AN ORDINANCE AMENDING TITLE 20, OF THE CLARK COUNTY CODE, CHAPTER 20.08, SECTION 20.08.080, TO AMEND SCHEDULE OF CIVIL FINES ESTABLISHED AND SECTION 20.08.090, TO AMEND REDUCTION OF FINE – INCREASE OF FINE.

WHEREAS, The County of Clark, State of Nevada is the owner and operator of the Clark County Airport System, which includes the municipal airports known as McCarran International Airport, North Las Vegas Airport, Henderson Executive Airport, Jean Airport, and Overton Municipal Airport, or other airports or similar aviation facilities which may be owned and operated by Clark County, now or at any time in the future, hereinafter both collectively and individually referred to as “Airport,” and has established a policy of self-support for the Airport; and

WHEREAS, the County desires to update the schedule of civil fines to meet the current and projected operational demands of the Clark County Aviation System; and

WHEREAS, the County desires to update the Ground Transportation Sections, as previously approved; and

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

SECTION 1. Section 20.08.080 of the Clark County Code is hereby amended to read as follows:

(a) The schedule of civil fines which is contained below is established for infractions of the parking (nonmoving traffic) laws and regulations which are set forth in this chapter. The director of aviation is authorized to set applicable civil fines within the limits established in this chapter.

(1) Parking in an area not designated by the director of aviation for that particular vehicle:

   (A) "Courteous vehicles," "limousines," "taxicabs," “TNC Vehicles”, and "buses," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

   (B) All other violators, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;

(2) Parking and running an engine beyond the specified time limit where vehicle shut-off signs are posted:

   (A) "Courteous vehicles," "limousines," "taxicabs," “TNC Vehicles”, and "buses," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

   (B) All other violators, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;
(3) Parking in an area posted with a parking time limit, or in a space equipped with a parking meter, longer than the prescribed limit:

(A) "Courtesy vehicles," "limousines," "taxicabs," “TNC Vehicles”, and "buses," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

(B) All other violators, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;

(4) Parking outside of lines marking a single-vehicle parking space in a parking lot or outside of the proper parking spaces provided at a parking meter, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;

(5) Parking in a parking lot or designated parking spaces, without a valid decal, permit or hangtag:

(A) "Courtesy vehicles," "limousines," "taxicabs," “TNC Vehicles”, and "buses," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

(B) All other violators, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;

(6) Parking a vehicle in an area posted "no-parking zone":

(A) "Courtesy vehicles," "limousines," "taxicabs," “TNC Vehicles”, and "buses," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

(B) All other violators, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;

(7) Parking and leaving a vehicle unattended without a licensed driver in an area posted accordingly:

(A) "Courtesy vehicles," "limousines," "taxicabs," “TNC Vehicles”, and "buses," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

(B) All other violators, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;

(8) Parking or utilizing an area of the airport in violation of the automated vehicle identification system operating permit, concession agreement for per capita operations, transportation network company operating permit, or any other permit issued in accordance with this chapter:

(A) "Courtesy vehicles," "limousines," "taxicabs," “TNC Vehicles”, and "buses," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

(B) All other violators, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;

(9) Stopping a vehicle in an area posted "no stopping lane," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

(10) Parking in a passenger loading and unloading zone, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading as posted:

(A) "Courtesy vehicles," "limousines," "taxicabs," “TNC Vehicles”, and "buses," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than fifty dollars;

(B) All other violators, [up to one hundred fifty-five dollars] up to two hundred dollars but not less than twenty dollars;

(11) Parking a vehicle in an area posted or otherwise designated as a "fire lane," [up to one hundred fifty-five dollars] up to three hundred dollars but not less than twenty dollars;
(12) Commercial operations conducted in the parking garages or other designated public parking areas on airport property, without authorization in writing from the director of aviation or designee, up to one hundred fifty dollars but not less than fifty dollars.

(13) For any other violation of this chapter, up to one hundred fifty dollars but not less than twenty dollars.

