

[Bracketed] material is that portion being deleted
Underlined material is that portion being added

BILL NO. _____

SUMMARY – An Ordinance to amend Title 12, Chapter 12.43 of the Clark County Code to prohibit the possession of opaque bags, strollers, and related items on the Las Vegas Strip on New Years' Eve, on the Fourth of July, and during certain special events.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND CHAPTER TITLE 12, CHAPTER 12.43 OF THE CLARK COUNTY CODE TO PROHIBIT THE POSSESSION OF OPAQUE BAGS, STROLLERS, AND RELATED ITEMS ON THE LAS VEGAS STRIP ON NEW YEARS' EVE, ON THE FOURTH OF JULY, AND DURING CERTAIN SPECIAL EVENTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK,
STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE. Chapter 12.43 of the Clark County Code is amended to read as follows:

Chapter 12.43 - BEVERAGE CONTAINERS ON CITY STREETS CONTAINER AND PACKAGE RESTRICTIONS ON CERTAIN STREETS

12.43.010 - Definitions. (a) Special Event Defined. As used in this chapter, the words "special event" mean any competitive activity consisting of running or biking races, or athletic type of activities, or other special activity which may include, but shall not be limited to, block parties, grand openings, fireworks displays or building implosions, which requires or results in the temporary closure of any public street or right-of-way.

(b) Street Defined. As used in this chapter, the word "street" means the surface of the full width of the right-of-way, including public sidewalks, private property subject to a pedestrian access easement, and surface, overhead and subsurface public works, of every street, road, highway, alley, thoroughfare, place or way of any kind used by the public or open to the public for the purpose of vehicular or pedestrian traffic.

12.43.020 – Possession of Glass and Aluminum Containers—During Specified Holidays and Special Events.

It is unlawful for any person to be in possession of any glass or aluminum container which is fit for beverage purposes or intended for beverage purposes:

(a) While on any public street that is temporarily closed to vehicular traffic, including Las Vegas Boulevard, south of Sahara Avenue and north of Sunset Avenue, and the sidewalks bordering such public street during the following times:

- (1) Between the hours of six p.m. December 31st and six a.m. January 1st of each year;
- (2) Between the hours of six p.m. July 4th and six a.m. July 5th of each year; and
- (3) Between the hours beginning two hours before and ending two hours after any special event as defined in Section 12.43.010; and

(b) While on Casino Drive in the township of Laughlin between State Route 163 and Needles Highway during the following times: between the hours of 12:00 noon on the Thursday preceding the last Sunday in the month of April and 6:00 a.m. of the last Sunday in the month of April of each year.

12.43.025 - Possession of glass beverage containers in general.

It is unlawful for any pedestrian to be in possession of any glass container which is fit for beverage purposes or intended for beverage purposes, and which is not sealed in packaging,

paper or otherwise, separate from the glass container, at any time of the day and on the following streets and highways:

- (1) That portion of Las Vegas Boulevard from Russell Road to Sahara Avenue;
- (2) That portion of Mandalay Bay Road from Luxor Drive to Las Vegas Boulevard;
- (3) That portion of Tropicana Avenue from Koval Lane to two hundred feet west of its intersection with Las Vegas Boulevard;
- (4) That portion of Harmon Avenue from Interstate Highway 15 to Audrie Street;
- (5) That portion of Flamingo Road from Koval Lane to two hundred feet west of its intersection with Las Vegas Boulevard;
- (6) That portion of Spring Mountain/Sands Avenue, from the Fashion Show Drive to Koval Lane;
- (7) Each remaining street or highway not listed above that intersects Las Vegas Boulevard between Russell Road and Sahara Avenue for a distance of two hundred feet west and two hundred feet east of its intersection with Las Vegas Boulevard;
- (8) That portion of Paradise Road from Harmon Avenue to Karen Avenue;
- (9) Each highway that intersects Paradise Road from Harmon Avenue to Karen Avenue for a distance of two hundred feet east and two hundred feet west of its intersection with Paradise Road; and
- (10) That portion of Convention Center Drive from Las Vegas Boulevard to Paradise Road.

12.43.025 - Additional Prohibited Items – During Specified Holidays and Special

Events

At those times and locations identified in Section 12.43.020(a) of this code, the following items are not allowed within said locations:

- (a) purses larger than 8 inches by 6 inches by 2 inches, coolers, briefcases, backpacks, fanny packs, cinch bags, luggage of any kind, computer bags and camera bags or any bag larger than the permissible size of a purse, as set forth above. EXCEPTION: (1) Bags that are clear plastic, vinyl or PVC and do not exceed 12" x 6" x 12". A logo may be imprinted on the bag provided that the logo does not obstruct external view of the contents of the bag. (2) Medical devices necessary for the immediate assistance of the patient utilizing such device.
- (b) Strollers, carts, or any vehicle propelled by humans, electricity, or mechanical means, unless a permit specifically authorizes the use of such item. EXCEPTION: vehicles medically necessary for the immediate assistance of the patient utilizing such device.

12.43.030 - Violation—Penalty.

(a) A violation of this chapter shall be punished by a fine not exceeding two hundred fifty dollars or imprisonment for a term not exceeding thirty days, or by any combination of such fine and imprisonment.

(b) Warning required. Prior to the issuance of any citation or the effecting of any arrest pursuant to this chapter, an alleged violator shall first be given an opportunity to come into conformance with this chapter by immediately retreating away from the regulated location or discarding the glass beverage container or other article the possession of which constitutes a violation of this chapter.

12.43.040 First Amendment Activity.

The application of this chapter shall not be construed to apply to a street closure triggered by group activity primarily caused by First Amendment expression.

SECTION TWO. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION THREE. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION FOUR. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the ____ day of _____, 2015.

PROPOSED BY: Commissioner _____, 2015.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

BY: _____
STEVE SISOLAK, Chairman

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after
the _____ day of _____, 2016.