

BILL NO. 2022-27

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC CHAPTER 10.02 TO ADD A NEW SECTION TO CONFORM TO STATE LAW REGARDING CERTAIN TRAFFIC-RELATED VIOLATIONS THAT ARE TO BE TREATED AS CIVIL INFRACTIONS RATHER THAN AS MISDEMEANORS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bryan K. Scott, City Attorney

Summary: Amends LVMC Chapter 10.02 to add a new section to conform to State law regarding certain traffic-related violations that are to be treated as civil infractions rather than as misdemeanors.

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

SECTION 1: Title 10, 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 20, reading as follows:

10.02.020: Any act or omission that would be a violation of Title 11, relating to vehicles, traffic and the use of rights-of-way, but that under State law is made punishable as a civil infraction, is deemed to be a civil infraction under this Code rather than a misdemeanor. In accordance with State law, the municipal court has jurisdiction over the hearing of civil infractions and may impose civil penalties that are:

(A) Consistent with State law governing such violations; and

(B) In accordance with rules or schedules that may be adopted by the court, or otherwise consistent with misdemeanor fines previously imposed regarding such violations.

SECTION 2: This Ordinance shall become effective on January 1, 2023.

SECTION 3: 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

1 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
2 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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5 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this ____ day of _____, 2022.

7 APPROVED:

8
9 By _____
CAROLYN G. GOODMAN, Mayor

10 ATTEST:

11 _____
12 LUANN D. HOLMES, MMC
City Clerk

13 APPROVED AS TO FORM:

14 Val Steed 10-3-22
15 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 _____, 2022, 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 _____, 2022, 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 LUANN D. HOLMES, MMC
City Clerk