

1 **BILL NO. 2011-44**

2 **ORDINANCE NO. 6173**

3 **AN ORDINANCE TO ESTABLISH A PARKING PROGRAM FOR QUALIFIED ALTERNATIVE**
4 **FUEL VEHICLES, AS REQUIRED BY STATE LAW, AND TO PROVIDE FOR OTHER**
5 **RELATED MATTERS.**

6 **Proposed by:**

7 **Bradford R. Jerbic, City Attorney**
8 **William Arent, Director of Economic and**
9 **Urban Development**

10 **Summary: Establishes a parking program for**
11 **qualified alternative fuel vehicles, as required by**
12 **State law.**

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

15 **SECTION 1: Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983**
16 **Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 66, consisting of**
17 **Sections 10 to 80, inclusive, reading as follows:**

18 **11.66.010: For purposes of this Chapter, "qualified alternative fuel vehicle" has the meaning**
19 **ascribed to that term in NRS 484A.197.**

20 **11.66.020: In accordance with and subject to the provisions of this Chapter, the City shall issue**
21 **to the owner or long-term lessee of a qualified alternative fuel vehicle a distinctive decal, label or other**
22 **identifier that clearly distinguishes the qualified alternative fuel vehicle from other vehicles.**

23 **11.66.030: The decal, label or other identifier described in LVMC 11.66.020 may be obtained by**
24 **the owner or long-term lessee of a qualified alternative fuel vehicle by:**

25 **(A) Submitting an appropriate application to the Department of Detention and**
26 **Enforcement or its designee, on forms developed or approved by the City;**

27 **(B) Providing such other documentation and verification as the Department or its**
28 **designee may require, including without limitation:**

(1) **Documentation regarding vehicle identification, ownership and vehicle**
registration;

(2) **Visual confirmation of vehicle identification and license plate**
information; and

(3) **Certification or other verification by a duly-qualified third party**

1 acceptable to the Department or its designee that the vehicle is a qualified alternative fuel vehicle, as
2 defined in LVMC 11.66.010.

3 **11.66.040:** A decal, label or other identifier issued pursuant to this Chapter shall be valid for no
4 more than one year, renewable upon application and upon such documentation and verification as the
5 Department or its designee may require.

6 **11.66.050:** The Department or its designee is authorized to charge a fee of ten dollars for each
7 decal, label or other identifier issued pursuant to this Chapter, whether in connection with initial
8 issuance, renewal or replacement.

9 **11.66.060:** Except as otherwise provided in LVMC 11.66.070, the driver of a qualified alternative
10 fuel vehicle displaying the distinctive decal, label or other identifier issued for that vehicle pursuant
11 to this Chapter may:

12 (A) Stop, stand or park the qualified alternative fuel vehicle in any public metered
13 parking zone within the City's parking enforcement jurisdiction without making payment therefor in
14 a manner otherwise required; and

15 (B) Stop, stand or park the qualified alternative fuel vehicle in any public parking
16 lot or parking area within the City's parking enforcement jurisdiction without paying the parking fee
17 otherwise required.

18 **11.66.070:** Notwithstanding the provisions of LVMC 11.66.060, the driver of a qualified
19 alternative fuel vehicle shall:

20 (A) Comply with any limits on the amount of time for stopping, standing or parking
21 imposed on other drivers; and

22 (B) Pay applicable parking fees during certain special events or activities designated
23 by the City, regardless of whether the vehicle displays a decal, label or other identifier issued pursuant
24 to this Chapter.

25 **11.66.080:** (A) With respect to a decal, label or other identifier authorized or issued pursuant
26 to this Chapter, it is unlawful for a person to:

27 (1) Fraudulently obtain such a decal, label or other identifier;

28 (2) Display such a decal, label or other identifier in or on a vehicle to which

1 the decal, label or other identifier does not pertain;

2 (3) Display in or on a vehicle an unauthorized replica of such a decal, label
3 or other identifier; or

4 (4) Alter or mutilate the expiration date or identifying information on such
5 a decal, label or other identifier, or display in or on a vehicle a decal, label or other identifier on which
6 the expiration date or identifying information has been altered or mutilated.

7 (B) A notice of infraction or criminal citation pertaining to a violation of Subsection
8 (A) of this Section may be issued and processed independent of any notice of infraction that pertains
9 to parking at a location without payment having been made therefor and without displaying a valid
10 decal, label or other identifier issued under this Chapter.

11 SECTION 2: Title 11, Chapter 10, Section 130, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 11.10.130: [Wherever in this Title any act is prohibited or is made or declared to be unlawful or
14 an offense or a misdemeanor or wherever in this Title the doing of any act is required or the failure
15 to do any act is declared to be unlawful, the sanction therefor is civil in nature in the monetary amount
16 which is set forth in Sections 11.10.150 to 11.10.180, inclusive.]

17 (A) Subject to the provisions of Subsection (B), whenever in this Title an act
18 relating to the stopping, standing or parking of a vehicle is prohibited or limited, or the violation of
19 a such a prohibition or limitation is made or declared to be unlawful or an offense or a misdemeanor,
20 the sanction therefor is civil in nature in the monetary amount which is set forth in Sections 11.10.150
21 to 11.10.180, inclusive.

