



BILL NO. 2025-03

PAHRUMP TOWN ORDINANCE NO. 75

SUMMARY: A Bill Amending Chapter 18 Titled Article IV Titled Park Property adding Section 18.71 Definitions; Section 18.72 Prohibitions; Section 18.73 Authorized Uses; Section 18.74 Children's Parks and Play Areas; Section 18.75 Permits for 50 or more People; Section 18.76 Parks that are Closed; Section 18.77 Rules for Animals; Section 18.78 Violations; Section 18.79 Penalty for Violations; Section 18.80 Appeals to the Board of County Commissioners; Section 18.81 Hearing Procedures; Section 18.82 Appeals of Decisions of the Board; and Providing for the Severability, Constitutionality, and Effective Date Thereof; and Other Matters Properly Relating Thereto.

TITLE: A BILL AMENDING CHAPTER 18 TITLED ARTICLE IV TITLED PARK PROPERTY ADDING SECTION 18.71 DEFINITIONS; SECTION 18.72 PROHIBITIONS; SECTION 18.73 AUTHORIZED USES; SECTION 18.74 CHILDREN'S PARKS AND PLAY AREAS; SECTION 18.75 PERMITS FOR 50 OR MORE PEOPLE; SECTION 18.76 PARKS THAT ARE CLOSED; SECTION 18.77 RULES FOR ANIMALS; SECTION 18.78 VIOLATIONS; SECTION 18.79 PENALTY FOR VIOLATIONS; SECTION 18.80 APPEALS TO THE BOARD OF COUNTY COMMISSIONERS; SECTION 18.81 HEARING PROCEDURES; SECTION 18.82 APPEALS OF DECISIONS OF THE BOARD; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY, AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

**WHEREAS**, the Nye County Board of County Commissioners (Board) is the governing body of the unincorporated Town of Pahrump and finds that it has the power to enact and enforce ordinances regulating conduct on park property under NRS 269.125 and 269.575; and

**WHEREAS**, the Board desires to protect park property and maintain the public peace, morals, and welfare of the citizens of the Town; and

**WHEREAS**, pursuant to NRS 244.119 and 269.155, the Board is authorized to amend the Pahrump Town Ordinance.

**NOW, THEREFORE**, pursuant to NRS 244.110, the Board of County Commissioners of the County of Nye, State of Nevada, does ordain as follows:

**Section 18.71 Definitions**

**Section 18.72 Prohibitions**

**Section 18.73 Authorized Uses**

**Section 18.74 Children's Parks and Play Areas**

**Section 18.75 Permits for 50 or more People**

**Section 18.76 Parks that are Closed**

**Section 18.77 Rules for Animals**

**Section 18.78 Violations**

**Section 18.79 Penalty for Violations**

**Section 18.80 Appeals to the Board of County Commissioners**

**Section 18.81 Hearing Procedures**

**Section 18.82 Appeals of Decisions of the Board**

**Section 18.71. Definitions**

As used in this chapter:

"Board" means the Nye County Board of County Commissioners.

"Camping" means an unpermitted dwelling, residence, shelter or other similar structure, or settlement of possessions, that is kept or maintained in a defined area or is kept or maintained under circumstances where the owners or occupants knew or should have known that the area would be viewed by the public or law enforcement officers as intended for non-recreational use to the exclusion of other members of the public. The term includes without limitation any of the following activities:

- a. Laying down bedding for the purpose of sleeping;
- b. Using a tent, shelter or structure for the purpose of sleeping; or
- c. Using a vehicle for the purpose of sleeping.

"Department" means the Department of Parks and Recreation, for the purpose of issuing permits or such other department or function as the Town of Pahrump may designate.

"Hours of Closure" means the hours during which park, public plaza or recreational facility is closed, either as indicated on signs that have been posted or, as applicable, the prima facie hours of closure as described in section 18.76.

"Indoor recreation center" means a building owned or operated by or on behalf of the Town of Pahrump and dedicated to public use for indoor recreational activities.

"Manager" means the manager of the Department of Parks and Recreation or his/her designee.

"Park" means an outdoor area owned or operated by or on behalf of the Town of Pahrump and dedicated to public use for recreational purposes.

"Public plaza" means:

Any other outdoor area that is:

- a. Owned or operated by or on behalf of the Town of Pahrump;
- b. Designated for use as a gathering place for the public or for public enjoyment of recreational and cultural activities.

“Recreational facility” means an outdoor facility, together with associated structures and amenities, owned or operated on behalf of the Town of Pahrump and dedicated for public use for recreational purposes. The term includes indoor recreation center, recreational trail and trailhead.

“Recreational trail” means a paved or unpaved pathway with several entrance and exit points that has been designated and dedicated for public use for recreational purposes.

