

Section ID:

Section:

Title: Offenses On Park Property PTO 63

Last Revised Date: 03/10/2009

Description:

AN ORDINANCE ENACTING CRIMINAL MISDEMEANOR OFFENSES ON PARK PROPERTY AND ENUMERATING PROHIBITED ACTS, PENAL TIES FOR VIOLATION, AND OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, the Town Board of the unincorporated Town of Pahrump finds that it has the power to enact and enforce ordinances regulating conduct on park property under NRS 269.125 and .575; and

WHEREAS, the Town Board desires to protect park property and maintain the public peace, morals, and welfare of the citizens of the Town; and

WHEREAS, the Town Board finds that enacting and enforcing this Ordinance is in the best interest of the citizens of the Town.

NOW, THEREFORE, the Town Board of the unincorporated Town of Pahrump, Nye County, Nevada, does hereby ordain as follows:

Section 1. **Definitions** The words and phrases defined in this section shall have the meanings indicated when used in this Ordinance.

(a) "Glass container" means a bottle or other container consisting in whole or in part of clear or translucent materials commonly known as glass, excluding plastic, paper and cardboard.

(b) "Park property" means any real property owned, operated or used by the Town of Pahrump as a public park.

(c) "Peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

Section 2. **Prohibited Acts** It shall be unlawful for any person to:

(a) Possess any glass container on park property;

(b) Construct, maintain or inhabit any structure, tent or any other thing on park property that may reasonably be expected to be used for housing or sleeping accommodations or camping, or storage of personal items;

- (c) Modify park property so as to create a shelter, or accumulate household furniture or appliances or construction debris on park property; or
- (d) Sleep on park property, or remain on park property for the purpose of sleeping, between the hours of 12:00 a.m. and 6:00 a.m. Notwithstanding the foregoing, the Town Manager or his or her designee may grant permission to engage in any of the foregoing activities in connection with any social, civic or other special group event, taking into account public peace, safety and sanitation and the general welfare of the Town. Before any peace officer may cite or arrest a person under this Ordinance, the officer must warn the person that his or her conduct is in violation of this Ordinance and must give the person an opportunity to comply with the provisions of this Ordinance.

Section 3. Penalty for Violation Any person found guilty of a violation of this Ordinance is guilty of a misdemeanor under the general laws of the State of Nevada and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six (6) months, or by both such fine or imprisonment, and additionally shall pay costs of suit. In no case shall costs be suspended.

Section 4. Severability If any section, sentence, clause, or phrase of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this Ordinance.

Section 5. 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.

Proposed by Town Board Member
Seconded by Town Board Member
Adopted on the 10th day March, 2009