(14) Parking a vehicle in a space or area posted with a "handicapped only" sign, or in a space which has a curb adjacent thereto painted blue and designated as a "handicapped only" space, without a proper handicapped permit or license plate or other proper authority, is a misdemeanor offense.

(15) Parking diagonally across designed lane markings:

(A) "Courtesy vehicles," "limousines," "taxicabs," "TNC Vehicles", and "buses," up to one hundred fifty dollars but not less than fifty dollars;

(B) All other violators, up to two hundred dollars but not less than twenty dollars;

(b) In addition to the above civil fines, any towing and/or storage fees incurred in connection with the removal of a vehicle pursuant to this chapter shall be assessed. Towing fees will not exceed three hundred dollars, excluding any applicable storage and/or parking fees that may be due. Said storage fees shall be assessed up to fifty dollars per day (twenty-four hour period). Any vehicle so towed and/or stored may be held and not released until said fees are paid.

(c) If any violation of this chapter exists for more than one day, it shall be deemed that a separate violation occurred on each of the days during which the chapter is violated. If a vehicle in any violation of this chapter changes location upon the airport property but remains in violation of the chapter, it shall be deemed that a separate violation occurred at each location.

SECTION 2 Section 20.08.090 of the Clark County Code is hereby amended to read as follows:

Section 20.08.090 – Reduction of fine – Increase of fine

(a) The Director of Aviation shall issue an operating directive setting the amount of the civil fines within the limits set forth in Section 20.08.080.

(b) The operating directive shall set forth whether the civil fine for any of the infractions described in Section 20.08.080 may be increased for a repeat offender. A repeat offender shall be defined as the registered owner and/or operator of the vehicle who within a twelve (12) month period of the initial citation, regardless if said citation was paid or not, is issued another citation for any of the infractions described in Section 20.08.080.

For a repeat offender issued a second infraction described in Section 20.08.080, the fine may be increased by fifty percent, but the total may not exceed four hundred fifty dollars.

For a repeat offender issued a third infraction described in Section 20.08.080, the fine may be increased by one hundred percent, but the total may not exceed six hundred dollars.

For a repeat offender issued four or more infractions described in Section 20.08.080, the fine may be increased by two hundred percent, but the total may not exceed nine hundred dollars, in addition the repeat offender vehicle may be immediately towed and impounded as set forth in the operating directive.

[4b] (c) The operating directive shall set forth whether or not the civil fine for each infraction described in Section 20.08.080 [shall] may be reduced by fifty percent if it is paid within ten days after the date on which the notice of infraction is issued.
The operating directive shall set forth whether the civil fine for any of the infractions described in Section 20.08.080 may be doubled increased by fifty percent, but the total may not exceed four hundred fifty dollars for an initial citation and up to one thousand three hundred fifty dollars for a repeat offender, if it is not paid within thirty days after the date on which the notice of infraction is issued.

The operating directive shall set forth whether or not the civil fine for any of the infractions described in Section 20.08.080 may be increased by five times the original civil fine by one hundred percent, but the total may not exceed six hundred dollars for an initial citation and up to one thousand eight hundred dollars for a repeat offender if not paid within sixty days on which the notice of infraction is issued.

The operating directive shall set be available for public inspection at the department of aviation administrative office during normal business hours.

SECTION 3. 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 4. 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 5. This Ordinance shall take effect and be in force from and after March 2, 2016, following 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 general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.
PROPOSED on the _______ day of ________________, 2016.

PROPOSED BY: Commissioner __________________________________________

PASSED on the _______ day of ________________, 2016.

VOTE: AYES: __________________________________________________________________

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NAYS: __________________________________________________________________

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ABSTAINING: __________________________________________________________________

ABSENT: __________________________________________________________________

ATTEST: BOARD OF COUNTY COMMISSIONERS

CLARK COUNTY, NEVADA

LYNN GOYA
County Clerk

By ______________________________
Chair

APPROVED AS TO FORM:
STEVEN B. WOLFSON, District Attorney

BY: ______________________________
(Deputy)