

Carolyn G. Goodman, Mayor (At-Large)  
Brian Knudsen, Mayor Pro Tem (Ward 1)  
Victoria Seaman (Ward 2)  
Olivia Díaz (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](http://www.lasvegasnevada.gov)

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**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.
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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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# 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

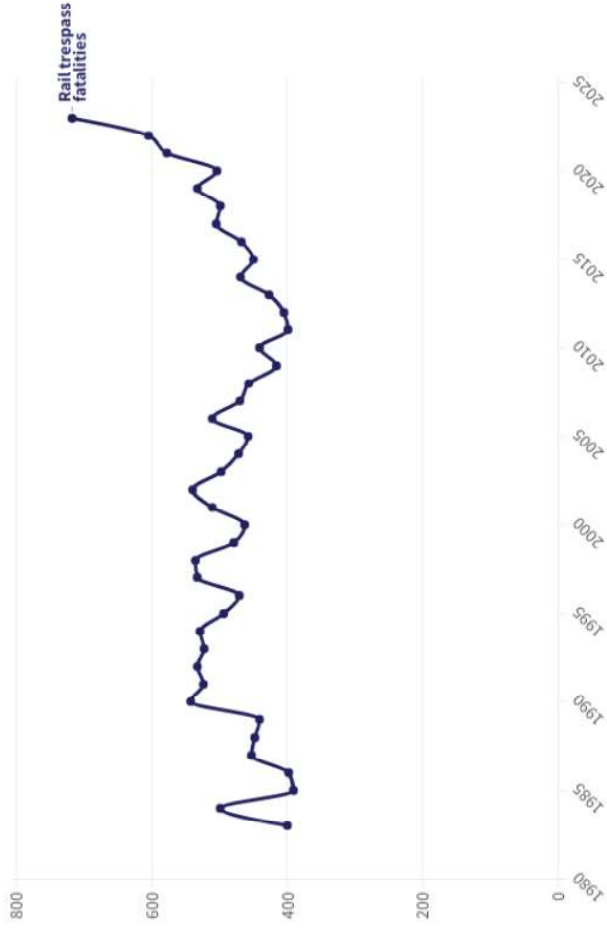
- Proposed ordinance almost exactly mirrors the ordinance passed in Reno.
- Intended purpose is the same: to keep people, the rail corridor, and adjacent properties as safe as possible by restricting unauthorized access to the fullest extent possible.



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**

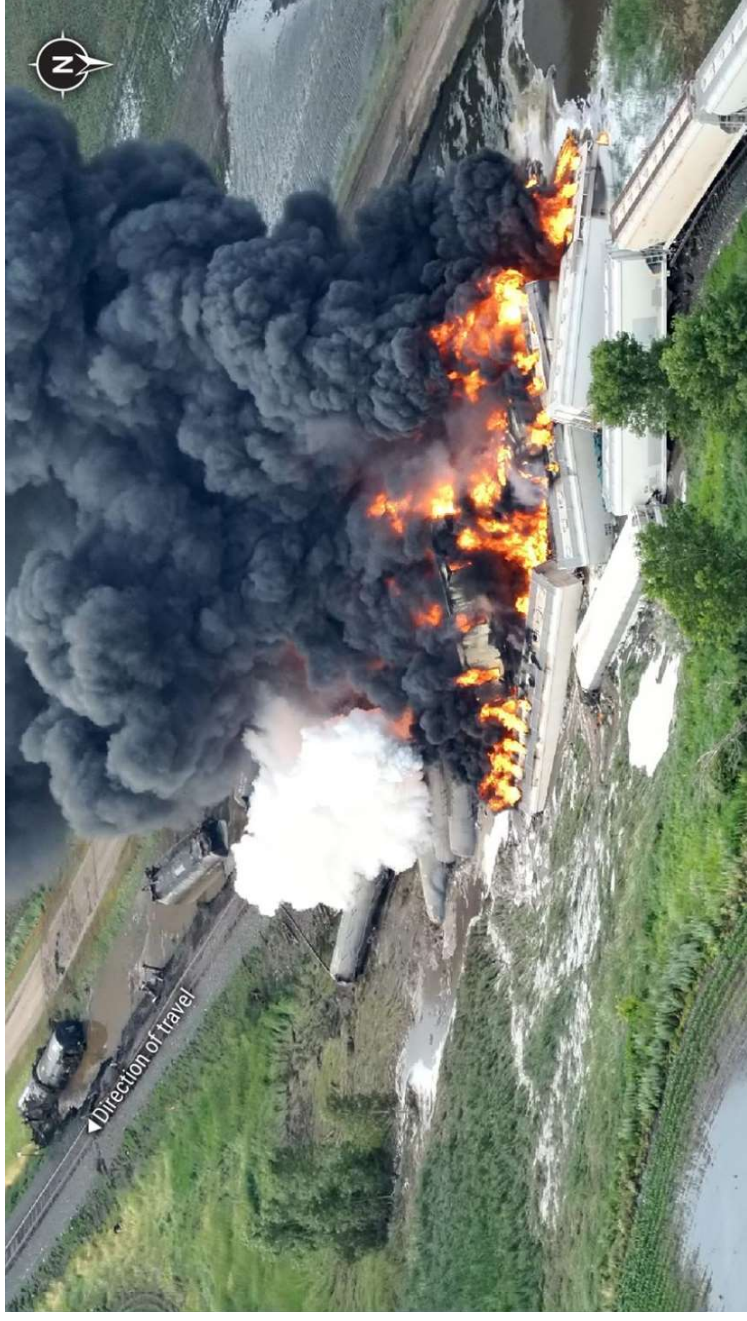


Source: Federal Railroad Administration • Data visualization by Emily Vespa/North Carolina Health News.



