

AN ORDINANCE TO AMEND TITLE I, CHAPTER 14, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY REPEALING CHAPTER 14 ENTITLED "SERVING OF SUMMONS" AND ADDING A NEW CHAPTER 14 ENTITLED "ISSUANCE OF CITATIONS"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. TITLE I, Chapter 14, of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

[SERVING OF SUMMONS]

1-14-1: [AUTHORITY TO ISSUE SUMMONS: Except when otherwise directed upon any violation of any Section of this Code, the Fire Chief or his deputies and assistants, the Supervisor of Building and Safety or his deputies and assistants, the Health Department Director or his deputies and assistants, the Poundkeeper or his deputies and assistants, the Garbage Contractor and its officers and agents, and all other officers, inspectors and employees charged with the enforcement of this Code in lieu of arresting the person committing the violation, may prepare, sign, and serve on the accused person a written summons to appear in the Municipal Court to answer such charge. Such summons may be personally served on the person accused.]

ISSUANCE OF CITATIONS

1-14-1: AUTHORITY TO ISSUE CITATION: Except where otherwise directed, upon any violation of any Section of this Code, all officers, inspectors, deputies and all such other employees of the City of Las Vegas charged with enforcement of this Code may, in lieu of arresting the person committing the violation, prepare, sign and serve on the accused person a written citation containing a notice to appear in Court, the name and address of the person accused, the offense charged, and the time and place where and when the person shall appear in Court and such other pertinent information as may be necessary. The citation shall be signed by the person issuing such citation. The person charged with the

violation may give his written promise to appear by signing at least one copy of the written citation, in which event a copy shall be delivered to the accused, and thereupon the person issuing such citation shall not take the person into physical custody for the violation. A copy of the citation signed by the accused shall suffice as proof of service.

1-14-2: [FORM OF SUMMONS: The summons provided for in the preceding Section shall be in substantially the following form:  
In the Municipal Court of the City of Las Vegas, County of Clark,

State of Nevada

SUMMONS

CITY OF LAS VEGAS, NEVADA,

Plaintiff,

vs.  
(Defendant)

\_\_\_\_\_

The State of Nevada to the above named defendant:

You are hereby summoned to appear before the judge of the above entitled Court at the Courtroom thereof at 400 North 1st Street, Las Vegas, Nevada, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ to answer a charge of \_\_\_\_\_ in violation of Ordinance No. \_\_\_\_\_

\_\_\_\_\_ or Code of Las Vegas, Nevada, Title \_\_\_\_ Chapter \_\_\_\_ Section \_\_\_\_ . Date of Offense \_\_\_\_\_

City of Las Vegas

By \_\_\_\_\_  
(Office or position of person  
issuing and serving summons) ] .

1-14-2: TIME TO APPEAR: The time specified in such citation for the accused to appear shall be not less than five days after issuance.

1-14-3: [TIME TO APPEAR: The time specified in such summons for the accused to appear must be not less than five (5) days after service, unless an earlier hearing is demanded by the accused. Any person wilfully failing to appear in Court as required by such summons is guilty of a misdemeanor, regardless of the disposition of the charge of which he is accused.]

1-14-3: FAILURE TO APPEAR: It is unlawful for any person to violate his written promise to appear as herein provided, regardless of the disposition of the charge for which he is accused, providing, however, that a written promise to appear in court may be complied with by an appearance by counsel.

1-14-4: [SUMMONS MAY BE MAILED: Whenever any of the provisions of this Code or the service of any notices required in the government of the City require service by registered mail, the Department head or the individual Department concerned, may, in lieu of sending such letter or notice by "registered mail" send the same by "certified mail" under such rules and regulations as may be adopted by the United States Post Office Department from time to time.

This Section is not intended to be mandatory on such Department heads and is not intended to repeal those provisions of this Code which provide for service by registered mail wherein any Statutes of the State, or Charter provision of the City provides for service by registered mail.]

1-14-4: NON-APPEARANCE WARRANT: When an accused signs a citation promising to appear at the time and place specified in the citation and fails to appear as promised the court shall issue and have delivered for execution a warrant for his arrest.

1-14-5: DISPOSITION AND RECORDS OF CITATIONS: Every officer, inspector, deputy or employee charged with enforcement of this Code issuing a citation for an alleged violation thereof shall file the original citation with the Las Vegas Municipal Court.

