

ORDINANCE NO. 4043
Amend Henderson Municipal Code Chapter 10.06 – Parking Regulations Adopted

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND CHAPTER 10.06 – PARKING REGULATIONS ADOPTED – OF THE HENDERSON MUNICIPAL CODE, TO ADD RESTRICTIONS AND ADMINISTRATIVE ENFORCEMENT PROVISIONS REGARDING THE PARKING OF COMMERCIAL AND RECREATIONAL VEHICLES.

- WHEREAS, Ordinance No. 1663 was adopted on March 19, 1996, adopting certain parking laws of the Nevada Revised Statutes (NRS); and
- WHEREAS, Ordinance No. 3169 was adopted on June 3, 2014, amending Chapter 10.06 to correspond with NRS changes; and
- WHEREAS, the City has experienced an increase in nuisance complaints and safety concerns from residents regarding commercial vehicles, recreational vehicles (RV), and trailers being parked and stored on public streets and in public rights-of-way; and
- WHEREAS, the parking of large commercial vehicles, RVs and trailers near schools and parks presents a safety risk to students and children who need to safely use sidewalks and crosswalks, as well as to parents and other drivers attempting to navigate busy streets during high traffic times, such as school drop-off and pick-up hours and sporting events; and
- WHEREAS, the parking and storage of large commercial vehicles and RVs on residential streets is not compatible with residential uses and presents a safety risk to pedestrians and drivers using narrower residential streets; and
- WHEREAS, both the City Charter and NRS grant the City the authority to address obstructions of rights-of-way and traffic violations, including standing, stopping, and parking on public streets, and the authority to abate nuisances; and
- WHEREAS, it is in the best interest of the public to adopt additional rules and regulations related to obstructions of public rights-of-way and public streets, and the parking and storage of certain vehicles, and to implement administrative enforcement provisions to prevent and cite violations; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Chapter 10.06 Parking Regulations Adopted is hereby amended by adding new section 10.06.020:

[10.06.020 Unlawful parking of commercial vehicles](#)

1. It is unlawful to stand, park or store a commercial vehicle, trailer, mobile billboard, or any combination of vehicle and trailer having an overall length of 24 feet or more or an unladen weight greater than 10,000 pounds:

(a) On any public street or public right-of-way in or adjacent to any residential district;

(b) On any public street or public right-of-way adjacent to any public school or public park; and

(c) On any public street or public right-of-way where the city has posted signs prohibiting the parking of such vehicles.

2. The provisions of paragraph 1 do not apply to:

(a) A commercial vehicle that is parked in front of property from which or to which goods or passengers are being picked up or delivered, but only for that period during which goods or passengers are being expeditiously loaded or unloaded. In no event may the commercial vehicle stand or park between the hours of 7 p.m. and 7 a.m.;

(b) A commercial vehicle that is being used in conjunction with the performance of service, repair, construction or similar essential use within the immediate neighborhood and is parked in front of the property where the work or construction is being performed; and

(c) Any vehicle parked as permitted by posted sign.

3. For purposes of this chapter, "commercial vehicle," and "trailer" shall have the definitions set forth in HMC Title 19, Chapter 19.37.

4. For purposes of this chapter, "mobile billboard" means one or more sign structures that are mounted on a vehicle or trailer and are used for general advertising or advertising for hire. The term does not include signs that are displayed or installed on:

(a) A bus, taxicab or similar vehicle that is used primarily for the purpose of transporting multiple passengers; or

(b) A vehicle operated in the normal course of the vehicle owner's business, if the signs contain advertising or identifying information directly related to the business and are not used to display advertising unrelated to that business.

SECTION 2. Chapter 10.06 Parking Regulations is hereby amended by adding new section 10.06.030:

Section 10.06.030 - Reserved

Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is read and enclosed in [brackets], and language proposed to be added is *in blue italics and underlined*.

Amend Henderson Municipal Code Chapter 10.06 – Parking Regulations Adopted

SECTION 3. Chapter 10.06 Parking Regulations is hereby amended by adding new section 10.06.040:

10.06.040 Abandoned vehicles on public roads or property

1. It is unlawful to stand, park, or store an abandoned vehicle, as defined in HMC 15.12.020, upon any highway, street, public thoroughfare or other public right-of-way.

2. It is unlawful to stand, park or store an abandoned vehicle, as defined in HMC 15.12.020, upon public property without the consent of the owner or person in control or management of the public property through a permit or other written authorization.

SECTION 4. Chapter 10.06 Parking Regulations is hereby amended by adding new section 10.06.050:

10.06.050 – Public nuisance

Violation of any of the provisions of this chapter is a threat to public health, safety, and welfare and is declared and deemed a nuisance by the City Council.

