

CLARK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

Petitioner: Jeffrey M. Wells, Deputy County Manager

Recommendation:

Conduct a public hearing and approve, adopt and authorize the Chair to sign an Ordinance to amend Title 12 of the Clark County Code to add a new Chapter 12.02 (“Order Out Corridor”) to establish the boundaries of an “Order Out Corridor,” to provide for circumstances when a court may impose an order to stay out of the “Order Out Corridor” as a condition of a suspended sentence or deferred adjudication of any criminal offense, and to render a violation of an order to stay out of the “Order Out Corridor” a misdemeanor offense; to amend Title 12, Chapter 12.05 to abolish the Misdemeanor Drug-Related Activity - Order Out Corridor; to amend Title 12, Chapter 12.08 to abolish the Prostitution-Related Activity - Order Out Corridor; and providing for other matters properly relating thereto. (For possible action)

FISCAL IMPACT:

Fund #:	N/A	Fund Name:	N/A
Fund Center:	N/A	Funded PGM/Grant:	N/A
Amount:	N/A		
Description:	N/A		
Additional Comments:	N/A		

BACKGROUND:

Existing Clark County Code provides that a justice of the peace may order a defendant convicted of misdemeanor drug-related or prostitution-related offenses to “stay out” of specifically delineated geographic areas within the County. Chapter 12.05 of the Clark County Code establishes the boundaries of an “Order Out Corridor” for a defendant convicted of misdemeanor drug-related activity, while certain provisions of Chapter 12.08 establish the boundaries of an “Order Out Corridor” for prostitution-related activity.

This proposed ordinance will eliminate both existing “Order Out Corridors” and instead create one “Order Out Corridor.” The boundaries of this “Order Out Corridor” will generally extend from Sahara Avenue in the north to Russell Road in the South, and from Arville in the west to Paradise Road in the east.

Pursuant to the proposed ordinance, following either a conviction or deferred adjudication for any criminal offense, a justice of the peace or district court judge may order a defendant to stay out of the “Order Out Corridor” as a condition of court-ordered supervision for a period not to exceed one (1) year. A violation of the court’s order would itself constitute a misdemeanor offense and subject the offender to arrest. The proposed ordinance would not supplant the supervising court’s power to impose a sentence of imprisonment for the underlying offense or to find a defendant in contempt of court for violating the court’s order.

The ordinance was introduced on July 19, 2022, Board meeting.

Cleared for Agenda

08/02/2022

File ID#

22-1114