

FIRST AMENDMENT

BILL NO. 2012-12

ORDINANCE NO. 6184

AN ORDINANCE TO UPDATE VARIOUS PROVISIONS OF THE MUNICIPAL CODE RELATING TO THE STOPPING, STANDING, PARKING AND LOADING OF VEHICLES; ASSIGNING AND TRANSFERRING CERTAIN PARKING ENFORCEMENT AUTHORITY AND RESPONSIBILITY TO THE PARKING ENFORCEMENT UNIT OF THE DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT; DESCRIBING THE CIRCUMSTANCES UNDER WHICH CERTAIN PARKING ENFORCEMENT AUTHORITY AND RESPONSIBILITY IS SHARED AMONG VARIOUS DEPARTMENTS AND FUNCTIONS; AUTHORIZING THE CITY TRAFFIC ENGINEER TO DELEGATE OR ASSIGN CERTAIN PARKING-RELATED FUNCTIONS TO OTHER OFFICERS OR UNITS OF THE CITY; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Carolyn G. Goodman

Summary: Updates various provisions of the Municipal Code relating to the stopping, standing, parking and loading of vehicles; assigns and transfers certain parking enforcement authority and responsibility to the Parking Enforcement Unit of the Department of Economic and Urban Development; describes the circumstances under which certain parking enforcement authority and responsibility is shared among various departments and functions; and authorizes the City Traffic Engineer to delegate or assign certain parking-related functions to other officers or units of the City.

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

SECTION 1: Title 11, Chapter 2, of the Municipal Code of the City of Las Vegas, Nevada 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 100, reading as follows:

11.02.100: "Code enforcement authority" means any department or function of the City assigned to the enforcement of the nuisance ordinances or zoning ordinances of the City.

SECTION 2: Title 11, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 25, reading as follows:

11.04.025: The City Traffic Engineer may delegate or assign to another department, division,

1 function or officer or employee of the City any power or duty that:

2 (A) Is assigned to the City Traffic Engineer under this Title; and

3 (B) Relates to the stopping, standing, parking or loading of vehicles.

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

6 **11.10.010:** (A) It is a civil infraction, for which both the registered owner and the operator of
7 a vehicle are liable, for such vehicle to be parked or found in violation of any of the parking laws
8 which are set forth in this Title.

9 (B) Nothing in this Title shall prohibit the parking of a vehicle, consistent with
10 public safety, by a physically handicapped person, a disabled veteran or a person transporting a
11 physically handicapped person or disabled veteran in compliance with NRS 484.407.

12 (C) Definitions. For purposes of the provisions of this Title[,] that pertain to the
13 parking, stopping, standing or loading of vehicles, unless otherwise indicated:

14 (1) "Operator" means and includes every individual who operates a vehicle
15 as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical
16 control of a vehicle.

17 (2) "Park" or "parking" means the standing, stopping or halting of a vehicle,
18 whether occupied or not, upon a street, including temporarily for the purpose of, and while engaged
19 in, receiving or discharging passengers or loading or unloading freight, cargo, merchandise or other
20 goods, but not including in obedience to traffic regulations, signs or signals or an involuntary stopping
21 of the vehicle by reason of causes beyond the control of the operator of the vehicle.

22 (3) "Parking meter" means and includes any mechanical device or meter
23 not inconsistent with this Title placed or erected for the regulation of parking by authority of this Title.
24 Each parking meter installed shall indicate by proper legend the legal parking time established by the
25 City and when operated shall at all times indicate the balance of legal parking time, and at the
26 expiration of such period shall indicate illegal or overtime parking.

27 (4) "Parking meter space" means any space within a parking meter zone,
28 adjacent to a parking meter and which is duly designated for the parking of a single vehicle between

1 parking meters, between a parking meter and a prohibited or restricted parking area or area so
2 designated by line painted or otherwise durably marked on the curb or on the surface of the street
3 adjacent to or adjoining the parking meters.

4 (5) "Parking meter zone"[means and] includes any [restricted] street upon
5 which parking meters are installed and in operation[.], as well as any City-owned parking lot.

