

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

| | | |
|---|--|---------------------|
| Issue: | Public Hearing on an Ordinance to Amend Title 14 of the Clark County Code | Back-up: |
| Petitioner: | Carel Carter, Director Real Property Management | Clerk Ref. # |
| Recommendation: | | |
| <p>That the Board of County Commissioners conduct a public hearing; and approve, adopt and authorize the Chair to sign an ordinance to amend Title 14 of the Clark County Code by adding new sections and amending existing sections to establish a free parking program for qualified alternative fuel vehicles; and providing for other matters properly related thereto. <i>(For possible action)</i></p> | | |

FISCAL IMPACT:

Fund #: N/A
Fund Center: N/A
Description: N/A
Added Comments: N/A

Fund Name: N/A
Funded Pgm/Grant: N/A
Amount: N/A

BACKGROUND:

Assembly Bill 511 was passed during the 2011 76th legislative session of the Nevada State Legislature. This legislation requires a local authority to adopt an ordinance on or before January 1, 2012, allowing free parking for qualified alternative fuel vehicles in public metered zones and parking lots.

This ordinance proposes to amend Title 14 of the Clark County Code to establish such a parking program that would apply to the parking facilities that are available for the general public under jurisdiction of Clark County (County). Currently, only the Lewis Professional Building Parking Garage and the Regional Justice Center metered lot are County controlled facilities that are open for use by the general public. AB 511 and the proposed ordinance do not apply to parking areas at McCarran International Airport.

The proposed ordinance amendment was introduced at the October 18, 2011 Board of County Commissioners meeting.

This item was presented to the County Long Range Planning Committee on October 6, 2011.

APPROVED (ORDINANCE NO. 3991) AS RECOMMENDED

Respectfully submitted,



CAREL CARTER, Director

Cleared for Agenda

11/11 MD

Agenda Item #

37

~~[Bracketed and stricken]~~ material is that portion being deleted
Underlined material is that portion being added

BILL NO. 10-18-11-1

SUMMARY – An ordinance amending Chapters 14.04 and 14.40 of the Clark County Code to establish a free parking program for qualified alternative fuel vehicles; and providing matters properly related thereto.

ORDINANCE
NO. 3991
(of Clark County, Nevada)

AN ORDINANCE AMENDING CHAPTERS 14.04 AND 14.40 OF THE CLARK COUNTY CODE TO ESTABLISH A FREE PARKING PROGRAM FOR QUALIFIED ALTERNATIVE FUEL VEHICLES; AND PROVIDING MATTERS PROPERLY RELATED THERETO.

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

SECTION 1. Title 14, Chapter 14.04, Section 14.04.290 is amended to read as follows:

14.04.290 Parking meter zone. The term "parking meter zone" means any restricted street, County-owned parking garage or lot upon which parking meters are installed and in operation.

SECTION 2. Title 14, Chapter 14.04 of the Clark County Code is amended to add a section as follows:

14.04.335 Qualified alternative fuel vehicle. The term "qualified alternative fuel vehicle" has the meaning ascribed to it in Nevada Revised Statutes.

SECTION 3. Title 14, Chapter 14.40, Section 14.40.050 of the Clark County Code is amended to read as follows:

14.40.050 Parking Meters. Except as otherwise provided in Section 14.40.055, ~~[H]~~it is unlawful and a violation of the provisions of this title for any person:

(a) To cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person, to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular meter zone;

(b) To permit any vehicle to remain or to be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space;

(c) To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or marking;

(d) To deface, injure, tamper with, operate or wilfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this title;

(e) To deposit or cause to be deposited in any parking meter any slugs, device, or metal substance or other substitutes for lawful coins.

SECTION 4. Title 14, Chapter 14.40 of the Clark County Code is amended to add a section as follows:

14.40.055 Parking for qualified alternative fuel vehicles. (a) Section 14.40.050 shall not require an operator of a qualified alternative fuel vehicle to deposit payment in a parking meter if the vehicle is lawfully displaying a current decal issued under this section.

(b) An operator of a qualified alternative fuel vehicle shall not be charged a fee for parking in a garage owned by Clark County where the public is charged a fee, if the vehicle is lawfully displaying a current decal issued under this section.

(c) Upon application by the owner or long-term lessee showing the vehicle is a qualified alternative fuel vehicle and upon payment of the fee required by this section, Clark County or its designee shall issue a decal identifying the vehicle as a qualified alternative fuel vehicle.

