

FIRST AMENDMENT

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. Likewise, any act or omission that constitutes a violation of NRS Chapters 484A to 484E, inclusive, and that is made punishable as a civil infraction under State law is deemed to be a civil infraction under this Code. 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

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8 Edition, in conflict herewith are hereby repealed.

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

10 APPROVED:

11 By _____
12 CAROLYN G. GOODMAN, Mayor

13 ATTEST:

14 _____
15 LUANN D. HOLMES, MMC
City Clerk

16 APPROVED AS TO FORM:

17 Val Steed 10-31-22
18 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
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 LUANN D. HOLMES, MMC
City Clerk

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