6 (6) "Street" means any public street, avenue, road, alley, highway, lane, path
7 or other public place located in the City and established for the [use of vehicles.] conveyance of
8 vehicular traffic.

9 (7) "Vehicle" means any device in, upon or by which any person or property
10 is or may be transported upon a highway, except a device which is operated upon rails or tracks.

11 SECTION 4: Title 11, Chapter 10, Section 30, of the Municipal Code of the City of
12 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

13 **11.10.030:** (A) A Notice of Infraction issued under this Chapter must contain the following
14 information:

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

17 (2) The location at which the violation occurred;

18 (3) The date and time of the violation;

19 (4) The number of the applicable parking meter, if the vehicle is violating
20 a parking regulation respecting the use of parking meters, as provided for in Chapter 11.54;

21 (5) The name of the person who issues the Notice of Infraction;

22 (6) The section of this Code which allegedly is being violated;

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

25 (8) Information which advises of the manner in which, and the time within
26 which, the Notice of Infraction must be answered;

27 (9) [Any other reasonable information which is prescribed by the
28 Department of Detention and Enforcement or Department of Business Activity.] Such other

1 information as the Parking Division of the Department of Economic and Urban Development may
2 prescribe.

3 (B) No error concerning or omission of any of the above-described information is
4 not grounds for the dismissal of an action relating to a Notice of Infraction unless the person
5 requesting such a disposition demonstrates substantial prejudice therefrom by a preponderance of the
6 evidence.

7 (C) Where the Notice of Infraction data is entered into and stored in a computer or
8 similar device, any printout or other output readable by sight which accurately reflects such data is an
9 "original" Notice of Infraction for purposes of this Chapter. Any such recording which is moved or
10 copied into another computer or similar device and is intended to have the same effect by the issuing
11 officer is also an "original" Notice of Infraction for purposes of this Chapter.

12 (D) Any Notice of Infraction issued pursuant to this Chapter, shall constitute a
13 declaration which is subject to the penalty of perjury.

14 SECTION 5: Title 11, Chapter 10, Section 40, of the Municipal Code of the City of
15 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

16 **11.10.040:** The Notice of Infraction may be issued by any peace officer or by any [person who is
17 authorized to do so by the Director of the Department of Detention and Enforcement.] officer of the
18 unit of the Department of Economic and Urban Development assigned to parking enforcement.

19 SECTION 6: Title 11, Chapter 10, Section 50, of the Municipal Code of the City of
20 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

21 **11.10.050:** An original Notice of Infraction, or a facsimile thereof, must be filed with and retained
22 by the Parking Division of the Department of [Finance and Business Services and retained by that
23 Department] Economic and Urban Development and is deemed to be a public record of matters which
24 are observed pursuant to a duty which is imposed by law and is prima facie evidence of the facts
25 which are alleged therein. An original or duplicate of the Notice of Infraction must be served on the
26 person to whom it is issued as provided in Section 11.10.060.

27 SECTION 7: Title 11, Chapter 10, Section 80, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **11.10.080:** (A) The owner or operator of a vehicle concerning which a Notice of Infraction has
2 been issued and served in accordance with this Chapter must:

3 (1) "Admit" responsibility for the commission of the infraction and liability
4 for the penalty imposed and pay the appropriate civil fine and penalty;

5 (2) Contact the [Director of Finance and Business Services, or his
6 authorized designee,] Parking Division of the Department of Economic and Urban Development,
7 "admit" responsibility and liability for the commission of the infraction and any penalties thereon and
8 arrange a schedule for the payment of such fines and penalties; or

9 (3) Request a binding hearing, as provided for in Subsections (B) to (J),
10 inclusive, of this Section in order to disclaim responsibility as the owner or operator, or to dispute the
11 propriety of the issuance of the Notice of Infraction and any penalties related thereto.