Upon the filing of the original citation with the Las Vegas Municipal Court, such citation may be disposed of only by trial in the Las Vegas Municipal Court or other official action by a judge of the Court, including forfeiture of the bail, or by the deposit of a sufficient bail with or payment of a fine by the person accused. It is unlawful and official misconduct for any employee charged with enforcement of this Code or any public employee to dispose of a citation or copies thereof or of the record of the issuance of a citation in a manner other than as required by this Chapter.

The Chief Administrative officer of each department charged with enforcement of this code shall require the return to him of a copy of every citation issued by an employee under his supervision to an alleged violator of this code and all copies of every citation which has been spoiled or upon which any entry has been made and not issued to an alleged violator. Such Chief Administrative officer shall also maintain or cause to be maintained in connection with every citation issued by an employee under his supervision a record of the disposition of the charge by the Court in which the original or a copy of the citation was deposited.

1-14-6: WHEN COPY OF CITATION IS DEEMED A LAWFUL COMPLAINT:  
If the form of the citation includes all the necessary or pertinent information and is sworn to as required under the general laws of this state and the ordinances of the City of Las Vegas, Nevada, in respect to a complaint charging commission of the offense alleged in the citation to have been committed, then such citation when filed with the Las Vegas Municipal Court shall be deemed to be a lawful complaint for the purpose of prosecution.

1-14-6: FORM OF CITATION: The citation provided for in the preceding sections shall be in substantially the following form:

CODE VIOLATION CITATION  
IN THE MUNICIPAL COURT, CITY OF LAS VEGAS  
COUNTY OF CLARK, STATE OF NEVADA

NAME OF ISSUING OFFICER

CITATION NO.

CITATION NO.

CITATION  
LAS VEGAS  
VS  
DEFENDANT  
MUNICIPAL COURT, CITY OF LAS VEGAS  
COUNTY OF CLARK, STATE OF NEVADA  
LAS VEGAS CODE VIOLATION AND CITATION

|                                                                                                                                                                                                                                                                                                            |  |  |                                                                                                                                                         |                             |                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------|
|                                                                                                                                                                                                                                                                                                            |  |  | Having Been Duly Sworn, the Undersigned Says:<br>That the Defendant Named Herein                                                                        |                             |                                         |
| LAST                  FIRST                  MIDDLE                                                                                                                                                                                                                                                        |  |  |                                                                                                                                                         |                             |                                         |
| Street Address                                                                                                                                                                                                                                                                                             |  |  | On                  Day<br>The                  Of                  19                  At                                                              | <div>AM</div> <div>PM</div> |                                         |
| City                  State                  Zip Code                                                                                                                                                                                                                                                      |  |  | Did Then and There, and Within the<br>Boundaries of The City of Las Vegas, Nevada<br>Namely On:                                                         |                             |                                         |
| NOTICE TO APPEAR<br><br>You are hereby notified to<br>appear in person at the<br>City of Las Vegas Munic-<br>ipal Court at 400 E. Stewart<br>Las Vegas, Nevada on the                  ,<br>day of                  ,<br>19                  , at the hour of                  o'clock                  M. |  |  | Commit A Misdemeanor, to-wit:<br><br>In Violation Of:<br><br>Ordinance No.                  or Title<br>Chapter                  Section<br>As Follows: |                             | <div>NRS</div> <div>CITY<br/>CODE</div> |
| I promise to appear in per-<br>son as above notified.<br><br>X<br>Defendant's Signature<br><br>This Signature Is A Promise<br>To Appear--Not An Admission<br>of Guilt                                                                                                                                      |  |  | Complainant:<br><br>Subscribed and Sworn to Before Me This<br><br>day of                  , 19                                                          |                             |                                         |
|                                                                                                                                                                                                                                                                                                            |  |  | JUDGE OF THE MUNICIPAL COURT, CITY OF<br>LAS VEGAS, NEVADA                                                                                              |                             |                                         |
|                                                                                                                                                                                                                                                                                                            |  |  | SENTENCE:                                                                                                                                               |                             |                                         |

SECTION 2. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

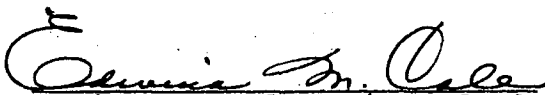
SECTION 3. If any section, paragraph, sentence, phrase, term, word, or connotation of this ordinance, or portion thereof, is for any reason held invalid, inapplicable, or unconstitutional by any Court of competent jurisdiction, such holding shall not invalidate the remaining portions of this ordinance.

PASSED, ADOPTED AND APPROVED this 2nd day of October, 1974.

