner of the fact of such removal, the reasons therefor and the place to which the vehicle has
25 been removed. In the event that the vehicle is stored in a public garage, a copy of the notice shall
26

1 be given to the proprietor of the garage.

2 **11.10.220** Whenever a person removes a vehicle from a street pursuant to LVMC
3 11.10.200 and does not know and is not able to ascertain the name of the owner, or for any other
4 reason is unable to give the notice to the owner, as provided in LVMC 11.10.210, and the vehicle
5 is not returned to the owner within a period of three days, such person must immediately send or
6 cause to be sent a written notice of such removal by mail to the Nevada Department of Motor
7 Vehicles and file a copy of such notice with the proprietor of the garage or place in which the
8 vehicle is stored. Such notice must include a complete description of the vehicle, the date, time
9 and place from which it was removed, the reasons for such removal and the name of the garage
10 or place in which the vehicle is stored.

11 **11.10.230** The use of automobile immobilizers, sometimes referred to as "Denver boots"
12 or "French boots" is hereby authorized within the City as an aid in the enforcement of the parking
13 ordinances of the City.

14 **11.10.240** An automobile immobilizer may be used only if either of the following
15 conditions exists:

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

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

25 **11.10.250** If either of the conditions which are set forth in Section 11.10.240 exists, the
26

1 procedures which are prescribed in Sections 11.10.260 to 11.10.280, inclusive, must be followed
2 before an immobilizer may be placed on the vehicle and the vehicle may be impounded.

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.

19 **11.10.270** (A) If an immobilizer is placed on the vehicle, a copy of the order to
20 immobilize must be affixed thereto, and the registered owner must be afforded a hearing in the
21 Las Vegas Municipal Court on the following day to show cause why the vehicle should not be
22 impounded. In no case may vehicle be immobilized on a day which precedes a day on which the
23 Court is not in session.

24 (B) At the hearing, the registered owner may present such evidence and argument as
25 he deems appropriate in order to persuade the Court not to enter an order to impound. The Court
26

1 must order the immobilizer to be removed if the owner pays a twenty-five-dollar removal fee plus
2 the civil fine, together with civil penalties, in connection with the Notice of Infraction with respect
3 to which the immobilizer was placed on the vehicle, if a judgment in respect of that Notice of
4 Infraction has been entered or if the owner does not desire a trial on that infraction. If a judgment
5 in respect of that Notice of Infraction has not been entered and the owner desires a trial on that
6 infraction, the Court must set a date for that trial and order the immobilizer to be removed, if the
7 owner pays the twenty-five dollar removal fee and agrees to appear for trial.

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

12 **11.10.280** Upon the issuance of an order to impound, the vehicle must be taken to the
13 impound yard, impounded and the immobilizer removed and returned to the Traffic Engineering
14 Division of the Department of Engineering Services. If a vehicle is impounded pursuant to this
15 Section, it may only be released by a further order of the Court, and only then, if all of the
16 charges for the removal of the immobilizer and for towing and storage are paid in full, in addition
17 to the civil fine, together with civil penalties, in connection with the Notice of Infraction with
18 respect to which the vehicle was impounded.

19 **11.10.290** Automobile immobilizers may be place by [members of] the Las Vegas
20 Metropolitan Police Department *and the Department of Detention and Enforcement*. [or by
21 employees of the Traffic Engineering Division of the Department of Engineering Services.]

22 **11.10.300** It is unlawful for any un authorized person to deface, injure, tamper with,
23 open, break, destroy or remove any automobile immobilizer, impair the usefulness thereof or
24 attempt to do any of those acts.

25 SECTION 3: If any section, subsection, subdivision paragraph, sentence, clause or
26

1 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or
2 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
3 validity or effectiveness of the remaining portions of this ordinance or any part thereof.

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

8 SECTION 8: All ordinances or parts of ordinances, sections, subsections, phrases,
9 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas,
10 Nevada, 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED and APPROVED this ____ day of _____, 1992.

