

BILL NO. 2004-21

ORDINANCE NO. 5686

AN ORDINANCE TO UPDATE THE PROVISIONS OF CHAPTER 2.30 RELATING TO EMERGENCY MANAGEMENT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman

Summary: Updates the City's emergency management provisions.

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

SECTION 1: Title 2, Chapter 30, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.30.030: (A) [A state of disaster emergency shall be deemed to exist whenever during any disaster, public safety authorities are unable to maintain public order or afford adequate protection for lives or property.

(B)] The Mayor, pursuant to the powers granted in Title III, Section 3.010 of the Charter for the City of Las Vegas, shall have the authority to declare a state of disaster emergency by proclamation. Upon the absence or the unavailability of the Mayor, the Mayor Pro Tem shall have the powers and authority granted to the Mayor in this Chapter, and upon the absence or unavailability of the Mayor[,] and the Mayor Pro Tem, the powers [shall be] are delegated to any two of the remaining members of the City Council. Upon the absence or unavailability of two Council members, the powers [shall be] are delegated to the City Manager [or,] and upon the absence or unavailability of [two Council members] the City Manager, the powers [shall be] are delegated to the [City Manager, the] Director of Fire [Services.] and Rescue.

[(C)] (B) The Mayor is authorized and empowered to [limit by] include in the proclamation [the application of all or any part of the restrictions described in this Section] any restrictions related to emergency management or for the protection and preservation of life and property that are authorized by the City Charter or State law, and to limit any or all of those restrictions to any area specifically designated or described within the corporate limits of the City [and to] for specific hours of the day or night.

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1 [(D)] (C) The Mayor shall proclaim the end of such state of disaster emergency or all or
2 any part of the restrictions imposed as soon as circumstances warrant or when directed to do so by the
3 City Council.

4 [(E) During the existence of a proclaimed state of disaster emergency, the Mayor
5 may impose by proclamation any or all of the following restrictions:

6 (1) Prohibit or regulate the possession off one's own premises of explosives,
7 firearms, ammunition, or dangerous weapons of any kind, and prohibit the purchase, sale, transfer or
8 other disposition thereof;

9 (2) Prohibit or regulate the buying or selling of intoxicating beverages of
10 any kind, and their consumption off one's own premises;

11 (3) Prohibit or regulate the sale of gasoline (except when directly introduced
12 into a motor vehicle), kerosene, naphtha, or any other explosive or inflammable fluids or substances;

13 (4) Prohibit or regulate pedestrian or motor vehicle travel or presence upon
14 any public street, highway, alley, or roadway or upon any other public property, including the
15 proclamation of a curfew.

16 (F) Any proclamation may be extended, altered or repealed in any particular during
17 the continued or threatened existence of a state of emergency by the issuance of a subsequent
18 proclamation.

19 [(G)] (D) Upon the declaration of a state of disaster emergency, the City Manager shall
20 post a written notice of such declaration upon the special outside City Hall bulletin board, and shall
21 notify by fax, e-mail or telephone [not less] no fewer than two newspapers of general circulation
22 within the City, at least three television stations and at least three radio stations broadcasting in Clark
23 County. When practicable, the City Manager shall also cause the written notice to be published in its
24 entirety, at least four days each week in a newspaper of general circulation in the City until the state
25 of emergency is declared to be terminated.

26 [(H)] (E) Any proclamation made pursuant to this Section must be ratified by the City
27 Council [as soon as possible, but in any case within forty-eight hours. The Council's consideration
28 of such proclamation shall be deemed to be an emergency for purposes of the Nevada Open Meeting

1 Law.] at the next available regular or special meeting of the City Council. Notwithstanding any
2 provision of this Section, no proclamation made hereunder shall be deemed invalid or be deemed to
3 expire by the City Council's failure to convene or to take action concerning the proclamation. [In
4 considering any proclamation pursuant to this Subsection, the Council may take such action as is
5 described in Subsection (D) of this Section.]

6 SECTION 2: Title 2, Chapter 30, Section 40, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **2.30.040:** (A) [A board is created to be known as the] The Office of Emergency Operations[.]
9 is hereby created.

10 (B) The City Manager shall [be the head of the Office of Emergency Operations
11 to be known as the Coordinator of Emergency Operations and must act as the Coordinator of
12 Emergency Operations during a disaster emergency. At all other times, the City Manager may appoint
13 a substitute to act in the City Manager's stead, to be known as the Acting Coordinator of Emergency
14 Operations. Upon the absence or the unavailability of the City Manager, the Senior Deputy City
15 Manager shall be the Coordinator of Emergency Operations.] have overall responsibility for the Office
16 of Emergency Operations. The City Manager may designate a Deputy City Manager to act in the City
17 Manager's stead during the absence or unavailability of the City Manager. The City Manager may
18 also appoint an Emergency Management Officer to be responsible for the day-to-day operation of the
19 Office of Emergency Operations.

20 SECTION 3: Title 2, Chapter 30, Section 50, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **2.30.050:** As may be authorized by the City Manager, [The Coordinator of Emergency
23 Operations] the Emergency Management Officer is authorized and directed to:

24 (A) Prepare, [and] maintain and implement an emergency operations plan [and an
25 emergency resources management plan] for the City, in support of and in accordance with Federal,
26 State and County emergency plans and guidance;

27 (B) Designate, [and] prepare and implement standard operating procedures for an
28 Emergency Operation Center from which centralized direction and control of the emergency

1 operations may be exercised;

2 (C) Establish an Emergency Operations Organization, utilizing City, public and
3 private resources for this purpose;

4 (D) Monitor and supervise the Emergency Operations Organization at drills, and
5 train and prepare the organization to effect the purpose of this Chapter;

6 (E) Represent the Emergency Operations Organization of the City in all dealings
7 with public or private agencies pertaining to emergency operations, except that the Sheriff of the Las
8 Vegas Metropolitan Police Department will provide such representation in all matters dealing with
9 riot, serious domestic violence, insurrection, or other civil disobedience as provided by provision of
10 the Nevada Revised Statutes; and

11 (F) Recommend to the City Council[,] mutual aid agreements with adjoining
12 jurisdictions determined essential to any part of emergency operations. [;

13 (G) Execute the emergency operations plan and coordinate the emergency
14 operations organization upon the proclamation of a disaster emergency by the Mayor, or successor
15 as contained in Section 2.30.030(B)].

16 SECTION 4: Title 2, Chapter 30, Section 60, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **2.30.060:** (A) A Management Committee for Emergency Operations (hereinafter
19 "Committee") is created. The Committee shall be composed of [one member] two members of the
20 City Council, the City Manager, the Sheriff of the Las Vegas Metropolitan Police Department, the
21 Chief Health Officer of the Clark County Health District, the Director of Fire and Rescue, and [not
22 less than five] no fewer than four additional persons who are appointed by the City Manager and
23 selected from the Directors and Deputy Directors of Departments of the City.

24 (B) The Director of Fire [Services] and Rescue will be the Chairman of the
25 Committee.

26 (C) The Committee shall, as a specific function, provide technical and policy
27 guidance to the Mayor, the City Council, the City Manager and the [Coordinator of Emergency
28 Operations.] Emergency Management Officer.

1 (D) The Committee [shall approve such emergency operations plans as prepared
2 by the Coordinator of Emergency Operations and recommend to the Mayor, the City Manager and
3 City Council the adoption of the plans.] is authorized to review, approve and update the emergency
4 operations plan as prepared and recommended by the Emergency Management Officer. Any changes
5 to the emergency operations plan shall be reported to the City Council on an annual basis.

6 (E) The members of the Committee shall be the primary staff of the Emergency
7 Operations Organization and the Emergency Operations Center and shall execute the emergency
8 operations plan to accomplish the purpose of this Chapter.

9 SECTION 5: Title 2, Chapter 30, Section 80, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **2.30.080:** For the purposes of this Chapter, the Mayor, the Management Committee for
12 Emergency Operations, and the [Coordinator of Emergency Operations] Emergency Management
13 Officer shall utilize the services, equipment, supplies and facilities of existing departments, officers
14 and agencies of the City to the maximum extent practicable, and the officers and personnel of all such
15 departments are directed to cooperate and extend such services and facilities upon request.

16 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
17 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
18 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
19 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
20 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
21 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
22 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
23 invalid or ineffective.

24 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,

25 ...

26 ...

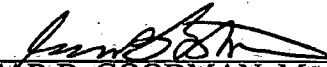
27 ...

28 ...

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

3 PASSED, ADOPTED and APPROVED this 21 day of April, 2004.

4 APPROVED:

5
6 By 
7 OSCAR B. GOODMAN, Mayor

8 ATTEST:

9 
10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 3-4-04
13 Date

1 The above and foregoing ordinance was first proposed and read by title to the City
2 Council on the 17th day of March, 2004, and referred to a committee for recommendation;
3 thereafter the committee reported favorably on said ordinance on the 21st day of April,
4 2004, which was a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council as first read and adopted by the
6 following vote:

7 VOTING "AYE": Mayor Goodman, Councilmembers Reese, Brown, Weekly and
Mack

8 VOTING "NAY": None

9 EXCUSED: Councilwoman Moncrief

10 ABSTAINED: None

11 APPROVED:

12
13 

OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 
16 _____
BARBARA JO RONEMUS, City Clerk

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2004 APR 21 A 10:37

AFFP DISTRICT COURT
Clark County, Nevada
AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the 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 attached for,

LV CITY CLERK
3290990

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/09/2004 to 04/09/2004, on the following days: APRIL 9, 2004

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 20

day of April 2004

Notary Public

Mary B. Sheffield

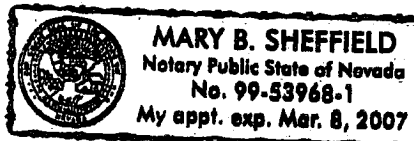
BILL NO. 2004-21

AN ORDINANCE TO UPDATE THE PROVISIONS OF CHAPTER 230 RELATING TO EMERGENCY MANAGEMENT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman
Summary: Updates the City's emergency management provisions.

At the City Council meeting of MARCH 17, 2004 BILL NO. 2004-21 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: April 9, 2004
LV Review-Journal



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Clark County, Nevada

2004 MAY -7 P 2:04

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the 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 attached for,

LV CITY CLERK
3317919

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/24/2004 to 04/24/2004, on the following days: APRIL 24, 2004

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

30

day of _____ 2004

April

Notary Public

Mary B. Sheffield

BILL NO. 2004-21
ORDINANCE
NO. 5686

AN ORDINANCE TO UPDATE THE PROVISIONS OF CHAPTER 2-30 RELATING TO EMERGENCY MANAGEMENT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman
Summary: Updates the City's emergency management provisions.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 17th day of March 2004 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21st day of April 2004, 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": Mayor Goodman and Councilmembers Reese, Brown, Weekly, and Mack
VOTING "NAY": NONE
EXCUSED: Councilwoman Moncrief

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: April 24, 2004
LV Review-Journal



MARY B. SHEFFIELD
Notary Public State of Nevada
No. 99-53968-1
My appt. exp. Mar. 8, 2007