22 (B) With respect to any particular violation of the following types, the City may
23 proceed either by means of a criminal prosecution or by means of the civil infraction process set forth
24 in Chapter 11.10:

25 (1) A violation of Sections 11.54.205, 11.65.110 or 11.66.080;

26 (2) A violation of any other provision of Title 11 pertaining to the stopping,
27 standing or parking of a vehicle where the violation relates to the misuse of equipment, or involves
28 fraud, deceit or misrepresentation, or where the language of the provision demonstrates a specific

1 intent for a criminal rather than civil sanction to be applied.

2 SECTION 3: Title 11, Chapter 10, Section 180, of the Municipal Code of the City of
3 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **11.10.180:** (A) Except as provided in [Subsection (B) of this Section, for other parking
5 infractions of the provisions of this Code,] this Section, for parking infractions other than those set
6 forth in LVMC 11.10.160 and 11.10.170, the civil fine is twenty dollars.

7 (B) For abandoning or for stopping, standing or parking a vehicle in violation of
8 LVMC 11.24.010 or 11.52.305, the civil fine is seventy-five dollars, plus any towing and storage fees
9 which may be assessed in connection with the removal of the vehicle pursuant to this Title.

10 (C) For a violation of Subsection (A) of LVMC 11.66.080, the civil fine is five
11 hundred dollars.

12 SECTION 4: This Ordinance shall become effective on January 1, 2012.

13 SECTION 5: Unless extended by ordinance, this Ordinance shall expire by limitation
14 on January 1, 2018.

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

23 SECTION 7: Whenever in this ordinance any act is prohibited or is made or declared
24 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
25 required or the failure to do any act is made or declared to be unlawful or an offense or a
26 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
27 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
28 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such

1 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

2 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,
3 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
4 1983 Edition, in conflict herewith are hereby repealed.

5 PASSED, ADOPTED and APPROVED this 21st day of December, 2011.

6 APPROVED:

7
8 By Carolyn G. Goodman
CAROLYN G. GOODMAN, Mayor

9 ATTEST:

10 Beverly K. Bridges
11 BEVERLY K. BRIDGES, MMC
City Clerk

12 APPROVED AS TO FORM:

13 Val Steed 10-26-11
14 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 16th day of November, 2011, and referred to a committee for recommendation;
3 thereafter the committee reported favorably on said ordinance on the 21st day of
4 December, 2011, which as a regular meeting of said Council; that at said regular meeting,
5 the proposed ordinance was read by title to the City Council as first introduced and
6 adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Wolfson,
Tarkanian, Ross, Barlow and Coffin

8 VOTING "NAY": None

9 EXCUSED: None

10 ABSTAINED: None

11 DID NOT VOTE: None

12
13 APPROVED:

14 
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 
18 BEVERLY K. BRIDGES, MMC City Clerk

BUSINESS IMPACT STATEMENT

BILL NO. 2011-44

**(Establishes a parking program for qualified alternative fuel vehicles,
as required by State law)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-44, that will establish a parking program for qualified alternative fuel vehicles, as required by State law.

1. The following constitutes a description of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

Not applicable

Beneficial effects:

Conform City ordinance to State law and provide businesses potential savings in parking costs

Direct effects:

See adverse and beneficial effects above

Indirect effects:

None identified

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

Unknown, dependent on number of applicants

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Unknown, dependent on number of applicants

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Help offset any costs of enforcement

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains why such duplicative or more stringent provisions are necessary:

Not applicable

Date: October 26, 2011

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, 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

2296311LV

7617730

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/09/2011 to 12/09/2011, on the following days:

12/09/2011

BILL NO. 2011-44

AN ORDINANCE TO ESTABLISH A PARKING PROGRAM FOR QUALIFIED ALTERNATIVE FUEL VEHICLES, AS REQUIRED BY STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by:
Bradford R. Jerbic, City Attorney
William Arent, Director of Economic and Urban Development

Summary: Establishes a parking program for qualified alternative fuel vehicles, as required by State law.

At the City Council meeting of NOVEMBER 16, 2011
BILL NO. 2011-44 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.

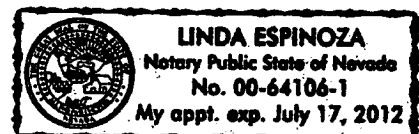
PUB: December 9, 2011
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

12th day of December, 2011.

Linda Espinoza
Notary Public



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, 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

2296311LV

7642172

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/24/2011 to 12/24/2011, on the following days:

12/24/2011

BILL NO. 2011-44
ORDINANCE NO. 6173

AN ORDINANCE TO ESTABLISH A PARKING PROGRAM FOR QUALIFIED ALTERNATIVE FUEL VEHICLES, AS REQUIRED BY STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney William Arent, Director of Economic and Urban Development
Summary: Establishes a parking program for qualified alternative fuel vehicles, as required by State law.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of November 2011 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21st day of December 2011, 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 introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Wolfson, Tarkanian, Ross, Barlow, and Coffin
VOTING "NAY": NONE
EXCUSED: NONE

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: December 24, 2011
LV Review-Journal

Signed:

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

27th day of December, 2011.

Notary Public

