

Carolyn G. Goodman, Mayor (At-Large)
Brian Knudsen, Mayor Pro Tem (Ward 1)
Victoria Seaman (Ward 2)
Olivia Diaz (Ward 3)
Francis Allen-Palenske (Ward 4)
Cedric Crear (Ward 5)
Nancy E. Brune (Ward 6)



City Manager Mike Janssen
City Attorney Jeff Dorocak
City Clerk LuAnn D. Holmes

City Council Agenda

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

October 16, 2024
9:00 AM

30. Bill No. 2024-30 - For possible action - Amends LVMC Title 10 to add a provision to prohibit unauthorized entry and other activity in proximity to railroad tracks. Proposed by: Mike Janssen, City Manager

Minutes:

Second reading and bill adopted as introduced as Ordinance No. 6883.

Motion made by Brian Knudsen to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Nancy Brune, Victoria Seaman, Cedric Crear, Carolyn Goodman, Brian Knudsen, Francis Allen-Palenske;
Excused-Olivia Diaz;



AGENDA SUMMARY PAGE
City Council
Meeting of: October 16, 2024

Agenda Item No.:
30

DEPARTMENT: City Attorney
DIRECTOR: Jeff Dorocak

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2024-30 - For possible action - Amends LVMC Title 10 to add a provision to prohibit unauthorized entry and other activity in proximity to railroad tracks. Proposed by: Mike Janssen, City Manager

FISCAL IMPACT:

None

PURPOSE/BACKGROUND:

This bill will amend LVMC Title 10 to add a provision to prohibit unauthorized entry and other activity in proximity to railroad tracks. The additional provision will provide an alternate means of addressing trespass on railroad property.

RECOMMENDATION:

ADOPTION at the October 16, 2024 City Council Meeting pursuant to the September 30, 2024 Recommending Committee Meeting.

First Reading – 09/18/2024

First Publication – 10/03/2024

BACKUP DOCUMENTATION:

1. Bill No. 2024-30
2. Backup Documentation Submitted for the September 30, 2024 Recommending Committee Meeting

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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.

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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Railroad Ordinance Presentation

**Recommending
Committee
9/30/24**



Submitted after Final Agenda (City Council)
Date 09/30/2024 Item 29
by Staff

Submitted at Meeting
Date 09/30/2024 Item 6
by Staff



Precedent: City of Reno

- August of 2024, the City of Reno passed an ordinance that would make enforcement of trespassing near railroad tracks easier.
- Intent was to help address railroad maintenance access, reduce repair costs and storm water collection system interference, and to ensure public safety concerns.
- Amended existing law to further prohibit trespassing on or near railroad tracks, without requiring signage and fencing to be proof of this.

Proposal: City of Las Vegas

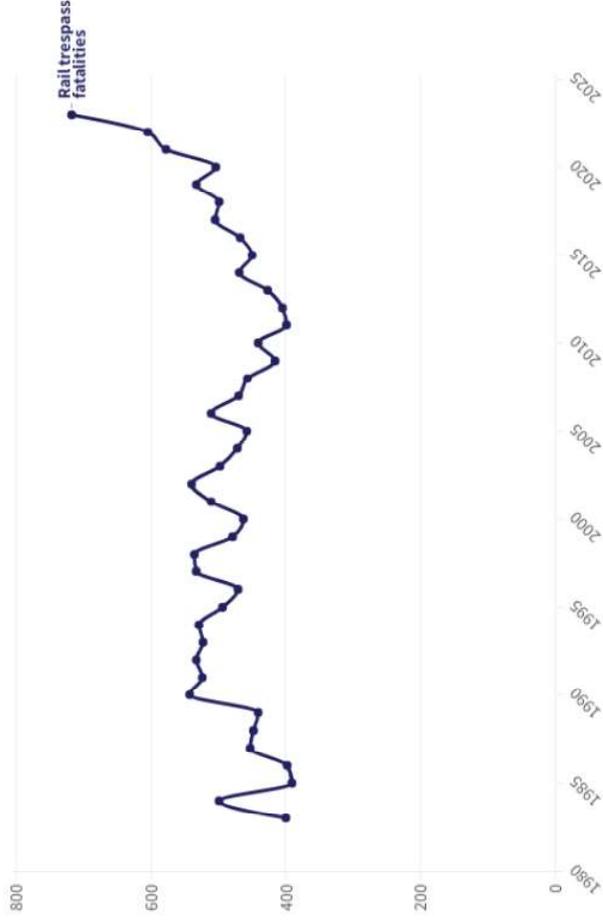
- Proposed ordinance almost exactly mirrors the ordinance passed in Reno.
- Intended purpose is the same: to keep people, the rail corridor, and adjacent properties as safe as possible by restricting unauthorized access to the fullest extent possible.



Some items for your consideration:

- According to the Federal Railroad Administration, in 2023, there were almost 800 fatalities in the United States attributed specifically to pedestrians trespassing on railroad property.

Rail trespass fatalities in the U.S., 1983 to 2023



Source: Federal Railroad Administration • Data visualization by Emily Vespa/North Carolina Health News.

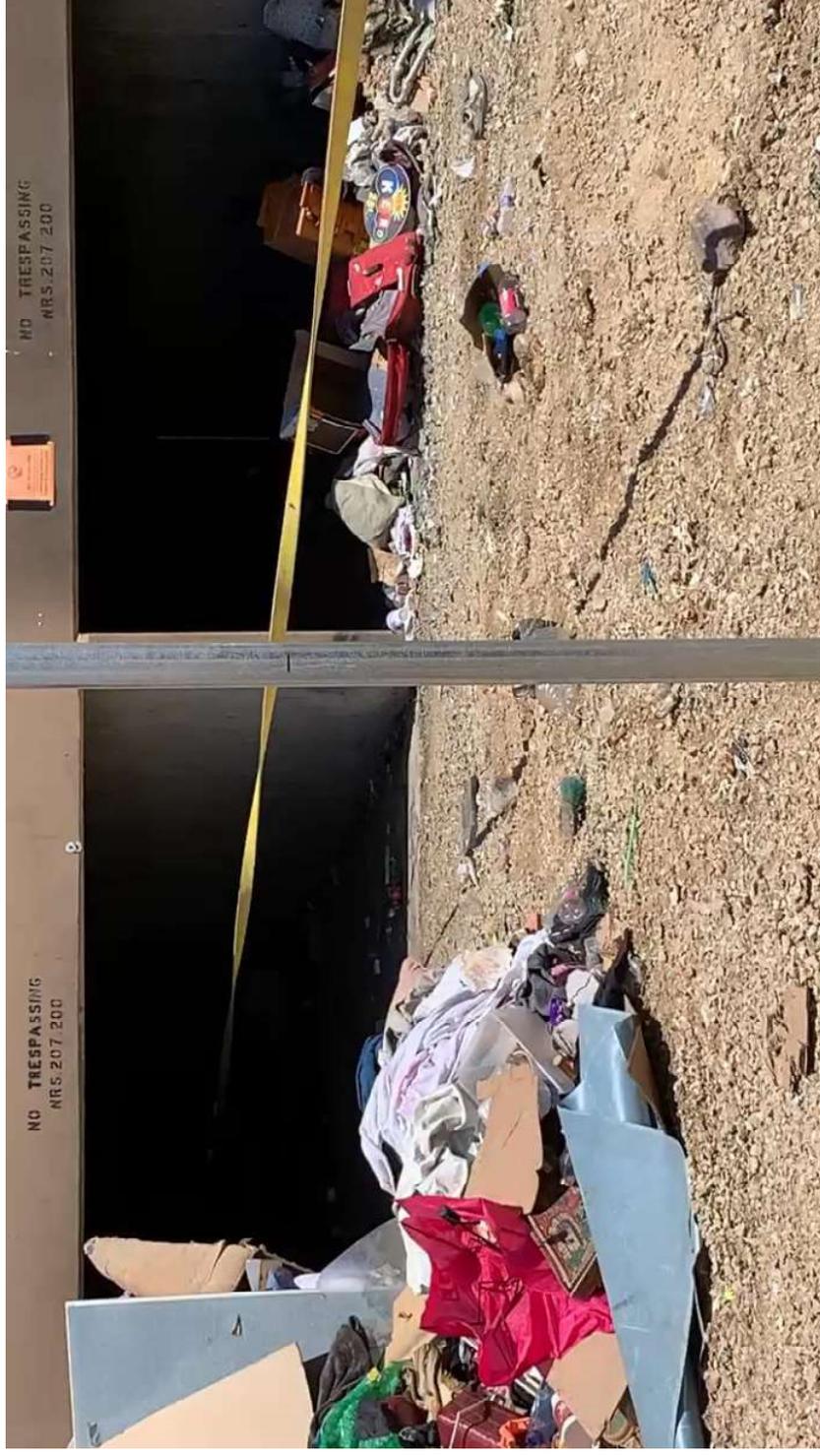


- At least 4 train derailments over the past 5 years were caused by or exacerbated by debris on the tracks.
 - UPRR payloads include fertilizer, ethanol, petroleum products, chlorine, combustible liquids, anhydrous ammonia, etc.
 - Proximity to residential housing, businesses, and government buildings is a concern.