12 (B) A person may initiate a hearing pursuant to Paragraph (3) of Subsection (A) of
13 this Section by personally contacting the [Director of Finance and Business Services, or his authorized
14 designee,] Parking Division of the Department of Economic and Urban Development, identifying
15 his/her name, current address and the Notice(s) of Infraction(s) and penalties thereon which such
16 person wishes to subject to such hearing, and receiving a date for such hearing. Any person initiating
17 such a hearing in this manner (the "defendant") shall be bound by the decision of the Hearing Officer
18 concerning liability for the infraction(s) and responsibility for the penalties thereon. If any defendant
19 scheduling a hearing before the Hearing Officer fails to appear at such hearing without having first
20 sought and obtained a continuance of such hearing, the Hearing Officer may enter a decision against
21 the defendant for the full amount of fines and penalties scheduled to be reviewed. In connection with
22 the request for a hearing, the defendant must acknowledge the binding nature of the hearing and the
23 Hearing Officer's authority in the event the defendant fails to appear at a hearing. The
24 acknowledgment shall be in substantially the following form:

25 I _____, hereby request a binding hearing before the Hearing
26 Officer. My address is _____. I request that this hearing involve
27 Notice(s) of Infraction(s) Number _____. I understand that the Hearing Officer is an
28 attorney and not an elected or appointed judge.

1 I understand that I am bound by the decision of the Hearing Officer. I understand that
2 if I fail to appear for the scheduled hearing before the Hearing Officer without first obtaining
3 a continuance of such hearing, the Hearing Officer may enter a decision against me for the full
4 amount and penalties scheduled to be reviewed. I understand and agree that if necessary due
5 to my lack of timely payment, the City of Las Vegas can and will use this binding decision to
6 have a formal civil judgment entered against me in the Las Vegas Municipal Court.

7 I understand that if a civil judgment is obtained, the City may seek and obtain a writ
8 of execution against me. I understand that if a writ of execution is obtained, my wages and/or
9 bank accounts may be garnished, liens may be put on my property and my vehicle(s) may be
10 towed or immobilized. I also understand that my vehicle(s) may be immobilized without a
11 writ of execution if:

12 1. I accumulate more than \$500.00 in unpaid civil fines, judgments and penalties
13 for parking violations, or

14 2. At least five Notices of Infraction have been issued and served with respect to
15 vehicles I own and have not been responded to within the time set forth in LVMC 11.10.090.

16 Knowing all of the above, I still wish to request a binding hearing before the Hearing
17 Officer on the above-described Notice(s) of Infraction(s). I hereby acknowledge the above and
18 further acknowledge that at my request a hearing has been set for _____, 20____
19 at the hour of _____ m.

20 _____
21 Defendant

22 (C) Any hearing conducted pursuant to Subsection (A), Paragraph (3) and
23 Subsection (B) of this Section shall be presided over by a Hearing Officer who shall be an attorney
24 licensed to practice law in the State of Nevada.

25 (D) With respect to any hearing conducted pursuant to Subsection (A), Paragraph
26 (3) and Subsection (B) of this Section, a properly filed Notice of Infraction shall constitute a claim of
27 liability and a claim for relief and no other such claim shall be required. Prima facie proof of the
28 violation alleged shall be established by the City providing the Hearing Officer with either a certified

1 copy of the Notice of Infraction or the data stored in a computer or other device as described in
2 Subsection (B) of Section 11.10.030. No formal appearance by the City Attorney's office is required.
3 The hearings and dispositions of all such actions shall be informal, with the Hearing Officer receiving
4 witness statements or testimony and other evidence for the sole purpose of dispensing fair and speedy
5 justice between the parties.

6 (E) The burden of proving any defense shall be upon the person raising such
7 defense.

8 (F) If the Hearing Officer finds that the infraction did not occur or that an infraction
9 was committed, but one or more of the defenses set forth below is applicable, the Hearing Officer shall
10 enter his decision for the defendant. Such a decision shall release the registered owner and/or operator
11 from all liability thereunder. Such defenses include, but are not limited to:

12 (1) At the time of the receipt of the notice, possession of the subject vehicle
13 had been acquired by another in violation of the laws of the State of Nevada;

14 (2) If the notice alleges a violation of any ordinance pertaining to a meter,
15 such meter was mechanically malfunctioning to the extent that its reliability was questionable;

16 (3) Compliance with the subject ordinances would have presented an
17 imminent danger to persons or property;

18 (4) The area of the alleged violation was so inadequately marked or lit as
19 to fail to give sufficient notice that access to the area was restricted or prohibited;

20 (5) A mechanical malfunction of the vehicle caused it to be parked in the
21 area alleged and it was removed as soon as could be reasonably expected thereafter;

22 (6) At the time of the issuance of the Notice of Infraction, the vehicle was
23 parked consistent with public safety, by a physically handicapped person, a disabled veteran or a
24 person transporting a physically handicapped person or disabled veteran in compliance with NRS
25 484.407.