12 APPROVED:

13 By _____
14 JAN LAVERTY JONES, MAYOR

15 ATTEST:

16 _____
Kathleen M. Tighe, City Clerk

17 The above and foregoing ordinance was first proposed and read by title to the City Council
18 on the ____ day of _____, 1992, and referred to the following committee composed of
19 _____ and _____

20 for recommendation; thereafter the said committee reported favorably on said ordinance on the
21 ____ day of _____, 1993, which was a _____ meeting of said Council; that
22 at said _____ meeting, the proposed ordinance was read by title to the City Council

23 . . .

24 . . .

25 . . .

1 as first introduced and adopted by the following vote:

2 VOTING "AYE" : _____

3 VOTING "NAY" : _____

4 ABSENT: _____

5 APPROVED:

6 By _____
JAN LAVERTY JONES, MAYOR

7 ATTEST:

8 _____
9 Kathleen M. Tighe, City Clerk

10 If any provision of this ordinance is found by a court of competent jurisdiction to be
11 invalid or unconstitutional, or if the application of this ordinance to any person or
12 circumstances is found to be invalid or unconstitutional, such invalidity or
13 unconstitutionality shall not affect the other provisions or applications of this ordinance
14 which can be given effect without the invalid or unconstitutional provision or application.

15

16

17

18

19

20

21

22

23

24

25

26

RECEIVED
CITY CLERK

SEP 1 10 59 AM '93

RECEIVED
CITY CLERK

AUG 22 10 58 AM '93

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

FIRST AMENDMENT
BILL NO. 93-37
Ordinance No. 3734

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 NEW NOTICE REQUIREMENTS FOR PARKING INFRACTIONS; PROVIDING FOR THE DEVELOPMENT AND ADOPTION OF UNIFORM COURT RULES FOR PARKING INFRACTIONS; CLARIFYING THE JURISDICTION OF MUNICIPAL COURT REGARDING NOTICES OF INFRACTION; CLARIFYING AND ALLOWING THE DEPARTMENT OF DETENTION AND ENFORCEMENT TO TOW ABANDONED VEHICLES AND INSTALL AUTOMOBILE IMMOBILIZERS; EXPANDING THE DEFINITION OF VEHICLES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Scott Higginson

Councilman Bob Nolen

SUMMARY: Amends Title 11, Chapter 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, changing the content of the notice, creating new procedures for responding to a notice of infraction, and clarifying the authority of Detention and Enforcement to tow abandoned vehicles or install immobilizers.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of July, 1993, and referred to the following committee composed of Full Council, for recommendation; thereafter the said committee reported favorably on said ordinance on the

18th day of August, 1993 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: Nolen, Adamsen, Higginson, Hawkins Jr.

VOTING "NAY" NONE

EXCUSED: 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 21, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

PAMELA WOODS, 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 21, 1993 to AUGUST 21, 1993, on the following days:

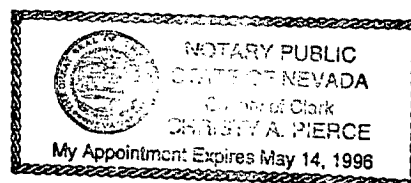
AUGUST 21, 1993

Signed: Pamela Woods

Subscribed and sworn to before me this

24 day of August, 19 93

Christy A. Pierce
Notary Public



AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK

JUL 27 10 39 AM '93

PASTE CLIPPING HERE

FIRST AMENDMENT
BILL NO. 93-37

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 NEW NOTICE REQUIREMENTS FOR PARKING INFRACTIONS; PROVIDING FOR THE DEVELOPMENT AND ADOPTION OF UNIFORM COURT RULES FOR PARKING INFRACTIONS; CLARIFYING THE JURISDICTION OF MUNICIPAL COURT REGARDING NOTICES OF INFRACTION; CLARIFYING AND ALLOWING THE DEPARTMENT OF DETENTION AND ENFORCEMENT TO TOW ABANDONED VEHICLES AND INSTALL AUTOMOBILE IMMOBILIZERS; EXPANDING THE DEFINITION OF VEHICLES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

Sponsored by:
Councilman Scott Higginson
Councilman Bob Nolan
Summary: Amends Title 11, Chapter 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, changing the content of the notice, creating new procedures for responding to a notice of infraction, and clarifying the authority of Detention and Enforcement to tow abandoned vehicles or install immobilizers.