- Encampments next to and in to UPRR right of way can be extensive in blocking drainage ways; could lead to flooding of adjacent businesses that would not otherwise flood if the drainage corridors were kept clear.





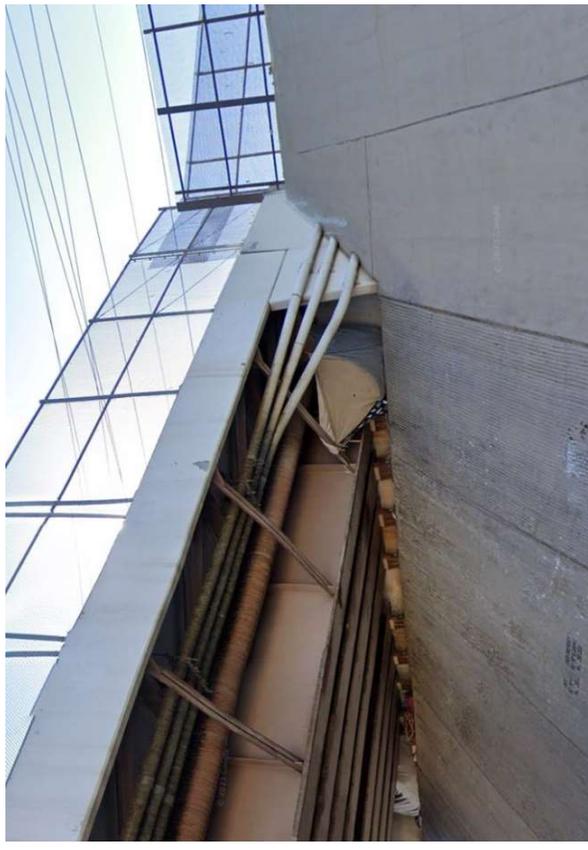
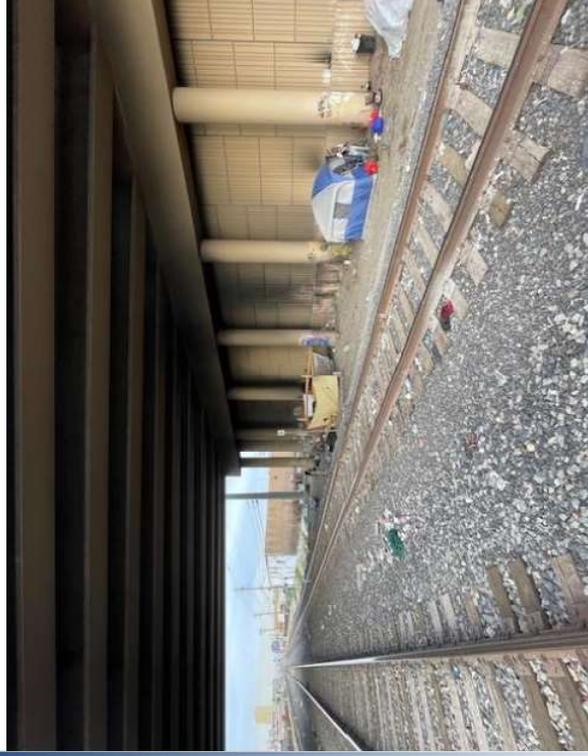


- DPS, PW/Streets & Sanitation, and NS actively collaborating with Metro and UPRR security re encampment concerns on/near railroad tracks.
- Currently cleaning up to 2-5 encampments per month, which generates and 20-25 tons of debris in the UPRR ROW alone





- Over the past few years, there have been several fires from encampments that have caused damage to bridges, buildings, and other structures along the rail corridor.





In short, this ordinance is a pro-active measure intended to keep people and property safe.

Questions?