26 (G) Except as provided in Subsection (H) of this Section, the defendant shall pay
27 the total civil fines and penalties forthwith or at such times and on such conditions as the Hearing
28 Officer shall prescribe if it is found that the person has either failed to appear or otherwise defend

1 against the issuance of the infraction as agreed or that the infraction has been committed and no
2 applicable defense exists. It is the defendant's burden to establish by a preponderance of the evidence
3 that, through no fault of himself or his agent, he failed to receive notice of the issuance of the Notice
4 of Infraction as provided in this Chapter. If the defendant meets this burden, he is not liable for any
5 civil penalties which would otherwise apply and such penalties shall not be included in any decision
6 against the defendant.

7 (H) Upon request and proper proof, the Hearing Officer may reduce his or her
8 decision concerning liability by up to twenty-five percent of the original amount found due in
9 consideration of the timely payment of the prior balance if satisfied by the defendant that a
10 preponderance of the evidence shows that the defendant has become indigent and will be unable to
11 pay the balance.

12 (I) Upon reaching a decision, the Hearing Officer shall, as soon as practicable
13 thereafter, file a written decision substantially conforming to the following form:

14 City of Las Vegas, Clark County, Nevada, City of Las Vegas, Plaintiff v. _____,
15 Defendant. Before, _____, Hearing Officer for the City of Las Vegas, Clark
16 County, Nevada, decision is entered in favor of _____, (plaintiff or defendant) for
17 \$_____ (enter \$0.00 if judgment is for the defendant), on the ____ day of _____,
18 20____. I certify that the foregoing is a correct reflection of the decision entered in the action
19 properly brought for my consideration pursuant to Section 11.10.080.

20 _____
21 Hearing Officer

22 (J) The City Attorney may petition the Las Vegas Municipal Court for the entry
23 of a civil judgment against the defendant in an amount equal to that stated in the written decision of
24 the Hearing Officer if the City Attorney determines this action to be necessary to enforce such
25 decision. Service of such petition on the defendant must be made by certified mail, return receipt
26 requested, restricted delivery, addressed to the registered owner of the vehicle at his last known
27 address, as indicated by the vehicle registration which is maintained by the Nevada Department of
28 Motor Vehicles or in any other manner which is authorized by law. An affidavit or declaration of

1 mailing, a signed, returned receipt, or other evidence of service shall be filed upon such service of the
2 petition. Once a petition for civil judgment pursuant to this Subsection (J) has been filed with the
3 Municipal Court, the assigned judge has jurisdiction to grant or deny the relief prayed for therein.

4 SECTION 8: Title 11, Chapter 24, Section 30, of the Municipal Code of the City of
5 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

6 **11.24.030:** Any officer of the Metropolitan Police Department, [or any officer of] the Department
7 of Detention and Enforcement, or the unit of the Department of Economic and Urban Development
8 assigned to parking enforcement who has reasonable grounds to believe that a vehicle has been
9 abandoned or has been parked in violation of LVMC 11.24.010 may affix a Notice of Infraction to the
10 vehicle. An authorized employee of the [Department of Neighborhood Services] code enforcement
11 authority who has reasonable grounds to believe that a vehicle has been abandoned or parked on
12 private property in violation of LVMC 11.24.020 may affix a Notice of Infraction to the vehicle. The
13 officer or employee may also affix a warning notice advising that the vehicle is subject to tow because
14 it is in violation, and may mark one or more tires of the vehicle to indicate the current date. Subject
15 to the provisions of NRS Chapters 484B and 487, [Any] any such officer or employee is authorized
16 to immediately remove or have such vehicle removed from any street, highway, public thoroughfare,
17 public or private property, for the purpose of storage or disposition, to any garage within the City as
18 designated by the officer or employee if the vehicle:

19 (A) Has not been removed within seventy-two hours after the warning notice is
20 affixed.

21 (B) Has been parked for more than twenty-four hours while in violation of a parking
22 prohibition, restriction or time limitation.

23 (C) Is parked at a location or in a manner so as to constitute a traffic hazard or an
24 obstruction to the normal movement of traffic or pedestrians.

25 (D) Is parked within a fire lane, whether on public or private property, which has
26 been designated and posted as such pursuant to Section 503.3 of the International Fire Code, as
27 adopted by the City.

28 (E) Is parked within fifteen feet of a fire hydrant located on either public or private

property, whether or not:

(1) A sign has been posted to indicate "No Parking"; or

(2) The adjacent curb or road surface has been painted red.

(F) Has obviously been abandoned upon a street, highway, public thoroughfare or on public property.

(G) Has been abandoned or parked in violation of LVMC 11.24.020, and has not been removed within seventy-two hours after a warning notice has been affixed.

(H) Is parked upon a street, highway, public thoroughfare or public property and is so disabled or in such a state of disrepair that its normal operation is impossible or impractical.

(I) Is parked upon a street, highway, public thoroughfare or public property and displays no valid registration permit or license plate issued for that vehicle by the Nevada Department of Motor Vehicles [for that vehicle.] or by another state or nation.

(J) Is parked on private property to which the public has access and has been damaged or is in such a state of disrepair as to constitute an imminent hazard to the public.

SECTION 9: Title 11, Chapter 52, Section 90, of the Municipal Code of the City of Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

11.52.090: The City Traffic Engineer is authorized to issue special permits to permit the backing of a vehicle to the curb or building in alleys for the purposes of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein. The City Traffic Engineer shall immediately provide notice to the Department of Detention and Enforcement, and to the Parking Division of the Department of Economic and Urban Development of the issuance of a permit under this Section, [by causing a copy thereof to be forwarded to such Department.]

SECTION 10: Title 11, Chapter 54, Section 20, of the Municipal Code of the City of Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

11.54.020: Those streets or portions of streets or areas described in Schedule 3-I, a copy of which is to be maintained for public inspection in the offices of the City Clerk and City Traffic Engineer, and

1 such other streets, [or] portions of streets or other areas as may be added to said Schedule by written
2 finding of the City Traffic Engineer shall constitute a parking meter zone. [All frontages on such
3 streets or areas in said zones are to be included therein.]

4 SECTION 11: Title 11, Chapter 54, Section 30, of the Municipal Code of the City of
5 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

6 **11.54.030:** The placement or removal of parking meters on those streets, [and parts of streets]
7 portions of streets and other areas identified in LVMC 11.54.020[,], shall be done by written finding
8 of the City Traffic Engineer approving such placement or removal.

9 SECTION 12: Title 11, Chapter 54, Section 50, of the Municipal Code of the City of
10 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

11 **11.54.050:** In parking meter zones, the Traffic Engineer shall cause parking meters to be installed
12 at the appropriate locations so as to control the metered parking spaces established under this Chapter.
13 The [Department of Detention and Enforcement] Parking Division of the Department of Economic
14 and Urban Development shall be responsible for the enforcement, installation, operation, maintenance
15 and use of parking meters. Each device shall be so set as to display a signal showing legal parking
16 for the period of time established under this Chapter, upon the deposit of the appropriate coin in lawful
17 money of the United States of America or upon the activation of an approved debit or credit payment.
18 Each device shall be so arranged so that upon the expiration of the lawful time it will indicate by a
19 proper visible signal that the lawful parking period has expired, and in such cases the right of the
20 vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall
21 be subject to the penalties provided in this Title.

22 SECTION 13: Title 11, Chapter 54, Section 170, of the Municipal Code of the City of
23 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

24 **11.54.170:** It shall be the duty of the [Department of Detention and Enforcement] Parking Division
25 of the Department of Economic and Urban Development to designate some employee or employees,
26 [of that Department,] who shall be bonded, to make regular collections of the money deposited in said
27 meters and it shall be the duty of such employees so designated to remove the coins so deposited in
28 the meters and deliver the same to the Director of Finance who shall count the funds contained therein

1 and deposit such funds with the Treasurer.