“Town” means the unincorporated town of Pahrump, a political subdivision of the state of Nevada formed under chapter 269 of the Nevada Revised Statutes.

“Trailhead” means the beginning point of a recreational trail, including any improvements or amenities that have been established at that location for the benefit of public use.

#### **Section 18.72. Prohibitions**

The following are prohibited within any Town park, public plaza or recreational facility, including any parking area that serves these locations:

1. Glass beverage containers.
2. Alcoholic beverages, except as authorized in Section 18.73.
3. Unmanned Aerial Vehicles as defined in NRS 493.020, except as authorized in Section 18.73.
4. Camping, except as allowed for activities specifically approved under this chapter in connection with a particular event.
5. Fires, except in barbeque facilities authorized for that purpose.
6. Weapons, except as otherwise permitted by State law or, the possession of a concealed weapon by a person who holds a valid permit issued pursuant to the provisions of NRS 202.3653 through 202.369.
7. Hitting of golf balls, except at a facility specifically designed for that activity.
8. Misuse of property or amenities for other than its intended use, including without limitation washing clothes, bathing or showering.
9. Vehicles, except as allowed by the Manager or for the purpose of using the facilities.
10. Smoking at any of the following locations:
  - a. any area that has been designated and posted as a children’s play area, or within fifty (50) feet of any such area;
  - b. upon or within fifty (50) feet of any bleachers that are being occupied for the purposes of observing a sporting event or recreational activity; and

- c. any sports field or within fifty (50) feet of the sideline, perimeter fence, or other outer boundary or perimeter of a sports field that is marked as such.
11. On a case-by-case basis the Manager may authorize overnight activities if those activities are approved and permitted by the Town.

#### **Section 18.73. Authorized Uses**

The following are authorized uses by obtaining a license, permit or other written authorization from the Manager or as specifically designated and posted for that use:

1. Fireworks.
2. Unmanned Aerial Vehicles as defined in NRS 493.020.
3. Off road vehicles.
4. Possession and/or consumption of alcoholic beverages.
5. The sale of goods or services, or any other commercial use.
6. Digging or staking, unless specifically approved under this chapter in connection with a particular event using tents, bounce houses, or hot air balloons.

Any person aggrieved under this section may appeal pursuant to section 18.80.

#### **Section 18.74. Children's parks and play areas**

A person, other than a parent, guardian, babysitter, caretaker or designee of a parent or guardian having sole or joint supervisory responsibility over a child, shall not visit, frequent, or be present in an area which has been designated by the Town as a children's park or play area unless accompanying that child.

#### **Section 18.75. Permits for 50 or more people**

Any person who desires to use a Town park, public plaza or recreational facility for any demonstration or other organized assemblage of fifty (50) or more participants shall comply with the following requirements:

1. a reservation form must be filed with the Manager at least ten (10) business days in advance of the demonstration or assembly. Applications under Subsection (3) must be filed at least five (5) business days in advance of the demonstration or assembly.
2. in connection with a reservation form authorizing the reserved use of an area or facility under subsection (1) above, persons not affiliated with the reserving group do not have the right to the use of that area or facility and may be excluded therefrom.
3. Subsections (1) and (2) of this section do not apply to any event which is sponsored by the Town.

For purposes of this section, "participant" means any individual who, along with others, is gathered for a common purpose under the direction, control or invitation of a person or group of people.

Any person aggrieved under this section may appeal pursuant to section 18.80.

#### **Section 18.76. Parks that are closed**

The Manager is authorized to establish the hours of closure of any of the Town's facilities.

#### **Section 18.77. Rules for Animals**

1. Except as otherwise provided in subsection (2), it is unlawful to bring or allow in any park, public plaza or recreational facility any animal of any kind, except a duly authorized service animal.
2. The following are permitted in any park, public plaza or recreational facility:
3. Dogs that are not known to be vicious or dangerous are allowed with or without a leash in any area designated as a dog park.
4. Leashes are required for any animal outside of a designated dog park.
5. Every person in possession of or in control of a dog outside of the designated dog park must have physical control of such animal and not allow the animal to run at large.
6. Dogs that are not known to be vicious or dangerous are allowed within any area of the park, public plaza or recreational facility, other than children's play areas or areas in use for athletic events, but only when on a leash not to exceed eight (8) feet in length.
7. Horses are allowed on any roads, paths or trails designated for such use.
8. Other animals are allowed only as authorized by written permit.
9. Any person having custody or control of an animal within a park, public plaza or recreational facility shall:
  - a. Carry at all times a suitable container or other suitable instrument for the removal and disposal of animal feces; and
  - b. Immediately remove and properly dispose of any feces deposited by that animal.