At a City Council meeting
July 7, 1993
BILL NO. 93-37 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Full Council
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 22, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

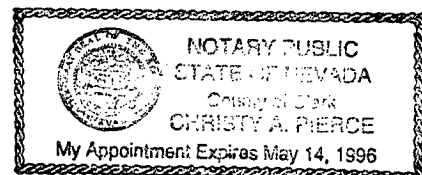
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JULY 22, 1993 to JULY 22, 1993, on the following days:

JULY 22, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this 22 day of July, 19 93

Christy A. Pierce
Notary Public



RECEIVED
CITY CLERK

AUG 32 1993

AFFIDAVIT OF PUBLICATION

SEP 1 10 59 AM '93

RECEIVED
CITY CLERK

PASTE CLIPPING HERE

FIRST AMENDMENT
BILL NO. 93-37
Ordinance No. 3734

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 NEW NOTICE REQUIREMENTS FOR PARKING INFRACTIONS; PROVIDING FOR THE DEVELOPMENT AND ADOPTION OF UNIFORM COURT RULES FOR PARKING INFRACTIONS; CLARIFYING THE JURISDICTION OF MUNICIPAL COURT REGARDING NOTICES OF INFRACTION; CLARIFYING AND ALLOWING THE DEPARTMENT OF DETENTION AND ENFORCEMENT TO TOW ABANDONED VEHICLES AND INSTALL AUTOMOBILE IMMOBILIZERS; EXPANDING THE DEFINITION OF VEHICLES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Scott Higginson

Councilman Bob Nolen
SUMMARY: Amends Title 11, Chapter 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, changing the content of the notice, creating new procedures for responding to a notice of infraction, and clarifying the authority of Detention and Enforcement to tow abandoned vehicles or install immobilizers.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of July, 1993, and referred to the following committee composed of Full Council, for recommendation; thereafter the said committee reported favorably on said ordinance on the

18th day of August, 1993 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: Nolen, Adamsen, Higginson, Hawkins Jr.

VOTING "NAY" NONE

EXCUSED: 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 21, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

PAMELA WOODS, being first duly sworn, deposes and says:

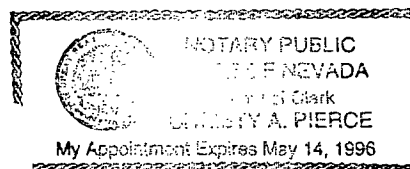
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of AUGUST 21, 1993 to AUGUST 21, 1993, on the following days:

AUGUST 21, 1993

Signed: Pamela Woods

Subscribed and sworn to before me this 21 day of August, 19 93

Christy A. Pierce
Notary Public



085869

AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK

JUL 27 10 39 AM '93

PASTE CLIPPING HERE

FIRST AMENDMENT
BILL NO. 93-37

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 NEW NOTICE REQUIREMENTS FOR PARKING INFRACTIONS; PROVIDING FOR THE DEVELOPMENT AND ADOPTION OF UNIFORM COURT RULES FOR PARKING INFRACTIONS; CLARIFYING THE JURISDICTION OF MUNICIPAL COURT REGARDING NOTICES OF INFRACTION; CLARIFYING AND ALLOWING THE DEPARTMENT OF DETENTION AND ENFORCEMENT TO TOW ABANDONED VEHICLES AND INSTALL AUTOMOBILE IMMOBILIZERS; EXPANDING THE DEFINITION OF VEHICLES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

Sponsored by:
Councilman Scott Hoggins
Councilman Bob Nolen
Summary: Amends Title 11, Chapter 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, changing the content of the notice, creating new procedures for responding to a notice of infraction, and clarifying the authority of Detention and Enforcement to tow abandoned vehicles or install immobilizers.
At a City Council meeting

July 7, 1993
BILL NO. 93-37 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Full Council
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 22, 1993
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 JULY 22, 1993 to JULY 22, 1993, on the following days:

JULY 22, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this

22

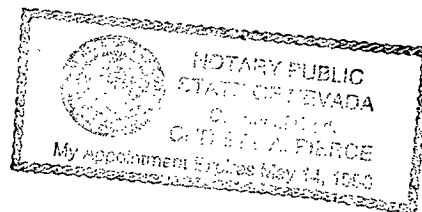
day of

July

19 93

Christy A. Pierce

Notary Public



085900