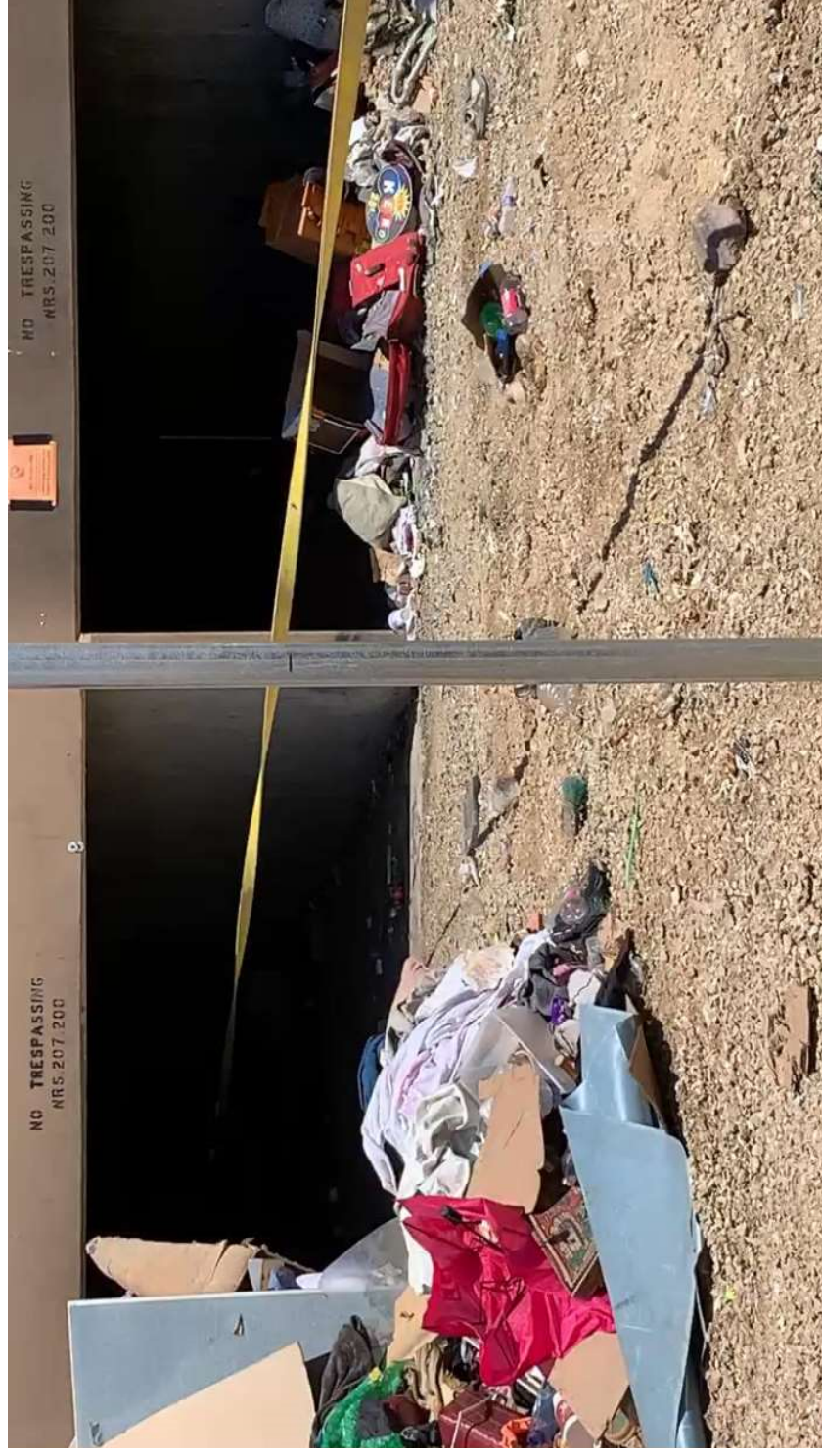


- At least 4 train derailments over the past 5 years were caused by or exacerbated by debris on the tracks.
  - UPRR payloads include fertilizer, ethanol, petroleum products, chlorine, combustible liquids, anhydrous ammonia, etc.
  - Proximity to residential housing, businesses, and government buildings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

