

BILL NO. 2024-30

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC TITLE 10 TO ADD A PROVISION TO PROHIBIT UNAUTHORIZED ENTRY AND OTHER ACTIVITY IN PROXIMITY TO RAILROAD TRACKS, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mike Janssen, City Manager

Summary: Amends LVMC Title 10 to add a provision to prohibit unauthorized entry and other activity in proximity to railroad tracks.

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 87 and consisting of Section 10, reading as follows:

10.87.010 It is unlawful for a person, without the permission of the owner of the land, the owner's agent, or the person in lawful possession, to enter or remain upon any location within one hundred feet of a railroad track if that person's entry, presence, or conduct at that location interferes with, interrupts, hinders, or, if allowed to continue, would interfere with, interrupt, or hinder the safe and efficient operation of any locomotive, railway car or train. For purposes of the preceding prohibition, the measurement of one hundred feet shall be from the outermost points of the railroad track extending out in each direction. This Section does not prohibit picketing in an area immediately adjacent to any railroad property or any other lawful activity by which the public is informed of the existence of an alleged labor dispute.

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

SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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,
Deputy City Attorney

Date _____

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 first
7 introduced 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

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