

Section ID:

Section:

Title: Littering (Bill No. 96-2; Ordinance No. 38)

Last Revised Date: 1/15/2003

Description:

AN ORDINANCE TO CONTROL THE PLACING, DEPOSITING, DUMPING AND BURNING OF LITTER, GARBAGE, DEBRIS, SEWAGE, SLUDGE OR DEAD ANIMALS AND PARTS THEREOF, PROVIDING A SHORT TITLE, DEFINITIONS; GENERAL VIOLATION; AUTHORIZED DISPOSAL SITE; DEAD ANIMALS DISPOSAL; EXCEPTIONS; PENALTIES THEREFOR; AND PROVIDING FOR SEVERABILITY AND OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the Town Board of the Town of Pahrump is granted authority under N.R.S. Chapter 269 to create and maintain an ordinance to control littering within the unincorporated Town of Pahrump, and

NOW, THEREFORE, THE TOWN BOARD OF THE UNINCORPORATED TOWN OF PAHRUMP, NYE COUNTY, NEVADA, DOES ORDAIN AS FOLLOWS:

Section:

38.000 Purpose of Ordinance

38.010 Short Title

38.100 Definitions

38.200 General Violation

38.300 Authorized Disposal Site

38.310 Dead Animals Disposal; Exceptions

38.400 Penalties

38.410 Severability

38.420 Repeal

38.430 Effective Date

38.000 PURPOSE OF ORDINANCE. To control the placing, depositing, dumping, and burning of litter, garbage, debris, sewage, sludge, or dead animals and parts thereof, providing for penalties and violations thereof and other matters properly relating thereto within the unincorporated Town of Pahrump, Nye County, Nevada.

38.010 SHORT TITLE. The Title by which this ordinance shall be known is the "PAHRUMP LITTERING ORDINANCE".

38.100 DEFINITIONS: For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein, unless the

context clearly indicates a different meaning: **GARBAGE:** Garbage/litter shall include swill, refuse, cans, bottles, paper, vegetable matter, offal or parts from any slaughtered or butchered animal, trash and rubbish.

38.200 GENERAL VIOLATION. Every person who places, deposits, or dumps, or who causes to be placed, deposited or dumped, or who causes or allows to overflow any sewage, sludge, cesspool, or septic tank effluent, or who allows accumulation of human excreta, or any garbage in or upon any street, alley, public highway or road, or upon any public park or other public property, or the real property of others, or upon real property of themselves, or anywhere other than a site authorized by the County or Town shall be guilty of a misdemeanor.

38.300 AUTHORIZED DISPOSAL SITE. The only disposal site at which any person may place, deposit, bury or dump litter, garbage, debris, or dead animals is that area designated by Nye County or the Town Board of Pahrump as a dump and which is supervised by the County or operated under license or franchise from the County or Town.

38.310 DEAD ANIMALS DISPOSAL; EXCEPTIONS. No person shall dispose of a dead animal or parts thereof other than at a site approved by either Nye County or the Town of Pahrump for that purpose. This section shall not apply to:

- (a) Animals buried in a licensed pet or animal cemetery.
- (b) Household small pets that are buried on the premises owned by the pet's owner, but no more than one (1) such pet per year.
- (c) Animals legally butchered for meat, but the unusable remains thereof are not exempt.
- (d) Animals otherwise disposed of in a manner ordered by a government agency of competent jurisdiction.
- (e) Those exemptions listed in the Animal Control Ordinance,

Section 18.782.

38.400 PENALTIES. Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor; and, upon conviction thereof, shall be punished as the Nevada Revised Statutes allow for a misdemeanor crime. 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 such 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 misdemeanor, the doing of any such prohibited act, or the failure to do any such required act, shall constitute a violation of this ordinance. Every day one violation of this Ordinance constitutes a separate offense.

38.410 SEVERABILITY. Every Section of this ordinance, and every part of each section hereof is hereby declared to be independent of each other and parts of sections, and the holding of any section or any part thereof to be voided or ineffective for any cause, shall not be deemed to affect nor shall it affect, any other section or part of section contained in this ordinance.

38.420 **REPEAL.** All ordinances, parts of ordinances, or chapters, sections, subsections or paragraphs or resolutions previously adopted by the Pahrump Town Board which are in conflict herewith are hereby repealed.

38.430 **EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, adoption and second publication in a newspaper printed and published within the Town of Pahrump, County of Nye, State of Nevada.

PTO NO. 38

PAHRUMP LITTERING ORDINANCE

Proposed on the 28th day of May, 1996.

Proposed by Board Member Steve Rainbolt.

Passed on the 23rd day of July, 1996.

VOTE: AYES:

__Signatures on file__

NAYS:

ABSENT:

ATTEST:

__Signature on file__

Town Clerk

Published in the Pahrump Valley Times on July 26 and July 31, 1996.