

EXPLANATION: Matter underlined is new; matter in brackets and stricken [--] is material to be repealed.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL TITLE 8, CHAPTER 8.12 SECTION 8.12.015 OF THE RENO MUNICIPAL CODE ENTITLED “SITTING OR LYING DOWN ON PUBLIC SIDEWALKS IN THE DOWNTOWN RENO REGIONAL CENTER”; AND OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1. Title 8, Chapter 8.12, § 8.12.015 of the Reno Municipal Code is hereby repealed as follows:

~~Sec. 8.12.015. Sitting or lying down on public sidewalks in the Downtown Reno Regional Center.~~

~~(a) Preamble. The Reno City Council finds and declares as follows:~~

- ~~(1) Public sidewalks in the Downtown Reno Regional Center are created and maintained for the primary purposes of enabling pedestrians to safely and efficiently move about from place to place, facilitating deliveries of goods and services, and providing convenient access to entertainment, goods and services.~~
- ~~(2) The public sidewalks in the Downtown Reno Regional Center are prone to congestion, and should be kept available to serve these primary purposes.~~
- ~~(3) Except in places provided therefor or where necessary, sitting or lying on the public sidewalks in the Downtown Reno Regional Center interferes with the primary purposes of the public sidewalks, threatens public safety and damages the public welfare.~~
- ~~(4) Pedestrians, particularly the elderly, disabled, or vision impaired are put at increased risk when they must see and navigate around individuals sitting or lying upon the public sidewalk.~~
- ~~(5) The public welfare is promoted by an economically healthy downtown area which attracts people to shop, recreate, work and be entertained. These areas provide easily accessible goods and services, employment opportunities, the tax revenues necessary to support essential public services, and economic productivity necessary to maintain and improve property within these areas.~~
- ~~(6) In some circumstances people sitting or lying on the sidewalks deter many members of the public from frequenting the downtown area, which contributes to undermining the essential economic vitality of this area. Business failures and relocations can cause vacant buildings which contribute to a spiral of deterioration and blight which harms the public health, safety and welfare. An important factor in protecting public safety is~~

attracting people to the streets and sidewalks of the city's Downtown Reno Regional Center, because the presence of many law abiding citizens serves as a deterrent to crime and increases the public's sense of security and the safety of all.

- (7) ~~There are numerous other places within the Downtown Reno Regional Center and adjacent areas where sitting or lying down can be accommodated without unduly interfering with the safe flow of pedestrian traffic, impairing commercial activity, threatening public safety or harming the public welfare. The limited regulation of sitting or lying down on sidewalks is both reasonably necessary and appropriately balances the public interest and individual rights.~~
- (b) ~~Except as otherwise provided in this section, no person shall sit or lie down upon a public sidewalk, or upon a blanket, chair, stool, or any other object placed upon a public sidewalk in the Downtown Reno Regional Center, which shall be defined as the area within the exterior boundary bounded by the following named streets: commencing at the south right-of-way line of I-80 and the east side of Keystone Avenue, then south along Keystone Avenue to the north bank of the Truckee River then east along the Truckee River to the east side of Arlington Avenue, then south on Arlington Avenue to one parcel south of California Avenue, then east following the south property lines of the parcels located on the south side of California Avenue to one parcel east of Forest Street, then north to the south side of California Avenue, then east to the east side of South Virginia Street, then north along South Virginia Street to the north side of Stewart Street, then east on Stewart Street to the west side of Wells Avenue, then north along Wells Avenue to the south right-of-way line of I-80, then west along I-80 to the east side of Keystone Avenue, the point of beginning.~~
- (c) ~~The prohibition in subsection (b) shall not apply to any person:~~
- ~~(1) Sitting or lying down on a public sidewalk due to a medical emergency;~~
 - ~~(2) Who, as the result of a disability, utilizes a wheelchair, walker or similar device to move about the public sidewalk;~~
 - ~~(3) Operating or patronizing a commercial establishment conducted on the public sidewalk pursuant to a street use permit; or a person participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event conducted on the public sidewalk pursuant to a street use or other applicable permit.~~
 - ~~(4) Sitting on a chair or bench located on the public sidewalk which is supplied by a public agency or by the abutting private property owner; or~~
 - ~~(5) Sitting on a public sidewalk with a bus stop zone while waiting for public or private transportation.~~

Nothing in any of these exceptions shall be construed to permit any conduct which is prohibited by section 8.12.042 of the Reno Municipal Code (blocking of sidewalks).

- (d) ~~No person shall be charged with a violation of this section unless the person engages in conduct prohibited by this section after having been notified by a law enforcement officer that the conduct violates this section.~~
- (e) ~~The provisions of this section are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this section, or the invalidity of the application thereof to any person or circumstance shall not affect the~~

~~validity of the remainder of this section, or the validity of its application to other persons or circumstances.~~

~~(f) Any person who violates this section shall be guilty of a misdemeanor.~~

SECTION 2. The Reno City Council hereby finds that this ordinance is not subject to the requirements of Chapter 237 of NRS, Business Impact Statement process.

SECTION 3. This Ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 4. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this ____ day of _____, 20__, by the following vote of the Council:

AYES: _____

NAYS: _____

ABSTAIN: _____ ABSENT: _____

APPROVED this ____ day of _____, 20__.

MAYOR OF THE CITY OF RENO

ATTEST:

CITY CLERK AND CLERK OF THE CITY COUNCIL
OF THE CITY OF RENO, NEVADA

EFFECTIVE DATE: