

ORDINANCE NO. 3224

AN ORDINANCE TO ADOPT PROHIBITIONS AND LIMITATIONS REGARDING THE PURCHASE OF SCRAP METAL AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 9 of the Municipal Code of the City of North Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Section 9.44.030, reading as follows:

9.44.030: Purchase of Scrap Metal.

1. In addition to and independent of the provisions of State law on this subject:
 - (A) It is unlawful for any person to purchase scrap metal unless the scrap metal has been transported to the purchaser by means of a motor vehicle, and not on a walk-up basis.
 - (B) It is unlawful for any person to purchase scrap metal in the form of seven-strand copper wire that has been burned in whole or in part to remove insulation unless the purchaser:
 - (1) Obtains from the seller written evidence identifying the seller and documenting that the wire was lawfully acquired and burned. Such documentation may include without limitation an affidavit from the seller or the person delivering the wire, or a declaration under penalty of perjury, regarding the lawfulness of the acquisition and burning of the wire; and
 - (2) Complies with the documentation and retention requirements of NRS 647.030 and 647.035 that pertain to the purchase of burned metallic wire.
 - (C) It is unlawful for any person to purchase seven-strand copper wire unless:
 - (1) Payment is made either by check or electronic transfer of money; and
 - (2) Such payment is not mailed, delivered or electronically transmitted sooner than ten days after the purchase transaction .
 - (D) For any payment made by check under Subsection (C) to a seller who represents a business, the check must be made payable to the business using the name of the business.
 - (E) For purposes of this Section and this Chapter:

- (1) "Scrap metal" has the meaning ascribed to that term in NRS 647.017; and
 - (2) "Seven-strand copper wire" means copper or copper-clad wire consisting of seven strands and typically used in municipal or utility operations.
- 2. This Chapter does not apply to any transaction in scrap metal, including seven-strand copper wire, between a seller and a buyer if:
 - (A) The seller is the holder of, or a principal of the holder of, a State of Nevada business license, any other State-level licenses necessary to engage in such a transaction, and any City business license necessary to engage in such a transaction; and
 - (B) The buyer qualifies to engage in such a transaction under NRS Chapter 647, including without limitation:
 - (1) Holding a State of Nevada business license, and any other State-level licenses necessary to engage in such a transaction;
 - (2) Holding an authorization from or registration with the Southern Nevada Health District as the local solid waste management authority; and
 - (3) Holding any City business license necessary to engage in such a transaction.

The provisions of this Chapter may be enforced by the North Las Vegas Police Department, officers and employees of the Department of Code Enforcement, and any other officer or employee designated by the City Manager.

A violation of this Chapter is a misdemeanor. The minimum fine for a first violation is five hundred dollars. For a subsequent violation, the fine is one thousand dollars.

As an alternative to a criminal prosecution under this Chapter, the Department of Code Enforcement may proceed by means of a civil proceeding. In the case of a civil proceeding regarding such a violation, the applicable civil fine is five hundred dollars for a first violation, and one thousand dollars for a subsequent violation.

SECTION 2: 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 3: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

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 NRS, 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 the names of the Councilmembers voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED, ADOPTED AND APPROVED this _____ day of January, 2025.

AYES:

NAYS:

ABSTAIN :

ABSENT:

APPROVED:

By: _____
PAMELA GOYNES-BROWN, Mayor

ATTEST:

JACKIE RODGERS, City Clerk