(d) The fee for the decal is \$10.00 per year.

(e) The decal shall be displayed and readily visible at the bottom of the passenger's side of the rear window of the vehicle for which it was issued.

(f) The decal shall expire at 12:00 midnight on December 31 of the year in which it was issued.

(g) This section shall not apply to parking at an airport governed by Clark County Code Chapter 20.08.

SECTION 5. This ordinance expires by limitation on January 1, 2018.

SECTION 6. 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 7. 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 8. 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 18th day of October, 2011.

PROPOSED BY: Commissioner Susan Brager

PASSED on the 1st day of November 2011.

AYES: Susan Brager

Lawrence L. Brown III

Tom Collins

Chris Giunchigliani

Mary Beth Scow

Steve Sisolak

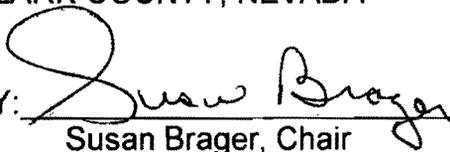
Lawrence Weekly

NAYS: None

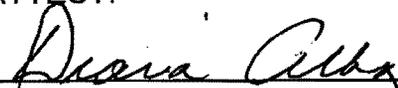
ABSTAINING: None

ABSENT: None

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

BY: 
Susan Brager, Chair

ATTEST:


DIANA ALBA, County Clerk

This ordinance shall be in force and effect from and after
the 15th day of November, 2011.



**ALTERNATIVE FUEL VEHICLE
PARKING DECAL APPLICATION**
Fee: \$10

FOR COUNTY USE ONLY

| | | | |
|------------------|------|------------------|---------------|
| OLD DECAL NUMBER | | NEW DECAL NUMBER | |
| OFFICE | DATE | ID# | TECH INITIALS |

An Alternative Fuel parking decal is issued to qualified alternative fuel vehicles for the purpose of parking.

| | | | |
|------------------------|-------------------------------|------|--------------------------------------|
| VEHICLE LICENSE NUMBER | VEHICLE IDENTIFICATION NUMBER | MAKE | OLD DECAL NUMBER (if being replaced) |
|------------------------|-------------------------------|------|--------------------------------------|

SECTION A

PRINTED
NAME(S) OF
REGISTERED
OWNER OF
RECORD

| | | | |
|---|------------------|-----------------------------|----------------|
| TRUE FULL NAME (LAST, FIRST, MIDDLE) | | DRIVER LICENSE OR ID NUMBER | |
| TRUE FULL NAME (LAST, FIRST, MIDDLE) | | DRIVER LICENSE OR ID NUMBER | |
| RESIDENCE OR BUSINESS ADDRESS | APT/SPACE NUMBER | CITY | STATE ZIP CODE |
| MAILING ADDRESS (IF DIFFERENT FROM ABOVE) | APT/SPACE NUMBER | CITY | STATE ZIP CODE |

SECTION B

ALTERNATIVE
FUEL VEHICLE
DECAL
REQUEST

Check appropriate box(es) in each category

I am requesting the following decal:

Original (\$10)

Replacement:

Lost/Stolen (\$10)

Destroyed or Mutilated (\$10)

Not received (No fee)

As specified on DMV records, the motive power is:

Hybrid (Plug-in)

Electric

Propane

Natural Gas

Other

Type Vehicle:

Auto/Commercial

Other (Specify)

SECTION C

MAILING
INSTRUCTIONS

Mail the following:

Completed application

Check or money order payable to Clark County

Mail to:

Clark County
Department of Real Property Management
500 S. Grand Central Parkway, 4th Floor
Las Vegas, NV 89155

Please allow three weeks processing and mail time.

SECTION D

CERTIFICATION

The registered owner mailing address is valid, existing, and an accurate mailing address. I consent to receive service of process at this mailing address pursuant to Vehicle Code Section 1808.21, Code of Civil Procedure Sections 415.20, subdivision (b), 415.30, subdivision (a), and 416.90. ***I certify under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.***

This document is executed in Clark County, Nevada, on _____ DATE

| | |
|-------------------------------|--------------------------|
| PRINTED NAME | DAYTIME TELEPHONE NUMBER |
| | () |
| SIGNATURE OF REGISTERED OWNER | DATE |
| X | |

Upon receipt, place the decal on the lower corner of the rear window (passenger's side). Retain the new registration card and decal receipt for identification purposes.