

ORDINANCE NO. 3060

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING CHAPTER 6 OF TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO EXPAND THE NUMBER OF DEPARTMENTS OF THE NORTH LAS VEGAS MUNICIPAL COURT FROM ONE TO TWO; REPEALING ORDINANCE NO. 2786 AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, Article IV, Section 4.005(1) of the North Las Vegas City Charter and NRS 5.010 provide for the establishment of at least one Municipal Court department in the City of North Las Vegas;

WHEREAS, Article IV, Section 4.005(2) grants the City Council of the City of North Las Vegas the power to, by ordinance, establish additional departments of the North Las Vegas Municipal Court and appoint judges to those departments;

WHEREAS, the City opened the North Las Vegas Community Correctional Center (CCC) in July 2020 with the goals, among others, to improve rehabilitation and reduce recidivism for the benefit of the City;

WHEREAS, the North Las Vegas Municipal Court plays an integral part in achieving the City's goals of lowering recidivism, promoting rehabilitation of lower-level offenders, and improving the quality of life in the City;

WHEREAS, the North Las Vegas Municipal Court is very supportive of the City's goals and understands the need for a community diversionary court and the need for a second municipal judge because of the work and dedication required to create and effectuate the mission of problem-solving courts;

WHEREAS, an additional department in the Municipal Court will give the North Las Vegas Municipal Court the ability to create a community diversionary court that will help the City and the Municipal Court achieve the goals of reducing recidivism, promoting rehabilitation of lower-level offenders, and improving quality of life in the City; and

WHEREAS, it is in the best interest of the City and the public to increase the number of departments in the North Las Vegas Municipal Court from one to two, effective as of the date this ordinance is passed, adopted, and approved by the City Council.

NOW THEREFORE, the City Council of the City of North Las Vegas does ordain:

SECTION 1: Title 2, Chapter 6, Section 010 of the North Las Vegas Municipal Code is hereby deleted in its entirety and replaced with the following:

- A. The Municipal Court and the City share the goals of reducing recidivism, promote the rehabilitation of lower-level offenders, and improving quality of life within the City. The Municipal Court believes that these goals can be achieved by creating a community diversionary court in the Municipal Court. To assist the Municipal Court in achieving these goals, the City hereby creates an additional department in the Municipal Court. The City wants to ensure the success of a community diversionary court for the benefit of the City, and the City finds that an additional department dedicated to a community diversionary court, as described by the Municipal Court, will give the City and Municipal Court the tools needed to achieve the above goals. The Community Diversionary Court is established to provide a non-adversarial approach to handling certain misdemeanor offenses and municipal ordinance violations.
- B. There shall be a municipal court of the city consisting of two departments. The departments shall be numbered 1 and 2, and except for initial periods of service by appointment prior to election, a duly elected and qualified judge shall preside over the department.
- C. The Municipal Court shall be held in the facilities provided at the North Las Vegas City Hall Campus, and at such other facilities as may be designated by the court administrator.
- D. The Municipal Court shall be a court of record effective August 1, 2014.

SECTION 2: Title 2, Chapter 6, Section 020 of the North Las Vegas Municipal Code is hereby deleted in its entirety and replaced with the following:

2.06.020 Terms of judges.

- A. The term of office of a municipal court judge shall be for six (6) years except as otherwise provided in 2.06.020.B.
- B. The term for the Judge elected to Department 2, which was extended for one year from 2021 to 2022 pursuant to AB50 during the 2019 Nevada Legislative Session, ends in 2022 following the primary and/or general election(s). The Judge for the newly established Department 1 shall be appointed by the City Council as required by the City Charter and shall serve until the primary or general elections of June and November 2026 and until the judge elected in 2026 takes the bench. Beginning with the term commencing with the primary and general elections of June and November of 2026, the term of office for the judge for Department 1 shall be six (6) years.

SECTION 3: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 4: EFFECTIVE DATE. This ordinance shall become effective after its passage by the City Council of the City of North Las Vegas, and after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of the Nevada Revised Statutes, as amended from time to time.

SECTION 5: PUBLICATION. The City Clerk shall cause this ordinance, immediately following its adoption, to be published once by title, together with names of the council members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of the Nevada Revised Statutes, as amended from time to time.

PASSED AND ADOPTED ON THIS _____ DAY OF _____, 2021.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED:

John J. Lee, Mayor

ATTEST:

Catherine A. Raynor, MMC, City Clerk