



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** October 7, 2021

Staff Contact: Jason D. Woodbury, District Attorney

Agenda Title: For Possible Action: Discussion and possible action to adopt, on second reading, Bill No. 113, a proposed ordinance amending CCMC 8.04.020, defining and prohibiting indecent conduct in public. (Jason D. Woodbury, jwoodbury@carson.org)

Staff Summary: This is the second reading of a proposed ordinance which, if enacted, would amend CCMC 8.04.020, defining and prohibiting indecent conduct in public.

Agenda Action: Ordinance - Second Reading **Time Requested:** 5 minutes

Proposed Motion

I move to adopt Bill No. 113, on second reading, Ordinance No. _____.

Board's Strategic Goal

Safety

Previous Action

On September 2, 2021, the Board of Supervisors introduced the proposed ordinance amending CCMC 8.04.020.

Background/Issues & Analysis

The offense of indecent conduct is currently defined and prohibited by CCMC 8.04.020. The proposed ordinance amends CCMC 8.04.020 to more clearly articulate the definition of indecent conduct in a format that complies with the ordinance drafting protocols being utilized by the Carson City District Attorney's office.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 244.357; Carson City Charter §2.200

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Do not adopt the proposed ordinance or modify the proposed ordinance.

Attachments:

[20211007 8.04.020 Indecent Conduct Second Reading.docx](#)

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

Summary: Prohibits indecent conduct in public.

BILL NO. 113

ORDINANCE No. 2021 - _____

AN ORDINANCE RELATING TO PUBLIC SAFETY; AMENDING TITLE 8 (PUBLIC PEACE, SAFETY, AND MORALS), CHAPTER 8.04 (PROHIBITED CONDUCT), SECTION 8.04.020 (INDECENT CONDUCT) TO PROHIBIT INDECENT CONDUCT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 8 (PUBLIC PEACE, SAFETY, AND MORALS), Chapter 8.04 (PROHIBITED CONDUCT), Section 8.04.020 (INDECENT CONDUCT) is hereby amended (**bold, underlined** text is added, [~~stricken~~] text is deleted) as follows:

CCMC 8.04.020 – Indecent conduct. (NRS 244.357; Carson City Charter §2.200).

1. It is unlawful for [~~any~~] **a** person in any [~~street, alley, saloon, ballroom or in any public place within the city, within the view or hearing of any person,]~~ **place open to the public or exposed to public view** to [~~wantonly~~] **:**

(a) Wantonly expose his or her [~~person, or to conduct~~] **person;**

(b) Conduct himself or herself in a lewd, licentious or indecent [~~manner, or to urinate~~] **manner; or**

(c) Urinate or defecate, [~~within the view or hearing of any other person.]~~ **This paragraph does not apply to a person who urinates or defecates in a public restroom or other public facility designed for the sanitary disposal of human waste.**

2. A person who violates this section is guilty of a misdemeanor.

SECTION II:

That no other provisions of Title 8 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2021.

PROPOSED by _____.

PASSED on _____, 2021.

VOTE: AYES: SUPERVISORS: _____

 NAYS: SUPERVISORS: _____

Lori Bagwell
Mayor

ATTEST:

Aubrey Rowlett
Clerk-Recorder

This ordinance shall be in force and effect from the 14th day of the month of October of the year 2021.