

ORDINANCE NO. _____
DISORDERLY CONDUCT PROHIBITION

SUMMARY - LINCOLN COUNTY ORDINANCE NO. _____ AMENDS THE COUNTY CODE TO PROVIDE A NEW CHAPTER PROHIBITING VARIOUS ACTS CONSTITUTING DISORDERLY CONDUCT AND CREATING PENALTIES FOR VIOLATIONS OF THOSE PROHIBITIONS.

TITLE - LINCOLN COUNTY ORDINANCE NO. _____, AN ORDINANCE ENTITLED "DISORDERLY CONDUCT", WHICH AMENDS THE COUNTY CODE TO ADD CHAPTER 4 TO TITLE 7 TO SET FORTH PROVISIONS ADOPTING NEW PROHIBITIONS CONCERNING VARIOUS ACTS CONSTITUTING DISORDERLY CONDUCT.

WHEREAS, The County has, pursuant to NRS 244.357, enacted and enforced local police and sanitary ordinances and regulations, including: loitering and prowling ordinances; all vehicular, pedestrian and other traffic within the unincorporated area of the county; provide generally for the public safety on public streets, publicly owned parking lots, parking areas to which the public is invited and the public rights-of-way; the length of time for which vehicles may be parked upon the public streets and publicly owned parking lots;

WHEREAS, the County Board of Commissioners finds it necessary and prudent to protect and maintain the health, safety, and welfare of the County by prohibiting certain disorderly, lewd, or dissolute conduct;

NOW, THEREFORE, the Lincoln County Board of Commissioners does hereby ordain as follows:

Title 7 of the LINCOLN County Code is amended by adding a new chapter, Chapter 4, which shall read as follows:

Chapter 4

Disorderly conduct.

A. A person commits disorderly conduct if:

1. The person refuses to comply with the lawful order of the police to move from a public place, or knowingly creates a hazardous or physically offensive condition, by any act which serves no legitimate purpose; or
2. The person intends to cause or recklessly creates a risk of public inconvenience, annoyance, alarm; and
 - a. engages in fighting or in violent, tumultuous, or threatening behavior;
 - b. challenges another person to fight;
 - c. makes unreasonable noises in a public place;

- d. makes unreasonable noises in a private place which can be heard in a public place;
- e. obstructs vehicular or pedestrian traffic;
- f. uses profane, indecent, or obscene language to address another person;
- g. breaches the peace;
- h. incites a disturbance; or
- i. interferes with, annoys, accosts, or harasses any other person which conduct by its nature would tend to incite a disturbance.

B. "Public place" for the purpose of this section, means any place to which the public or a substantial group of the public has access ands includes but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

C. A person who violates any provision this chapter shall be punished for a misdemeanor by imprisonment in the county jail for 6 months and by a fine of not less than \$250.00 nor more than \$1,000.00.

UPON ADOPTION, the County Clerk of Lincoln County is hereby directed to have this Ordinance published, by title only, together with an adequate summary including any amendments, once in a newspaper published in the County, if any, otherwise in a newspaper published in the County and having a general circulation in the County. The County Clerk is directed to post this Ordinance in full at the Lincoln County Courthouse. This Ordinance becomes effective twenty (20) days after its publication.

PASSED AND ADOPTED this _____ day of _____, 2008 by the following vote of the County Board of Commissioners:

AYES: _____

NAYS : _____

ABSENT : _____

APPROVED this _____ day of _____, 2008.
 LINCOLN COUNTY, NEVADA

By: _____
 Ronda Hornbeck, Chairperson
 ATTEST:

 Lisa Lloyd, County Clerk

AFFIDAVIT OF POSTING

STATE OF NEVADA)
) ss.
COUNTY OF LINCOLN)

Lisa Lloyd, being first duly sworn, deposes and says:

1. That she is and was at the time of posting hereafter mentioned,
2. That she is a citizen of the United States, over the age of twenty-one years;
3. That she is the duly appointed, qualified County Clerk of Lincoln County, State of Nevada;
4. That on the _____ day of _____, 2008, Affiant posted on a public bulletin board in the Lincoln County Courthouse, a full, true and correct copy of Ordinance No. _____ entitled:

LINCOLN COUNTY ORDINANCE NO. _____

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Lisa Lloyd, County Clerk

SIGNED AND SWORN TO (or affirmed)
before me on _____, 2008
by _____.

NOTARY PUBLIC

**PUBLIC NOTICE OF THE FILING OF A LINCOLN COUNTY ORDINANCE
PURSUANT TO N.R.S. 244.100**

NOTICE IS HEREBY GIVEN that Lincoln County Ordinance No. _____, with Summary and Title as follows, was filed with the Lincoln County Clerk on _____, 2008:

SUMMARY - LINCOLN COUNTY ORDINANCE NO. _____ AMENDS THE COUNTY CODE TO PROVIDE A NEW CHAPTER PROHIBITING VARIOUS ACTS CONSTITUTING DISORDERLY CONDUCT AND CREATING PENALTIES FOR VIOLATIONS OF THOSE PROHIBITIONS.

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NOTICE IS FURTHER GIVEN that copies of the Ordinance are available for public examination and distribution upon request at the office of the Clerk of Lincoln County, Nevada, at #1 Main Street, Pioche; that said Ordinance was proposed and read by title on _____, 2008, and that the Lincoln County Board of Commissioners intends to take final action on the adoption of said Ordinance on its regular meeting on the _____ day of _____, 2008 as a regular measure.

IN WITNESS WHEREOF, the Lincoln County Board of Commissioners of Lincoln County, Nevada, has caused this Notice to be given by reference to the Title and Summary of the proposed Ordinance.

DATED this _____ day of _____, 2008.

LINCOLN COUNTY

Ronda Hornbeck, Chairperson

Publication of this notice must be at least ten (10) days before the date set for the adoption of the ordinance.
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PUBLISHED: on the _____ day of _____, 2008.

NOTICE OF ORDINANCE APPROVAL

NOTICE IS HEREBY GIVEN that on the _____ day of _____, 2008, 2008, the Lincoln County Board of Commissioners, in Lincoln County, Nevada, approved the adoption of an Ordinance for Lincoln County, Nevada, with the Summary and Title as follows:

SUMMARY - LINCOLN COUNTY ORDINANCE NO. _____ AMENDS THE COUNTY CODE TO PROVIDE A NEW CHAPTER PROHIBITING VARIOUS ACTS CONSTITUTING DISORDERLY CONDUCT AND CREATING PENALTIES FOR VIOLATIONS OF THOSE PROHIBITIONS.

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NOTICE IS FURTHER GIVEN that, pursuant to N.R.S. 244.100, notice of the adoption of the above-entitled Ordinance is being published by title, together with an adequate summary, including any amendments, once a week for a period of 2 weeks before it goes into effect in the Lincoln County Record. Typewritten copies of the ordinance in its entirety are available for inspection at the office of the county clerk and posted in full in the Lincoln County Courthouse. The Ordinance shall become effective twenty (20) days after its publication.

DATED this _____ day of _____, 2008.

LINCOLN COUNTY

RONDA HORNBECK , CHAIRPERSON

PUBLISHED: on the _____ day of _____, 2008.