

Bill No. 2006-1
ORDINANCE #155

An ordinance relating to the Operation of off Highway Vehicles; amending Chapter 5, creating section 5.2050 of the Municipal Code of the City of Caliente, Nevada, (August 1991 Publication), by adding a new subsection to establish the lawful operation of Off Highway vehicles as defined in NRS 260, upon the streets alleys and roads of the City of Caliente, Nevada; Providing for other matters properly relating thereto; and repealing all ordinances or parts of ordinances in conflict herewith.

Summary: Amends Chapter 5, (Traffic and Vehicles) Creates Subsection 5.2050 of the Caliente Municipal Code to add a new provision establishing the lawful operation of Off Highway vehicles as defined in NRS 360, upon the streets alleys and roads of the City of Caliente, Nevada.

Sponsored by:
Mayor Kevin Phillips

THE CITY COUNCIL OF THE CITY OF CALIENTE DOES ORDAIN AS FOLLOWS:

Section 1 of Ordinance 155: Chapter 5, Section 5.2050 of the Municipal Code of the City of Caliente. As published in 1991, is hereby created as follows:

Section 1 of Ordinance 155: *It shall be lawful for any person, who holds a valid drivers license, or who is accompanied and supervised by an adult over the age of 21 who holds a valid drivers license to operate upon the streets, alleys and roads of the City of Caliente an Off Highway Vehicle as defined in NRS 360. Any Off Highway Vehicle so operated shall have affixed to it a certificate of operation as issued by the Department of Taxation pursuant to NRS 360. All operators of such Off Highway Vehicles shall obey and comply with all traffic and motor vehicle laws rules and regulations as found in Nevada Revised Statutes, Caliente Municipal Code as now codified or as may be enacted in the future. All Off Highway Vehicles so operated shall comply with the equipment requirements set for the in NRS 360 requiring headlamp, tail lamp, reflector, stop lamp, muffler, and helmet.*

Section 2 of Ordinance 155: *Any violation of the provisions of section 1 of Ordinance 150 shall be a misdemeanor offence and may be punishable by a fine not to exceed \$1000 and or a jail sentence not to exceed six (6) months.*

Section 3 of Ordinance 155: If any section, subsection, subdivision paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such

decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

The City Council of the City of Caliente, Nevada hereby declares that it would have passed each section, subsection, subdivision paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more section, subsection, subdivision paragraph, sentence, clause or phrases be declared unconstitutional, invalid or ineffective.

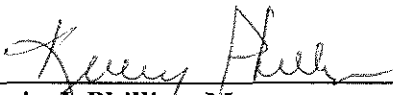
Section 4 of Ordinance 155: All ordinances or parts of ordinances, sections, subsections, subdivision paragraphs, sentences, clauses or phrases publication, in conflict hereby are hereby repealed.

Section 5 of Ordinance 155: This Ordinance shall take effect immediately upon passage hereof.

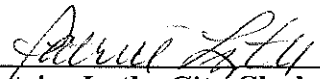
PASSED, ADOPTED AN APPROVED THIS 16TH DAY OF MARCH, 2006.

Approved By:

Attest:



Kevin J. Phillips, Mayor



Patrice Lytle, City Clerk

The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of February, 2006. City of Caliente Bill 2006-1, Ordinance 155 was published in the Lincoln County Record on 2/23/06. At the regular meeting of the City Council on 3/16/06, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

Councilpersons Voting "Aye"

Mayor Pro-Tem Laura Tibbetts, Councilman Tom Acklin, Councilman Ashley Moore

Councilpersons Voting "Nay"

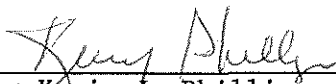
None

Absent

Mayor Kevin J. Phillips, Councilman Walt Zawrotny

Approved:

Attest:



Mayor Kevin J. Phillips



Patrice Lytle, City Clerk