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BILL NO. 2019-21

ORDINANCE NO. 6694

AN ORDINANCE TO AMEND LVMC CHAPTER 9.38 TO ESTABLISH AN ADDITIONAL CITY PROCEDURE FOR RETRIEVING SHOPPING CARTS AND LAUNDRY CARTS THAT HAVE BEEN ABANDONED OR USED WITHOUT AUTHORIZATION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Cedric Crear

Summary: Amends LVMC Chapter 9.38 to establish an additional City procedure for retrieving shopping carts and laundry carts that have been abandoned or used without authorization.

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

SECTION 1: Title 9, Chapter 38, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.38.010: As used in this Chapter, the following terms shall have the meanings ascribed to them:

“Authorized official” means any person designated and empowered by ordinance to abate nuisance activities, and any person authorized by the City Manager to enforce the provisions of this Chapter.

“Laundry cart” means a basket or similar device which is mounted on wheels and is generally used in a laundry or establishment for dry cleaning to transport fabrics and the supplies necessary to clean or launder them.

“Parking area” means a parking lot or other property provided by a retailer for use by a customer to park an automobile or other vehicle. The parking area shall also include the entire parking area used by a multi-store complex or shopping center wherein a retailer is located.

“Public property” includes, but is not limited to, all the area dedicated to or in public use or an easement granted for public street purposes, parks, alleys, sidewalks, flood control channels and other property owned or occupied by a governmental entity.

“Shopping cart” means a basket or similar device which is mounted on wheels and which is generally used in retail or wholesale establishments for the purpose of transporting goods of any kind. The

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1 term includes any constituent part of a shopping cart, as well as a shopping cart which is dismantled or not
2 in working order.

3 SECTION 2: Title 9, Chapter 38, of the Municipal Code of the City of Las Vegas, Nevada,
4 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 130, reading as
5 follows:

6 **9.38.130:** (A) As an alternative to any applicable removal-related procedures and requirements of
7 LVMC 9.38.040 to 9.38.110, inclusive, the City may opt to follow the provisions of Subsections (B) and (C)
8 of this Section.

9 (B) A shopping cart or laundry cart that is in the possession of a person in violation of
10 NRS 205.860, or that has been left or abandoned in violation of NRS 205.860, may be collected by officers
11 or employees of the City and returned to the owner of the cart, or may be held for a period of at least thirty
12 days before being disposed of by the City in its discretion. If the owner of the cart is apparent or reasonably
13 able to be determined, the City may not dispose of the cart until the City has notified the owner and at least
14 twenty days have elapsed following the notification. If the owner claims the cart within the notice period or
15 before disposition, the City shall return the cart to the owner or its representative, and shall do so upon
16 payment of the fee described in LVMC 9.38.110.

17 (C) The City may establish a program by which the owners of shopping carts and
18 laundry carts collected by the City pursuant to Subsection (B) may retrieve their carts on a monthly or other
19 periodic basis. The program may provide for appropriate procedures and requirements, which may include
20 without limitation:

21 (1) A requirement for the owner to register or enter into an agreement to
22 participate in the program; and

23 (2) A requirement to pay the City a retrieval fee that reflects the City's
24 reasonable cost of collecting the owner's carts.

25 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
26 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by

1 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
2 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
3 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
4 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
5 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

6 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to
7 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
8 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
9 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
10 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
11 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
12 of this ordinance shall constitute a separate offense.

13 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
15 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this 17th day of July, 2019.

17 APPROVED:

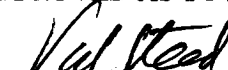
18 By


CAROLYN G. GOODMAN, Mayor

19
20 ATTEST:

21 
22 LUANN D. HOLMES, MMC
City Clerk

23 APPROVED AS TO FORM:

24  6-4-19
25 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 19th day of June, 2019, and referred to a committee for recommendation; hereafter
3 the committee reported favorably on said ordinance on the 17th day of July, 2019, which as
4 a regular meeting of said Council; that at said regular meeting, the proposed ordinance was
5 read by title to the City Council and adopted by the following vote:

6 VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Fiore, Crear, Diaz
Knudsen and Seaman

7 VOTING "NAY": None

8 EXCUSED: None

9 ABSTAINED: None

10
11
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13 APPROVED:

14 
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 
18 LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001057872

2019 JUL 10 A 11: 23

Leslie McCormick, 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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/03/2019 to 07/03/2019, on the following days:

07 / 03 / 19

BILL NO. 2019-21

AN ORDINANCE TO AMEND
LVMC CHAPTER 9.38 TO
ESTABLISH AN ADDITIONAL CITY
PROCEDURE FOR RETRIEVING
SHOPPING CARTS AND
LAUNDRY CARTS THAT HAVE
BEEN ABANDONED OR USED
WITHOUT AUTHORIZATION, AND
TO PROVIDE FOR OTHER
RELATED MATTERS.

Sponsored by: Councilman
Cedric Grear

Summary: Amends LVMC
Chapter 9.38 to establish an
additional City procedure for
retrieving shopping carts and
laundry carts that have been
abandoned or used without
authorization.

At the City Council meeting of
June 19, 2019

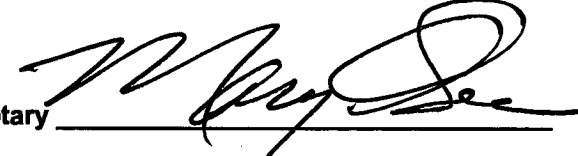
BILL NO. 2019-21 WAS READ BY
TITLE AND REFERRED TO A
RECOMMENDING COMMITTEE

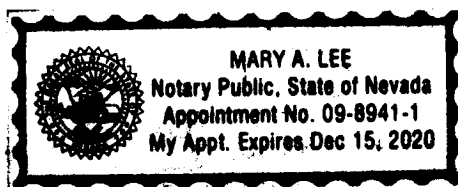
COPIES OF THE COMPLETE
ORDINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE
OFFICE OF THE CITY CLERK, 2ND
FLOOR, 495 SOUTH MAIN
STREET, LAS VEGAS, NEVADA

PUB: July 3, 2019
LV Review-Journal

ISI 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 3rd day of July, 2019

Notary 



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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CITY CLERK

**LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101**

**Account # 22515
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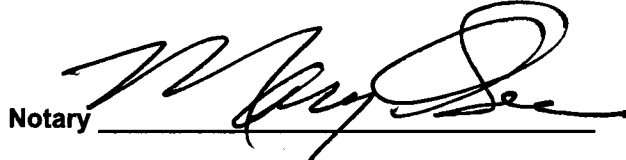
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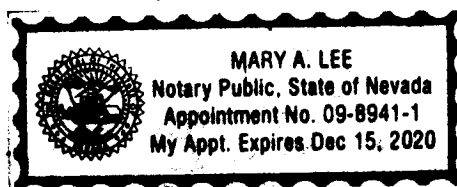
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IS/ 
LEGAL ADVERTISEMENT REPRESENTATIVE

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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001060191

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2019 JUL 29 A 10:43

Leslie McCormick, 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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/20/2019 to 07/20/2019, on the following days:

07 / 20 / 19

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ORDINANCE NO. 6694**

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of June, 2019, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 17th day of July, 2019, 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 Flore,
Anthony, Crear, Knudsen,
Seaman and Diaz.

VOTING "NAY": NONE

EXCUSED: NONE

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: July 20, 2019
LV Review-Journal


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 22nd day of July, 2019

Notary



