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Underlined material is that portion being added

BILL NO. 11-21-23-1

SUMMARY – Establishes Pedestrian Flow Zones on Pedestrian Bridges and up to 20 feet surrounding a touchdown structure.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 16 OF THE CLARK COUNTY CODE TO ADD A NEW CHAPTER 16.13 TO ESTABLISH PEDESTRIAN FLOW ZONES ON PEDESTRIAN BRIDGES AND UP TO 20 FEET SURROUNDING A TOUCHDOWN STRUCTURE; 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 1. Title 16 of the Clark County Code is amended as follows:

CHAPTER 16.13 – PEDESTRIAN FLOW ZONES

16.13.010 – Purpose.

The pedestrian bridges located within the world-famous Las Vegas Strip provide above grade access for the visitors, employees, and residents of Clark County to safely cross the roadways located within the Las Vegas Strip. The pedestrian bridges are part of the sidewalk system of the Las Vegas Strip and were created for the purpose of separating pedestrian traffic from vehicular traffic to facilitate pedestrians crossing in those locations. Pedestrians are prohibited from crossing at grade level where pedestrian bridges are located. The pedestrian bridges were designed for the specific purpose of

facilitating such crossings at all foreseeable levels of demand which can vary significantly and unpredictably regardless of day or time of day. The parameters for the pedestrian bridge design did not include uses beyond pedestrian traffic crossing from one side to the other side. The parameters included that pedestrians would not stop, stand or congregate other than for incidental and fleeting viewing of the Las Vegas Strip from the pedestrian bridge. For pedestrians to be able to stop, stand or congregate for any other reason, the pedestrian bridges would have been designed differently to account for such uses.

Stopping on the pedestrian bridges creates conditions that can foment disorder which, in turn, can lead to crime and serious safety issues. Because pedestrian traffic demand on the bridges varies significantly and unpredictably regardless of day or time of day, it is impossible to know in advance when stopping will result in criminal or otherwise dangerous conditions (whether involving the particular pedestrian who has stopped or others) and because of the physical nature of the pedestrian bridges, by the time such conditions exist, it would often be too late for law enforcement or other first responders to intervene, mitigate, render aid, rescue, or take other actions necessary as a result of crime and other serious safety issues. In recent years, numerous incidents have occurred that underscore these concerns. There is an ever-increasing demand as visitation numbers have reached near historical levels. Clark County continues to attract major sporting events and has become the home to major sports teams. Clark County has a substantial government interest in providing safe pedestrian access on the Las Vegas Strip. The increased number and frequency of high-profile attacks in places of public gatherings throughout the country have contributed to the occurrence of threats and

perceived threats that result in public panic and immediate and unexpected demand on pedestrian bridges as in an event of flight by large groups of people.

From 2018 to 2022, calls for law enforcement services on the Las Vegas Strip have increased twenty-nine percent (29%) from 37,598 in 2018 to 48,358 in 2022. The service calls for disorderly offenses increased twenty-three percent (23%) from 6,981 in 2018 to 8,750 in 2022. While the pedestrian bridges constitute only approximately six percent (6%) of the total linear feet of public sidewalks available to pedestrians, the service calls for disorderly conduct on the pedestrian bridge are almost twice as high. In addition to the disproportionate call volume on pedestrian bridges, the pedestrian bridges create a unique opportunity for criminal disorder as the bridges create a captive audience. Generally, in order for a pedestrian to cross Las Vegas Boulevard the pedestrian must use the bridge, therefore, unlike on a sidewalk where a pedestrian has a greater ability to avoid disorder, on the pedestrian bridge, the pedestrian is confined to the restricted space of the pedestrian bridge.

The Board has a substantial government interest in ensuring public safety on the pedestrian bridges. The Board finds that adoption of Pedestrian Flow Zones is a narrowly tailored means to accomplish the County's important objective of reducing the incidence and risk of crime and serious safety issues on pedestrian bridges and allows pedestrians to freely and safely get to their desired location. The pedestrian bridges represent only six percent (6%) of the total linear feet of the public sidewalk available to pedestrians within the Las Vegas Strip, to the extent the Pedestrian Flow Zones have some incidental impact on the manner of First Amendment activity, (people must continue to move, whether engaged in First Amendment activity or not), there is ample alternative means of

communication on the other approximately ninety-four percent (94%) of the sidewalks located within the Las Vegas Strip. Therefore, for the reasons described herein, the Board hereby adopts the following ordinance.

16.13.020 - General definitions.

“Pedestrian Bridges” are bridges located in the Resort Corridor that allow pedestrians to cross streets in the Resort Corridor above grade level. For the purposes of this chapter, “pedestrian bridges” shall include bridges for pedestrians in the Resort Corridor that are private property upon which a limited easement of public access has been granted. However, no provision of this chapter shall be construed to limit any right of the private property owner to restrict or limit the use of that private property.

“Pedestrian Flow Zones” include the Pedestrian Bridges and up to 20 feet surrounding a Touchdown Structure located within the Resort Corridor.

“Resort Corridor” includes the boundaries established by Sections 9, 10, 15, 16, 17, 18, 20, 21, 22, 27, 28 and 29 of Township 21 South Range 61 East, Mount Diablo Meridian, Clark County, Nevada.

“Touchdown Structure” means the elevators, escalators and stairways located on the public right of way associated with Pedestrian Bridges.

16.13.030 – Pedestrian Flow Zones. To maintain the safe and continuous movement of pedestrian traffic, it is unlawful for any person to stop, stand, or engage in an activity that causes another person to stop or stand within any Pedestrian Flow Zone.

16.13.040 – Designation of Pedestrian Flow Zones. The County shall place signs in Pedestrian Flow Zones providing notice to the public they are in a Pedestrian Flow

Zone and that stopping, standing, or engaging in an activity that causes another person to stop within the Pedestrian Flow Zone is not permitted.

16.13.050 – Penalty for Violation. Any person who violates any of the provisions of this chapter is guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail for a term not to exceed six months or by a fine not to exceed one thousand dollars, or by both such fine and imprisonment.

SECTION 2. 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 3. 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 4. 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 _____, 2023.

PROPOSED BY: _____

PASSED on the ____ day of _____ 2024.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By: _____
Chair

ATTEST:

LYNN GOYA, County Clerk

This ordinance shall be in force and effect from and after the _____ day
of _____ 2024.