

~~[Stricken and bracketed]~~ material is that portion being deleted
Underlined and bolded material is that portion being added

BILL NO. _____

SUMMARY – An Ordinance to Amend Title 13.040.260 relating to explosive and fireworks and related civil penalties.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 13.04.260 OF THE CLARK COUNTY CODE RELATING TO EXPLOSIVES AND FIREWORKS AND RELATED CIVIL PENALTIES AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION ONE. Title 13.04.260 of the Clark County Code is hereby amended to read as follows:

A subsection, designated “5609 Consumer Fireworks,” is amended to read as follows:

5609.1.4 Civil Penalty ~~[Administrative Citations]~~. Any person violating any of the provisions, or failing to comply with any of the requirements, of Title 13 Section 13.04.260 of this Code, may be issued a civil **penalty** ~~[administrative citation]~~ by the fire chief, building official or police chief or their designated representative authorized to issue misdemeanor citations, or other civil notices, for such violations. The **civil penalty** ~~[fines schedule for such administrative citation]~~ shall be as follows:

- (a) ~~[For a first violation, a fine not exceeding two hundred fifty dollars plus costs including, but not limited, to disposal costs].~~ **If the gross weight of the**

fireworks, including the packaging is less than 100 pounds the civil penalty shall be:

(1) \$500 plus costs including, but not limited, to disposal costs for the first violation; and

(2) \$1,000 plus costs including, but not limited, to disposal costs for a second violation within three (3) years.

~~(b) [For subsequent offences within one year of the first offense, a fine not exceeding five hundred dollars plus costs including, but not limited to, disposal costs.]~~ **If the gross weight of the fireworks, including the packaging is more than 100 pounds but less 5,000 pounds than the civil penalty shall be \$5,000 plus costs including, but not limited to, disposal costs.**

(c) If the gross weight of the fireworks, including the packaging is more than 5,000 pounds than the civil penalty shall be \$10,000 plus costs including, but not limited to, disposal costs.

The civil penalties assessed in this section shall not be imposed against a person who has been issued a license or permit under Title 13.04 to sell or distribute fireworks nor can they be imposed against a child under the age of eighteen (18) unless the child is emancipated.

SECTION TWO. 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 THREE. 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 FOUR. This ordinance shall take effect and be in force from and after 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 a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the _____ day of _____, 2022.

PROPOSED BY: _____

PASSED on the _____ day of _____ 2022.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By: _____

JAMES B. GIBSON, Chair

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after
the _____ day of _____ 2022.