

ORDINANCE NO. 3158
(Amend Henderson Municipal Code Chapter 10.48)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON,
NEVADA, TO AMEND CHAPTER 10.48 – PEDESTRIANS' RIGHTS AND
DUTIES - OF THE HENDERSON MUNICIPAL CODE AND MATTERS
PROPERLY RELATED THERETO.

WHEREAS, Ordinance 360 was adopted on December 20, 1965; and

WHEREAS, portions of Henderson Municipal Code Chapter 10.48 are superseded by certain provisions of the Nevada Revised Statutes; and

WHEREAS, updates are currently required for clarification; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Chapter 10.48 Pedestrians' Rights and Duties is hereby amended as follows:

Sections:

[10.48.010 Pedestrians subject to traffic control signals.

10.48.020 Pedestrians' right-of-way in crosswalks.

10.48.030 Pedestrians to use right half of crosswalks.]

10.48.040 Crossing at right angles.

[10.48.050 When pedestrian shall yield.

10.48.060 Prohibited crossing.]

10.48.070 Obedience of pedestrians to railroad signals.

[10.48.080 Pedestrians walking along roadways.]

10.48.090 Pedestrians soliciting rides or business.

[10.48.100 Drivers to exercise due care.]

[10.48.010 Pedestrians subject to traffic control signals.

Pedestrians shall be subject to traffic control signals as heretofore declared in sections 10.20.050—10.20.100 of this title, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter.

(Ord. 360, § 11-1, 12-20-1965)

10.48.020 Pedestrians' right-of-way in crosswalks.

- A. Driver to yield. When traffic-controlled signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- B. Pedestrian to yield. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.
- C. Conflict. Paragraph (a) shall not apply under the conditions stated in paragraph (b) of section 10.48.050
- D. Passing at crosswalk. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(Ord. 360, § 11-2, 12-20-1965)

10.48.030 Pedestrians to use right half of crosswalks.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

(Ord. 360, § 11-3, 12-20-1965)]

10.48.040 Crossing at right angles.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.

(Ord. 360, § 11-4, 12-20-1965)

[10.48.050 When pedestrian shall yield.

Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

The foregoing rules in this section have no application under the conditions stated in the preceding paragraph when pedestrians are prohibited from crossing at certain designated places.

(Ord. 360, § 11-5, 12-20-1965)

10.48.060 Prohibited crossing.

Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

No pedestrian shall cross a roadway other than in a crosswalk in any business district.

No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices and when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

(Ord. 360, § 11-6, 12-20-1965)]

10.48.070 Obedience of pedestrians to railroad signals.

No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.

[10.48.080 Pedestrians walking along roadways.

Where sidewalks are provided it is unlawful for any pedestrian to walk along and upon an adjacent roadway. Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(Ord. 360, § 11-8, 12-20-1965)]

10.48.090 Pedestrians soliciting rides or business.

[No person shall stand in a roadway for the purpose of soliciting a ride, employment or business from the occupant of any vehicle.]

No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

(Ord. 360, § 11-9, 12-20-1965)

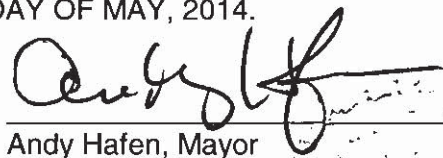
[10.48.100 Drivers to exercise due care.

Notwithstanding the foregoing provisions of this chapter, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

(Ord. 360, § 11-10, 12-20-1965)]

- SECTION 2. If any section, subsection, paragraph, clause or provision of this Ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section or subsection, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.
- SECTION 3. All ordinances, or parts of ordinances, sections, subsection, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.
- SECTION 4. A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title in the Review Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on May 9, 2014, in the Review Journal.

PASSED, ADOPTED, AND APPROVED THIS 6th DAY OF MAY, 2014.



Andy Hafen, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk

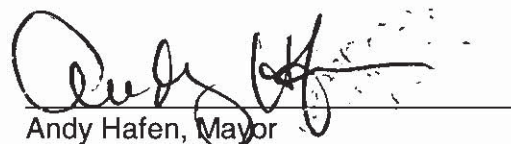
The above and foregoing Ordinance was first proposed and read in title to the City Council on April 15, 2014, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

"COUNCIL AS A WHOLE"

Thereafter on May 6, 2014, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held May 6, 2014, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye: Andy Hafen, Mayor
 Councilmembers:
 Sam Bateman
 Debra March
 John F. Marz
 Gerri Schroder

Those voting nay: None
Those abstaining: None
Those absent: None



Andy Hafen, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk

Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is enclosed in [bold brackets], and language proposed to be added is underscored.