#### **Section 18.78. Violations**

It is unlawful for any person to willfully or in a criminally negligent manner to:

1. Violate any rule or regulation adopted pursuant to this ordinance.
2. Alter, deface, knock down or remove any signs or other markings that have been posted by the Town unless authorized by the Manager to do so.
3. Damage any facility or improvement located in or on the park, public plaza or recreation facility.
4. Enter or remain in any park, public plaza or recreation facility during hours of closure, unless authorized by the Manager;

5. Using a park, public plaza, recreation facility, or portion thereof, in a manner that requires a permit under this chapter.

#### **Section 18.79. Penalty for Violations**

Any person found guilty of a violation of this chapter is guilty of a misdemeanor under the general laws of the State of Nevada and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six (6) months, or by both such fine or imprisonment, and additionally shall pay costs of suit. In no case shall costs be suspended.

Each person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by any such person, and he or she is punishable accordingly.

#### **Section 18.80. Appeals to the Board of County Commissioners**

1. Any person who is entitled to a hearing before the board pursuant to this chapter shall be notified by certified mail, return receipt requested, sent to the last known address of the person. Within thirty (30) calendar days of the date of the notice, the person may file with the county clerk a written request for hearing before the board.
2. If a hearing is requested within the specified time period, the board shall hear the appeal no later than thirty (30) business days after receipt of the written request for hearing. The county clerk shall notify the person in writing by certified mail, return receipt requested, of the date, time and place of the hearing. Such notice shall be made to the person at least ten (10) calendar days prior to the date of the hearing. The board shall act expeditiously to decide the matter and may uphold, overturn or modify the decision that the person violated this chapter.

#### **Section 18.81. Hearing Procedures**

At all hearings before the board, the following procedure shall apply:

1. Oral testimony may be taken.
2. The parties to the hearing have the right to:
  - a. Call witnesses.
  - b. Introduce exhibits relevant to the issues of the case.
  - c. Offer rebuttal evidence.
3. If the person entitled to a hearing does not testify on his or her own behalf, he/she may be called and examined.
4. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted.
5. The parties or their counsel may by written stipulation agree that certain specified evidence may be admitted even though such evidence might otherwise be subject to objection.
6. Consider all evidence and testimony in support of and in opposition to the charges.
7. Enter in the minutes of the board, the findings, conclusions, decision and action taken by the board.

8. Within ten (10) calendar days of the date of the hearing, the county clerk shall notify the person in writing by certified mail, return receipt requested, of the board's determination in the matter.
9. The decision of the board is a final decision for the purpose of judicial review.

#### **Section 18.82. Appeals of Decisions of the Board**

Any party who is aggrieved by a final decision of the board may appeal that decision to the district court by filing a petition for judicial review.

SEVERABILITY. If any provision of this Ordinance or amendments thereto, or the application thereof to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of this Ordinance or amendments thereto which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance and amendments thereto are declared to be severable.

CONSTITUTIONALITY. If any section, clause or phrase of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this Ordinance shall continue in full force and effect.

EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit, from and after the 9<sup>th</sup> day of February 2026.

Adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Vote: Ayes: Commissioners:

Nays: Commissioners:

Absent: Commissioners:

Attest:

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Ron Boskovich, Chair

Nye County Board of

County Commissioners

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Cori Freidhof

Nye County Clerk and Ex-Officio

Clerk of the Board



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9. Vehicles, except as allowed by the Manager or for the purpose of using the facilities.
10. Smoking at any of the following locations:
  - a. any area that has been designated and posted as a children’s play area, or within fifty (50) feet of any such area;
  - b. upon or within fifty (50) feet of any bleachers that are being occupied for the purposes of observing a sporting event or recreational activity; and

- c. any sports field or within fifty (50) feet of the sideline, perimeter fence, or other outer boundary or perimeter of a sports field that is marked as such.
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#### **Section 18.75. Permits for 50 or more people**

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1. a reservation form must be filed with the Manager at least ten (10) business days in advance of the demonstration or assembly. Applications under Subsection (3) must be filed at least five (5) business days in advance of the demonstration or assembly.
2. in connection with a reservation form authorizing the reserved use of an area or facility under subsection (1) above, persons not affiliated with the reserving group do not have the right to the use of that area or facility and may be excluded therefrom.
3. Subsections (1) and (2) of this section do not apply to any event which is sponsored by the Town.

For purposes of this section, "participant" means any individual who, along with others, is gathered for a common purpose under the direction, control or invitation of a person or group of people.

Any person aggrieved under this section may appeal pursuant to section 18.80.

