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AMENDED BY

Bill No. 598

Introduced by: Cooper

ord. 28

ORDINANCE NO. 540

AN ORDINANCE PROHIBITING ACTS OF VAGRANCY; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING A PORTION OF ORDINANCE NO. 28 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND OTHER MATTERS PROPERLY PERTAINING THERETO.

The City Council of Boulder City do ordain:

SECTION 1. UNLAWFUL ACTS. It shall be unlawful for any person to engage in any of the following acts of vagrancy:

- A. Solicits anyone to engage in or who engages in lewd or dissolute conduct in any public place or in any place open to the public or exposed to public view;
- B. Solicits, engages in or accepts an offer to engage in any act of prostitution; provided, however, that all law enforcement officers acting in the performance of their official duties, and any person working under their immediate direction, supervision or instruction, are immune from prosecution under this subsection for acts which would otherwise be unlawful under this subsection but which are reasonably necessary in the performance of their official duties;
- C. Is a pimp, panderer or procurer or lives in or about houses of prostitution;
- D. Accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms;
- E. Goes from house to house begging food, money or other articles, or seeks admission to such houses upon frivolous pretexts for no other apparent motive than to see who may be therein, or to gain an insight of the premises;
- F. Keeps a place where lost or stolen property is concealed;
- G. Loiters in or about any toilet open to the public for the purpose of engaging in or soliciting any lewd or lascivious or any unlawful act;
- H. Loiters or wanders upon the streets or from place to place without apparent reason or business and who refuses to identify himself and to account for his presence when requested by any peace officer so to do, if the surrounding circumstances are such as to indicate to a reasonable man that the public safety demands such identification;
- I. Loiters, prowls or wanders upon the private property of another, in the nighttime, without visible or lawful business with the owner or occupant thereof, or who, while loitering, prowling or wandering upon the private property of another, in the nighttime, peeks in the door or window of any inhabited building or structure located thereon, without visible or lawful business with the owner or occupant thereof; or

J. Lodges in any building, structure or place, whether public or private, without the permission of the owner or person entitled to the possession or in control thereof.

SECTION 2. PENALTIES FOR VIOLATIONS. Any person, firm, corporation or others violating the provisions of this Ordinance shall be guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than five hundred dollars (\$500.00) or be imprisoned in the City Jail for not more than six (6) months, or by both such fine and imprisonment.

SECTION 3. VALIDITY. Each section and each provision or requirement of any section of this Ordinance shall be considered separable, and the invalidity of any portion shall not affect the validity or enforceability of any other portion.

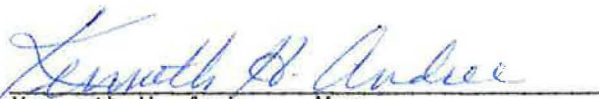
SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective the 16th day of June, 1975.

SECTION 5. PUBLICATION. The City Clerk shall cause this Ordinance to be published on Thursday, the 15th day of May, 1975 in the Boulder City News, a weekly newspaper, published in Boulder City, Nevada.

ATTEST:



Lorraine H. Kautz, City Clerk


Kenneth H. Andree, Mayor

The foregoing Ordinance was first proposed and read by title to the City Council on the 22nd day of April, 1975, which was a regular meeting; thereafter, the proposed Ordinance was read in the manner required by law at a regular meeting on the 13th day of May, 1975, and adopted by the following vote:

VOTING AYE: Cooper, Mondt, Sweeney, Tobler and Andree

VOTING NAY: NONE


ABSENT: NONE

APPROVED:

ATTEST:



Lorraine H. Kautz, City Clerk


Kenneth H. Andree, Mayor

(Seal)