2 SECTION 14: Title 11, Chapter 54, Section 210, of the Municipal Code of the City of
3 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

4 **11.54.210:** Notices of Infractions whose issuance is based upon a malfunctioning parking meter
5 or is otherwise in error may be referred [by the issuing agency to the Parking Citations and Hearing
6 Office] to the Parking Division of the Department of Economic and Urban Development for formal
7 withdrawal of the Notice of Infraction and any [Complaint and/or Summons or Affidavit of Complaint
8 and Order previously filed] enforcement-related documents previously processed.

9 SECTION 15: Title 11, Chapter 54, Section 230, of the Municipal Code of the City of
10 Las Vegas, Nevada 1983 Edition, is hereby amended to read as follows:

11 **11.54.230:** The [Director of Detention and Enforcement, or the Director(s designee,)] Parking
12 Division of the Department of Economic and Urban Development may issue to a person, company,
13 contractor or agency, upon application therefor, a parking space occupancy permit authorizing the
14 occupancy of one or more metered parking spaces for extended periods of time in order to provide
15 supplies, materials, or services, on a temporary basis, in the immediate area of the parking spaces.
16 Issuance of such an occupancy permit shall be in the discretion of the [Director or the Director's
17 designee.] Parking Division of the Department of Economic and Urban Development. In connection
18 with the issuance of an occupancy permit, the City is authorized to charge an occupancy permit fee,
19 which shall be paid by the applicant before any permit is issued or space reserved for the applicant.
20 The amount of the occupancy permit fee shall be determined by the [Director] Parking Division of the
21 Department of Economic and Urban Development and shall be in an amount that represents the sum
22 of:

23 (A) The maximum parking meter revenue otherwise collectible for parking a vehicle
24 or vehicles, for the period of time requested, in the metered parking spaces to be occupied under the
25 occupancy permit; and

26 (B) An amount representing the costs of processing the application and occupancy
27 permit.

28 SECTION 16: Title 10, Chapter 78, Section 40, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **10.78.040:** (A) The following [Members of the Las Vegas Metropolitan Police Department,
3 the Department of Neighborhood Services, and the Department of Detention and Enforcement] are
4 authorized to remove or cause to be removed, to a designated garage or storage area, any motor vehicle
5 which is being displayed in violation of this Chapter if the vehicle has not been removed, or
6 compliance with this Chapter achieved, within twenty-four hours after a written notice to remove is
7 attached to the vehicle[.];

8 (1) Officers of the Las Vegas Metropolitan Police Department;

9 (2) Officers of the Department of Detention and Enforcement;

10 (3) Parking enforcement officers assigned to the Department of Economic
11 and Urban Development; and

12 (4) Employees of the Department of Building and Safety who are assigned
13 responsibility for code enforcement.

14 (B) The costs of vehicle removal and storage pursuant to Subsection (A) shall be
15 borne by the owner or operator of the vehicle.

16 SECTION 17: Title 13, Chapter 4, Section 70, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **13.04.070:** (A) It is unlawful for any person to sell or to display for the purpose of sale any
19 motor vehicle or merchandise on or within any unimproved portion of a public right-of-way. For
20 purposes of this Section, "merchandise" means goods or wares, including, but not limited to, produce,
21 nursery stock, ceramics and other similar items. A violation of this Subsection (A) may be enforced
22 either by means of a criminal proceeding or as a civil violation under LVMC Chapter 11.10.

23 (B) Members of the Las Vegas Metropolitan Police Department and designated
24 officers of the Department of Detention and Enforcement and the Department of Economic and Urban
25 Development are authorized to remove or cause to be removed, to a designated garage or storage area,
26 any motor vehicle which is being displayed in violation of this Section if the vehicle has not been
27 removed within seventy-two hours after a written notice to remove is attached to the vehicle. The
28 costs of removal and storage shall be borne by the owner or operator of the vehicle.

1 (C) Nothing in this Section shall be deemed to authorize any sale or display on any
2 improved portion of a public right-of-way except that which is otherwise expressly permitted by this
3 Code.