#### **Section 18.76. Parks that are closed**

The Manager is authorized to establish the hours of closure of any of the Town's facilities according to the following ~~criteria~~:

~~(1) —when the presence of criminal activity necessitates the closure or limitation of public access; or~~

~~(2) —when the peace and quiet of the surrounding neighborhood is substantially disturbed; or~~

~~(3) —when acts of vandalism have occurred.~~

#### **Section 18.77. Rules for Animals**

1. Except as otherwise provided in subsection (2), it is unlawful to bring or allow in any park, public plaza or recreational facility any animal of any kind, except a duly authorized service animal.
2. The following are permitted in any park, public plaza or recreational facility:
3. Dogs that are not known to be vicious or dangerous are allowed with or without a leash in any area designated as a dog park.
4. Leashes are required for any animal outside of a designated dog park.
5. Every person in possession of or in control of a dog outside of the designated dog park must have physical control of such animal and not allow the animal to run at large.
6. Dogs that are not known to be vicious or dangerous are allowed within any area of the park, public plaza or recreational facility, other than children's play areas or areas in use for athletic events, but only when on a leash not to exceed eight (8) feet in length.
7. Horses are allowed on any roads, paths or trails designated for such use.
8. Other animals are allowed only as authorized by written permit.
9. Any person having custody or control of an animal within a park, public plaza or recreational facility shall:
  - a. Carry at all times a suitable container or other suitable instrument for the removal and disposal of animal feces; and
  - b. Immediately remove and properly dispose of any feces deposited by that animal.

#### **Section 18.78. Violations**

It is unlawful for any person to willfully or in a criminally negligent manner to:

1. Violate any rule or regulation adopted pursuant to this ordinance.

2. Alter, deface, knock down or remove any signs or other markings that have been posted by the Town unless authorized by the Manager to do so.
3. Damage any facility or improvement located in or on the park, public plaza or recreation facility.
4. Enter or remain in any park, public plaza or recreation facility during hours of closure, unless authorized by the Manager;
5. Using a park, public plaza, recreation facility, or portion thereof, in a manner that requires a permit under this chapter.

#### **Section 18.79. Penalty for Violations**

Any person found guilty of a violation of this chapter is guilty of a misdemeanor under the general laws of the State of Nevada and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six (6) months, or by both such fine or imprisonment, and additionally shall pay costs of suit. In no case shall costs be suspended.

Each person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by any such person, and he or she is punishable accordingly.

#### **Section 18.80. Appeals to the Board of County Commissioners**

1. Any person who is entitled to a hearing before the board pursuant to this chapter shall be notified by certified mail, return receipt requested, sent to the last known address of the person. Within thirty (30) calendar days of the date of the notice, the person may file with the county clerk a written request for hearing before the board.
2. If a hearing is requested within the specified time period, the board shall hear the appeal no later than thirty (30) business days after receipt of the written request for hearing. The county clerk shall notify the person in writing by certified mail, return receipt requested, of the date, time and place of the hearing. Such notice shall be made to the person at least ten (10) calendar days prior to the date of the hearing. The board shall act expeditiously to decide the matter and may uphold, overturn or modify the decision that the person violated this chapter.

#### **Section 18.81. Hearing Procedures**

At all hearings before the board, the following procedure shall apply:

1. Oral testimony may be taken.
2. The parties to the hearing have the right to:
  - a. Call witnesses.
  - b. Introduce exhibits relevant to the issues of the case.
  - c. Offer rebuttal evidence.
3. If the person entitled to a hearing does not testify on his or her own behalf, he/she may be called and examined.
4. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted.

5. The parties or their counsel may by written stipulation agree that certain specified evidence may be admitted even though such evidence might otherwise be subject to objection.
6. Consider all evidence and testimony in support of and in opposition to the charges.
7. Enter in the minutes of the board, the findings, conclusions, decision and action taken by the board.
8. Within ten (10) calendar days of the date of the hearing, the county clerk shall notify the person in writing by certified mail, return receipt requested, of the board's determination in the matter.
9. The decision of the board is a final decision for the purpose of judicial review.

#### **Section 18.82. Appeals of Decisions of the Board**

Any party who is aggrieved by a final decision of the board may appeal that decision to the district court by filing a petition for judicial review.

**SEVERABILITY.** If any provision of this Ordinance or amendments thereto, or the application thereof to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of this Ordinance or amendments thereto which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance and amendments thereto are declared to be severable.

**CONSTITUTIONALITY.** If any section, clause or phrase of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this Ordinance shall continue in full force and effect.

**EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit, from and after the 9<sup>th</sup> day of February 2026.

Adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Vote: Ayes: \_\_\_\_\_ Commissioners: \_\_\_\_\_

Nays: \_\_\_\_\_ Commissioners: \_\_\_\_\_

Absent: \_\_\_\_\_ Commissioners: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Ron Boskovich, Chair  
Nye County Board of  
County Commissioners

\_\_\_\_\_  
Cori Freidhof  
Nye County Clerk and Ex-Officio  
Clerk of the Board