

BILL NO. 2023-1

ORDINANCE NO. _____

AN ORDINANCE RELATING TO VEHICLE PARKING; AMENDING VARIOUS CHAPTERS OF LVMC TITLE 11 TO UPDATE REGULATIONS PERTAINING TO PARKING ENFORCEMENT, PARKING PROGRAMS, AND THE USE AND REGULATION OF PARKING SPACES, PARKING FACILITIES AND TAXICAB STANDS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Brian Knudsen

Summary: Amends various chapters of LVMC Title 11 to update regulations pertaining to vehicle parking enforcement, parking programs, and the use and regulation of parking spaces, parking facilities and taxicab stands.

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

SECTION 1: Title 11, Chapter 10, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.10.150: (A) Notwithstanding the provisions of LVMC 11.10.140 or any other provision of this Chapter, the Parking Services Division, from time to time and upon authorization [by the City Council] pursuant to Subsection (B), may operate a [temporary] program by which fines for [qualifying] parking infractions may be paid by means of the donation of [food items, children's toys, or school supplies] qualifying items in lieu of the payment of money. In order to satisfy the amount of the fine for any particular infraction, the [food, toys or supplies] qualifying items donated must be of equal or greater value than the amount of the corresponding fine.

(B) A [temporary] program described in Subsection (A) may be authorized no more than twice per calendar year and must be approved in advance, as to both time period and duration, by the City [Council.] Manager. The Parking Services Division may establish such procedures and requirements regarding [the] program events as may be desirable or appropriate, including without limitation what types of [food items, toys or school supplies will qualify;] qualifying items will apply to a particular program event; a range of dates within which parking infractions must have been issued in order to be eligible; and a time period within which donations in lieu of payment must be made. The determination of [whether or not a

1 particular parking infraction qualifies under the program, and the determination of] the value of donations
2 [are] is completely within the discretion of the Parking Services Division.

3 (C) For purposes of [Subsection (A), “qualifying parking infraction” means any non-
4 moving violation other than the following:

- 5 (1) Parking at red curb—LVMC 11.52.030(A)(1);
- 6 (2) Parking vehicle facing traffic—LVMC 11.52.040(A);
- 7 (3) Parking over eighteen inches from curb—LVMC 11.52.040(B);
- 8 (4) Blocking alley—LVMC 11.52.050;
- 9 (5) No parking areas—LVMC 11.52.130(A)(1);
- 10 (6) Parking in fire lane—LVMC 11.52.130(A)(2);
- 11 (7) Traffic hazard—LVMC 11.52.130(A)(3);
- 12 (8) No stopping, standing or parking—LVMC 11.52.130(A)(3);
- 13 (9) Parking within fifteen feet of a fire hydrant—LVMC 11.52.130(A)(4);
- 14 (10) Blocking sidewalk—LVMC 11.52.130(A)(6);
- 15 (11) Double parking—LVMC 11.52.130(A)(10);
- 16 (12) Parking within fifteen feet of an intersection—LVMC 11.52.130(A)(11);
- 17 (13) Parking within twenty feet of a crosswalk—LVMC 11.52.130(A)(12);
- 18 (14) Parking within thirty feet of a stop/yield sign—LVMC 11.52.130(A)(13);
- 19 (15) Parking in bike lane—LVMC 11.52.130(A)(14);
- 20 (16) Blocking traffic lane—LVMC 11.52.130(A)(15);
- 21 (17) Handicap-related parking—LVMC 11.52.135 and 11.52.136.] Subsections

22 (A) and (B), “qualifying items” means food items, children’s toys, or personal items for the benefit of
23 specifically-identified groups in need, including without limitation school supplies.

24 SECTION 2: Title 11, Chapter 10, of the Municipal Code of the City of Las Vegas,
25 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 170, reading
26 as follows:

1 **11.10.170:** It is unlawful to physically obstruct, or commit assault or battery upon, a parking
2 enforcement officer of the City, or an employee or agent of a person or entity providing parking-related
3 services to the City by contract. Unless a greater penalty is prescribed by State law, violation of this Section
4 is a misdemeanor.

5 SECTION 3: Title 11, Chapter 10, Section 280, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **11.10.280:** [It is unlawful for any unauthorized person to: deface, injure, tamper with, open, break,
8 destroy or remove any immobilizing device, impair the usefulness thereof or attempt to do any of those acts.]

9 (A) Except as otherwise provided in Subsection (B), it is unlawful for any person to
10 deface, damage, tamper with, open, break, destroy or remove any immobilizing device; impair the usefulness
11 thereof; leave such a device attached to the immobilized vehicle and transport it to another location for
12 purposes of depriving the City of its use; or attempt to do any of those acts.

13 (B) The prohibitions described in Subsection (A) do not apply to the acts of any of the
14 following when acting within the scope of their duties or employment:

15 (1) A City officer, employee, or contractor engaged in the parking enforcement
16 function;

17 (2) A peace officer; or

18 (3) A person engaged in the provision of emergency services.

19 SECTION 4: Title 11, Chapter 52, Section 70, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **11.52.070:** The City Traffic Engineer shall determine upon what streets angle parking shall be permitted,
22 and shall provide signage or other markings to indicate where such parking is permitted. Where angle parking
23 is permitted, no person shall stand or park a vehicle unless the front of the vehicle is pointed toward the
24 direction of lawful traffic movement.