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

12 SECTION 19: All ordinances or parts of ordinances or sections, subsections, phrases,
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this 21st day of March, 2012.

16 APPROVED:

17 By Carolyn Goodman
18 CAROLYN G. GOODMAN, Mayor

19 ATTEST:

20 Beverly K. Bridges
21 BEVERLY K. BRIDGES, MMC
City Clerk

22 APPROVED AS TO FORM:

23 Val Steed 3-21-12
24 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 15th day of February, 2012, and referred to a committee for recommendation;
3 thereafter the said committee reported favorably on said ordinance on the 21st day of
4 March, 2012, which was a regular meeting of said Council; that at said regular meeting,
5 the proposed ordinance was read by title to the City Council as amended and adopted by
6 the following vote:

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

8 VOTING "NAY": None

9 EXCUSED : Councilmember Tarkanian

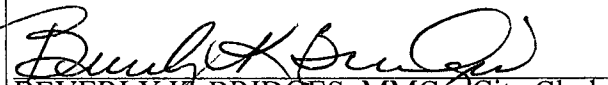
10 ABSTAINED: None

11 VACANT: Ward 2

12 APPROVED:

13 
14 CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 
17 BEVERLY K. BRIDGES, MMCO City Clerk

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

7782140

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/08/2012 to 03/08/2012, on the following days:

03/08/2012

BILL NO. 2012-12

AN ORDINANCE TO UPDATE VARIOUS PROVISIONS OF THE MUNICIPAL CODE RELATING TO THE STOPPING, STANDING, PARKING AND LOADING OF VEHICLES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Carolyn G. Goodman
Summary: Updates various provisions of the Municipal Code relating to the stopping, standing, parking and loading of vehicles.

At the City Council meeting of FEBRUARY 15, 2012
BILL NO. 2012-12 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

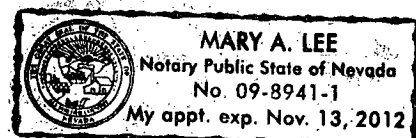
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2nd FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA.
PUB: March 8, 2012
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

9th day of March, 2012.

Mary A. Lee
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

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was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/24/2012 to 03/24/2012, on the following days:

03/24/2012

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2012 APR -2 P 3:13

Signed: _____

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

26th day of March, 2012.

Notary Public

FIRST AMENDMENT
BILL NO. 2012-12
ORDINANCE NO. 6184

AN ORDINANCE TO UPDATE VARIOUS PROVISIONS OF THE MUNICIPAL CODE RELATING TO THE STOPPING, STANDING, PARKING AND LOADING OF VEHICLES; ASSIGNING AND TRANSFERRING CERTAIN PARKING ENFORCEMENT AUTHORITY AND RESPONSIBILITY TO THE PARKING ENFORCEMENT UNIT OF THE DEPARTMENT OF ECONOMIC AND URBAN DEVELOPMENT; DESCRIBING THE CIRCUMSTANCES UNDER WHICH CERTAIN PARKING ENFORCEMENT AUTHORITY AND RESPONSIBILITY IS SHARED AMONG VARIOUS DEPARTMENTS AND FUNCTIONS; AUTHORIZING THE CITY TRAFFIC ENGINEER TO DELEGATE OR ASSIGN CERTAIN PARKING-RELATED FUNCTIONS TO OTHER OFFICERS OR UNITS OF THE CITY; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Carolyn G. Goodman.

Summary: Updates various provisions of the Municipal Code relating to the stopping, standing, parking and loading of vehicles; assigns and transfers certain parking enforcement authority and responsibility to the Parking Enforcement Unit of the Department of Economic and Urban Development; describes the circumstances under which certain parking enforcement authority and responsibility is shared among various departments and functions; and authorizes the City Traffic Engineer to delegate or assign certain parking-related functions to other officers or units of the City.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of February 2012 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21st day of March 2012, 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 amended and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Ross, Barlow, and Coffin
VOTING "NAY": NONE
EXCUSED: Councilwoman Tarkanian
VACANT: Ward 2

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PUB: March 24, 2012
LV Review-Journal