APPROVED:

  
ORAN K. GRAGSON, Mayor

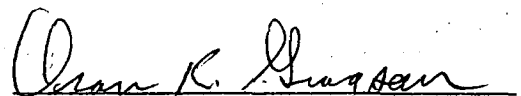
ATTEST:

  
Edwina M. Cole, City Clerk

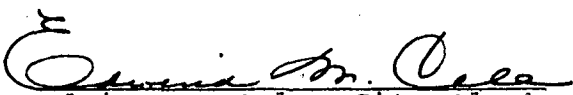
The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 18th day of September, 1974, and referred to the following committee composed of Commissioners Franklin and Morelli for recommendation; thereafter, the said committee reported favorably on said ordinance on the 2nd day of October, 1974, which was a regular meeting of 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 Christensen, Lurie, Franklin, Morelli and Mayor  
VOTING "NAY": None ABSENT: None Gragson

APPROVED:

  
ORAN K. GRAGSON, Mayor

ATTEST:

  
Edwina M. Cole, City Clerk

ORDINANCE NO. 1728  
AN ORDINANCE TO AMEND TITLE  
I, CHAPTER 14, OF THE MUNICIPAL  
CODE OF THE CITY OF LAS VEGAS,  
NEVADA, 1960 EDITION, BY  
REPEALING CHAPTER 14 ENTITLED  
"SERVING OF SUMMONS" AND  
ADDING A NEW CHAPTER 14  
ENTITLED "ISSUANCE OF  
CITATIONS", PROVIDING OTHER  
MATTERS PROPERLY RELATING  
THERETO, AND REPEALING ALL  
ORDINANCES AND PARTS OF  
ORDINANCES IN CONFLICT  
HEREWITH.

The above and foregoing ordinance  
was first proposed and read by title  
to the Board of Commissioners on  
the 18th day of September, 1974,  
and referred to the following com-  
mittee composed of Commissioners  
Franklin and Morelli for recommen-  
dation.

COPIES OF THE COMPLETE  
ORDINANCE ARE AVAILABLE AT  
THE OFFICE OF THE CITY CLERK,  
10TH FLOOR, 400 STEWART  
AVENUE, LAS VEGAS, NEVADA.  
PUB.: Sept. 22, 1974.

## AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,  
COUNTY OF CLARK

{ ss.

ROBERT E. HUNTER

, being first duly sworn,

deposes and says: That he is COMPOSING ROOM 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 1 TIME

from SEPTEMBER 22, 1974 to

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

SEPTEMBER 22, 1974

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

Signed

Subscribed and sworn to before me this  
day of SEPTEMBER 1974

23rd

My Commission Expires



Notary Public in and for Clark County, Nevada  
RUTHE V. DESKIN

Notary Public—State of Nevada  
COUNTY OF CLARK  
My Commission Expires April 14, 1977

RECEIVED

SEP 25 9 42 AM '74

CITY CLERK

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RECEIVED

OCT 9 2 14 PM '74

CITY CLERK

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.  
COUNTY OF CLARK

ROBERT E. HUNTER

, being first duly sworn,

deposes and says: That he is COMPOSING ROOM FORMAN 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 1 TIME

from OCTOBER 7, 1974 to

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

OCTOBER 7, 1974

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

Signed [Signature]

Subscribed and sworn to before me this 7th  
day of OCTOBER 1974

[Signature]

My Commission Expires

Notary Public in and for Clark County, Nevada  
**RUTHE V. DESKIN**  
Notary Public—State of Nevada  
COUNTY OF CLARK  
My Commission Expires April 11, 1977

## ORDINANCE NO. 1728

An Ordinance to amend Title I, Chapter 14, of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, by repealing Chapter 14 entitled "Serving of Summons" and adding a new Chapter 14 entitled "Issuance of Citations"; providing other matters properly relating thereto; and repealing all ordinances and parts of ordinances in conflict herewith.

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 18th day of September, 1974, and referred to the following committee composed of Commissioners Franklin and Morelli for recommendation; thereafter, the said committee reported favorably on said ordinance on the 2nd day of October, 1974, which was a regular meeting of 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 Christensen, Lurie, Franklin, Morelli and Mayor Gaglianone.

VOTING "NAY": None. ABSENT: None.

Copies of the complete Ordinance No. 1728 are available for public information in the Office of the City Clerk, 10th Floor, City Hall, 400 E. Stewart Avenue, Las Vegas, Nevada.

PUB.: Oct. 7, 1974