

EXPLANATION: Matter underlined is new; matter in brackets and stricken [--] is material to be repealed.

BILL NO. ____

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND TITLE 8, CHAPTER 8.10, OF
THE RENO MUNICIPAL CODE ENTITLED “OFFENSES
AGAINST PROPERTY”, PROHIBITING TRESPASSING
UPON RAILROAD TRACKS; AND OTHER MATTERS
PROPERLY RELATING THERETO.**

THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1. Title 8, Chapter 8.10, § 8.10.011 of the Reno Municipal Code is hereby added to read as follows:

Sec. 8.10.011 – Trespassing upon railroad tracks.

(a) Preamble. As adopted by the United States Department of Transportation Federal Railroad Administration, the Reno City Council finds and declares as follows:

- (1) It is illegal to access private railroad property anywhere other than a designated pedestrian or roadway crossing.
- (2) Trespassers are most often pedestrians who walk across or along railroad tracks as a shortcut to another destination.
- (3) Some trespassers are loitering or engaged in recreational activities such as taking photographs, jogging, bicycling, hunting, or operating recreational off-highway vehicles (ROVs).
- (4) Riding ROVs along railroad tracks leads to erosion of an important part of the track foundation known as ballast, or the rock and soil material that supports the ties and rail.
- (5) Damage to the ballast degrades the entire track structure and can lead to a train derailment – which can cause a hazardous materials spill or damage to other people and property.
- (6) Finally, ReTRAC creates a unique landscape to the City of Reno which makes it a matter of local concern pursuant to NRS 268.003.

(b) Any person who enters or remains within 100 feet of a railroad track without the permission of the owner of the land, the owner’s agent, or the person in lawful possession and whose entry, presence, or conduct upon the property interferes with, interrupts, hinders, or which, if allowed to continue would interfere with, interrupt, or hinder the safe and efficient operation of any locomotive, railway car or train is guilty of a misdemeanor.

(c) The measurement of 100 feet shall be from the most outer points of the railroad track extending out in each direction.

(d) This section does not prohibit picketing in the immediately adjacent area of the property of any railroad property or any lawful activity by which the public is informed of the existence of an alleged labor dispute.

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 _____, 2024, by the following vote of the Council:

AYES: _____

NAYS: _____

ABSTAIN: _____ ABSENT: _____

APPROVED this ____ day of _____, 2024.

MAYOR OF THE CITY OF RENO

ATTEST:

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

EFFECTIVE DATE: