

PROPOSED FIRST AMENDMENT

BILL NO. 2024-11

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC TITLE 10 TO ADD PROVISIONS TO GENERALLY PROHIBIT THE OUTDOOR RELEASE OF BALLOONS INFLATED WITH A GAS LIGHTER THAN AIR, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Nancy E. Brune

Summary: Amends LVMC Title 10 to add provisions to generally prohibit the outdoor release of balloons inflated with a gas lighter than air.

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

SECTION 1: Title 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 94 and consisting of Sections 10 and 20 thereof, reading as follows:

10.94.010: It is unlawful for a person to intentionally release, organize the release of, or otherwise cause or allow the release of a balloon inflated with a gas that is lighter than air, except for:

(A) A balloon released for scientific or meteorological purposes, on behalf of a governmental agency or pursuant to a governmental contract;

(B) A hot air balloon that is recovered after launching;

(C) A balloon to which is affixed an object of sufficient weight to counter the lift capability of the balloon; or

(D) A balloon that is released and remains indoors.

10.94.020: A violation of LVMC 10.94.010 is a civil infraction. For the first violation, the code enforcement function of the City shall issue a warning without a penalty. For subsequent violations, the code enforcement function may proceed by means of a civil proceeding in accordance with the provisions of LVMC 6.02.400 to 6.02.460, inclusive. In the case of such a civil proceeding:

(A) Any reference in LVMC 6.02.400 to 6.02.460, inclusive, to the "Department" or "Business Submitted at City Council

Date 6/5/24 Item 50

By: Staff

1 Licensing Division” or “Director” shall pertain to the code enforcement function or its manager, as the case
2 may be.

3 (B) In lieu of the schedule of fines set forth in LVMC 6.02.460, the applicable civil fines are as
4 follows:

5 (1) For a second offense or a subsequent offense not addressed in Paragraph (2) below,
6 two hundred fifty dollars.

7 (2) For a subsequent offense within a twelve-month period, five hundred dollars.

8 SECTION 2: The provisions of this Ordinance do not apply to the release of balloons as
9 part of an event held on September 11th to honor first responders lost in the line of duty on September 11,
10 2001.

11 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
12 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
13 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
14 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
15 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
16 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
17 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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

PASSED, ADOPTED and APPROVED this ____ day of _____, 2024.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

DR. LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2024, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2024, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as
7 amended and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 DR. LUANN D. HOLMES, MMC
City Clerk