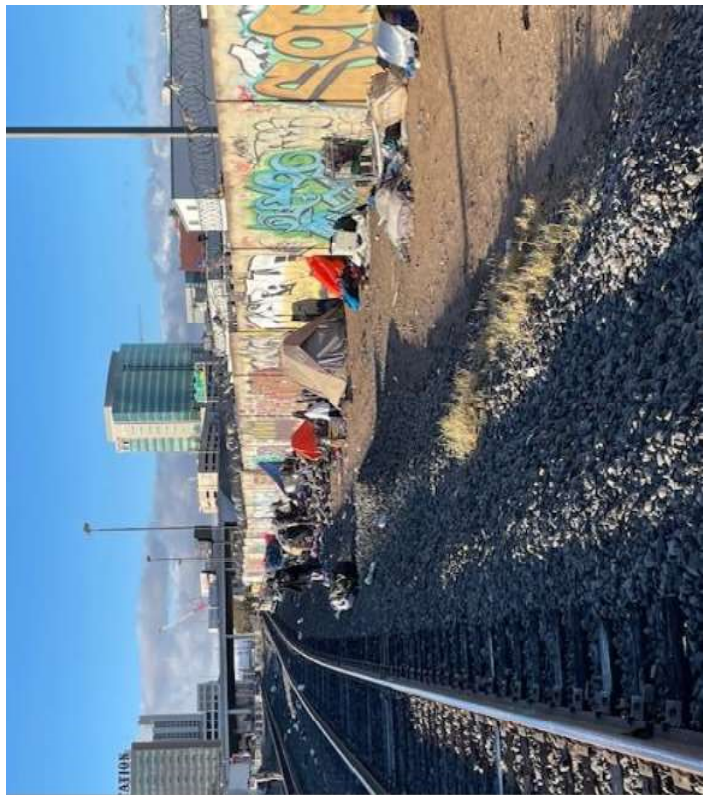








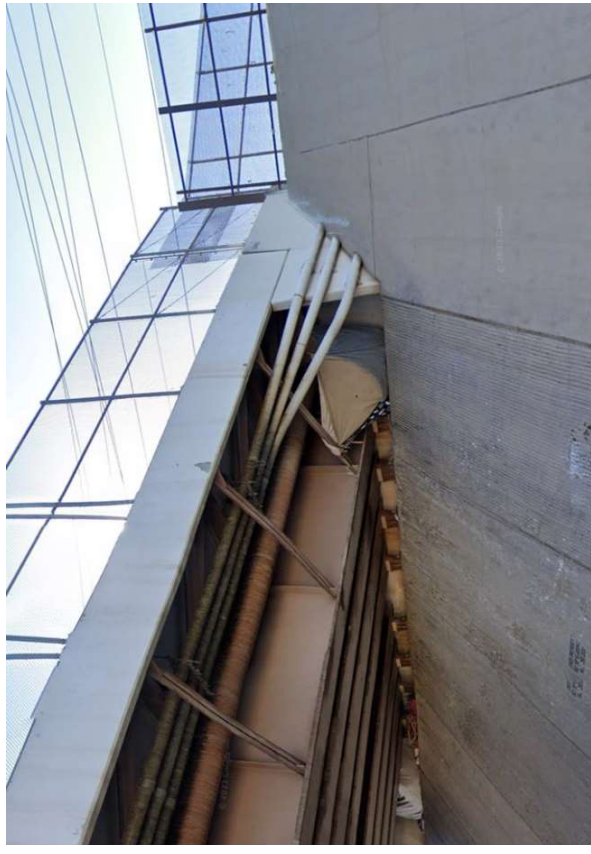
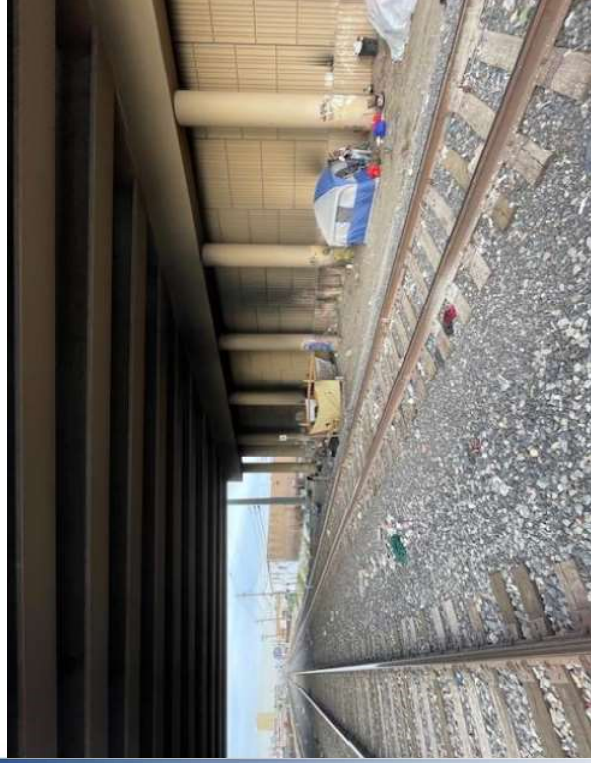
- DPS, PW/Streets & Sanitation, and NS actively collaborating with Metro and UPRR security re encampment concerns on/near railroad tracks.
- Currently cleaning up to 2-5 encampments per month, which generates and 20-25 tons of debris in the UPRR ROW alone







- 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?