SECTION 5. Chapter 10.06 Parking Regulations is hereby amended by adding new section 10.06.060:

10.06.060 Violation Notice - when towing allowed – other penalties

1. Any officer of the City of Henderson police department, city marshal, or public response officer (code enforcement) who has reasonable grounds to believe that a vehicle has been parked or stored in violation of this chapter may affix a violation notice advising that:

(a) The vehicle is in violation of HMC Chapter 10.06;

(b) The vehicle is subject to being towed if not removed within the time specified on the affixed violation notice, which shall not be less than 72 hours;

(c) In addition to any other penalty provided for, and in accordance with the provisions of HMC 1.04, the vehicle's registered owner may be issued an administrative citation and civil penalty not to exceed \$500 per occurrence; but no such penalty shall be assessed for the first violation to a registered owner of a vehicle which is in violation of HMC 10.060.303; and

Amend Henderson Municipal Code Chapter 10.06 – Parking Regulations Adopted

(d) The vehicle's registered owner may appeal the violation notice and/or citation and obtain a hearing pursuant to the procedures set forth in HMC Chapter 15.12.060.B.6.

2. In addition to any other penalty provided for, and subject to the provisions of NRS Chapters 484B and 487, any officer of the City of Henderson police department, city marshal, or code enforcement officer is authorized to immediately remove or have such vehicle removed from any street, highway, public thoroughfare, public or private property, or public right-of-way for the purpose of storage or disposition, to any garage within the city as designated by the officer or employee if the vehicle:

(a) Is parked within a fire lane, whether on public or private property, which has been designated and posted as such pursuant to the city's fire code.

(b) Is parked within fifteen (15) feet of a fire hydrant located on either public or private property, whether or not a sign has been posted to indicate "No Parking" or the adjacent curb or road surface has been painted red.

3. The towing of any abandoned vehicle, illegally parked vehicle, recreational vehicle, commercial vehicle, trailer or mobile billboard in accordance with the provisions of this chapter shall be at the expense of the owner. The tow car operator shall, to the extent practicable and using the shortest and most direct route, remove the abandoned vehicle, recreational vehicle, commercial vehicle, trailer or mobile billboard to the closest facility of the tow car operator.

4. Moving of the abandoned vehicle, trailer, recreational vehicle, commercial vehicle, or mobile billboard short distances with the intent of avoiding the time limitations set forth in this chapter is insufficient to comply with the requirements of this chapter.

SECTION 6. Chapter 10.16.0200 Enforcement authority of police and fire department officials is hereby amended as follows:

10.16.0200 Enforcement authority of police and fire department officials, and other enforcement officers.

It is the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all traffic laws of this city and all of the state vehicle laws applicable to traffic in this city. City code enforcement officers are authorized to take administrative enforcement action as provided in Chapter 10.06.

Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is read and enclosed in [brackets], and language proposed to be added is in blue italics and underlined.

SECTION 7. Chapter 10.60.080 Parking of overweight vehicles in a residence district prohibited is hereby amended as follows:

10.60.080 Reserved [Parking of overweight vehicles in residence district prohibited.

No person shall stand or park a vehicle in excess of 8,000 pounds unladen weight in any residence district, except when actually and expeditiously engaged in the loading or unloading of merchandise or when such vehicle is being used in conjunction with the performance of service, repair, construction or similar essential use within the immediate neighborhood.]

SECTION 8. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

SECTION 9. All ordinances, or parts of ordinances, sections, subsection, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 10. A copy of this Ordinance shall be filed with the office of the City Clerk and notice of such filing shall be published once by title in the Las Vegas Review-Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance (Initial Publication). Following adoption by the City Council, this Ordinance shall be published by title together with the names of the Council members voting for or against passage (Final Publication). This Ordinance is scheduled for Final Publication on Friday, November 8, 2024, in the Las Vegas Review-Journal, at which time it will become effective.

//

//

//

//

//

Editor’s Note: Pursuant to City Charter Section 2.090(3), language to be omitted is read and enclosed in [brackets], and language proposed to be added is in blue italics and underlined.

PASSED, ADOPTED, AND APPROVED THIS 6TH DAY OF NOVEMBER, 2024.

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on October 15, 2024, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on November 6, 2024, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held November 6, 2024, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Michelle Romero, Mayor

Councilmembers:

Carrie Cox

Jim Seebock

Dan K. Shaw

Dan H. Stewart

Those voting nay: None

Those abstaining: None

Those absent: None

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

Editor’s Note: Pursuant to City Charter Section 2.090(3), language to be omitted is read and enclosed in **[brackets]**, and language proposed to be added is *in blue italics and underlined*.