25 SECTION 5: Title 11, Chapter 52, of the Municipal Code of the City of Las Vegas,
26 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 150, reading

1 as follows:

2 **11.52.150:** The Parking Division of the Department of Economic and Urban Development may issue to
3 a person, company, contractor or agency, upon application therefor, a parking space occupancy permit
4 authorizing the occupancy of one or more non-metered parking spaces on City streets for extended periods
5 of time in order to provide supplies, materials, or services, on a temporary basis, in the immediate area of the
6 parking spaces. Issuance of such an occupancy permit shall be in the discretion of the Parking Division. In
7 connection with the issuance of an occupancy permit, the City is authorized to charge an occupancy permit
8 fee, which shall be paid by the applicant before any permit is issued or space reserved for the applicant. The
9 amount of the occupancy permit fee shall be determined by the Parking Division and shall be in an amount
10 that represents the costs of processing the application and occupancy permit.

11 SECTION 6: Title 11, Chapter 52, of the Municipal Code of the City of Las Vegas,
12 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 325, reading
13 as follows:

14 **11.52.325:** Whether or not signs are erected within or adjacent to a City parking facility giving notice
15 thereof, it is unlawful, and punishable as a misdemeanor or by means of civil fine, for any person:

16 (A) To deface, damage, tamper with, willfully break, destroy, impair the usefulness of, evade
17 without tendering due payment, or open without lawful authority an entry or exit gate or other access-control
18 mechanism pertaining to the parking facility. A fee equal to the amount of the cost of the repair or replacement
19 of the damaged equipment will be assessed to the individual or entity responsible for such damage, in addition
20 to applicable parking fees, parking-related fines, and criminal penalties.

21 (B) Where authorized entry to a City parking facility is by means of a gate or other access-
22 control mechanism, or by receiving a stub or ticket for such entry (or both), to park a vehicle within the
23 parking facility without having entered the facility in an authorized manner. Parking in violation of this
24 Subsection (B) is deemed and declared to be a theft of City services.

25 (C) For purposes of avoiding payment of the applicable parking or permit fee; to drive a vehicle
26 through the entry or exit of a controlled-access parking facility by trailing immediately behind another vehicle

1 before the gate or other access-control mechanism has an opportunity to drop or close.

2 (D) For purposes of avoiding payment of the applicable parking or permit fee, to drive a vehicle
3 into or out of the parking facility by any other unauthorized means, such as by breaking through a gate or
4 other access-control mechanism, or by entering or exiting without stopping to receive a stub or ticket for
5 entry or without paying for exit. In the case of damage caused by breaking through a gate or other access-
6 control mechanism, a fee equal to the amount of the cost of the repair or replacement of the damaged
7 equipment will be assessed to the individual or entity responsible for such damage, in addition to applicable
8 parking fees, parking-related fines, and criminal penalties.

9 SECTION 7: Title 11, Chapter 52, Section 330, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **11.52.330:** (A) The City Council finds that the parking of a vehicle in violation of LVMC 11.52.320
12 or 11.52.325 is a public nuisance per se and a disruption of the effective use of City parking facilities by
13 those persons authorized to use them. The City Manager or his duly authorized representative shall have the
14 authority to immobilize any vehicle or have any vehicle removed by towing and impounding from a City
15 parking facility if such vehicle is found to be in violation of LVMC 11.52.320[.] or 11.52.325. All expenses
16 incurred in the immobilization or towing and impounding of such vehicle found to be in violation shall be
17 the responsibility of and charged to the registered owner of said vehicle and shall be paid prior to removal of
18 the immobilizer or prior to release of the vehicle from impoundment. The fee for releasing any
19 car immobilized or impounded under this Section is fifty dollars.

20 (B) Citations issued for the violation of LVMC 11.52.320 and 11.52.325 shall be
21 disposed of under normal procedures and need not be paid as a condition for the release of the vehicle from
22 custody.

23 SECTION 8: Title 11, Chapter 54, Section 90, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **11.54.090:** (A) Subject to the provisions of Subsection (B), the hours of operation for any parking
26 meter shall be those which are established by the City Traffic Engineer.

1 (B) Any metered parking space may be occupied without activating the meter on the
2 following days: January 1; the third Monday in January; the third Monday in February; the last Monday in
3 May; June 19; July 4th; the first Monday in September; the last Friday in October; November 11; the fourth
4 Thursday in November; the Friday following the fourth Thursday in November; December 25; and any
5 general holiday declared by the President of the United States, the Governor of the State or the Mayor.

6 SECTION 9: Title 11, Chapter 60, Section 20, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **11.60.020:** No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a
9 taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed,
10 [, except that the driver of a passenger vehicle may temporarily stop in a taxi zone for the purpose of and
11 while actually engaged in loading or unloading passengers and such stopping does not interfere with a taxicab
12 waiting to enter or about to enter such zone.]

13 SECTION 10: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
14 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
15 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
16 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
17 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
18 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
19 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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

SECTION 12: 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 _____, 2023.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-20-22
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 _____, 2023, 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 _____, 2023, 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

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