



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: May 23, 2023

DATE: May 10, 2023

TO: Board of County Commissioners

FROM: Christopher J. Hicks, Washoe County District Attorney
(775) 328-3200, chicks@da.washoecounty.gov

THROUGH: Nathan Edwards, Assistant District Attorney

SUBJECT: Public hearing, second reading, and adoption of an ordinance to amend Washoe County Code Chapter 70 governing vehicles and traffic by adding new sections prohibiting participation in and spectating at illegal sideshows, street racing and other exhibitions of speed; declaring illegal sideshows, street racing and other exhibitions of speed to be public nuisances; providing for summary abatement of such nuisances that constitute an imminent danger by appropriate measures including impounding the vehicle(s) involved; and providing other matters necessarily connected therewith and pertaining thereto.

(All Commission Districts.) FOR POSSIBLE ACTION.

SUMMARY

The adoption of the proposed ordinance will amend Washoe County Code Chapter 70 by adding new sections prohibiting participants and/or spectators at street races, sideshows, and other speed exhibitions; prohibiting participants and/or spectators at preparations for street races, sideshows, and other speed exhibitions; prohibiting the promotion, instigation, aiding, or facilitating of street races, sideshows, and other speed exhibitions; by adding other provisions providing for the impoundment of vehicles involved in certain circumstances; and providing other matters necessarily connected therewith and pertaining thereto.

Department Strategic Objective supported by this item: Public Safety and Protecting Public Welfare

PREVIOUS ACTION

The Board initiated the ordinance and conducted a first reading on May 9, 2023.

AGENDA ITEM # _____

BACKGROUND

Trick driving displays, also known as “sideshows,” have become increasingly prevalent in Washoe County, often drawing large crowds and resulting in injuries, citations, arrests, and damage to property and vehicles. At these events, members of the public will gather to observe and encourage illegal street racing and trick displays, which often involve cars driving and doing tricks at high rates of speed while spectators observe within close proximity.

These incidents pose unique dangers to the community and challenges to law enforcement because they are commonly organized via social media, word of mouth, or other methods of instant communication, and they frequently entail a series of related incidents that begin in one location where individuals involved scatter upon the arrival of law enforcement and then use the same communication methods to move to a new location and repeat the same incident, only to scatter again upon the arrival of law enforcement. Existing enforcement measures have been inadequate to address the uniqueness of the circumstances involved, which has contributed to the ability to evade enforcement.

Law enforcement agencies have partnered to combat these trick driving displays and gatherings and have issued numerous citations and made many arrests. The City of Sparks passed a similar ordinance in April 2023 and the City of Reno introduced a similar ordinance in May 2023. The passage of this proposed ordinance will result in a comprehensive enforcement scheme for the entire region. An important enforcement tool is the ability to impound the vehicle(s) in order to eliminate the ongoing nature of these incidents.

The scope of this ordinance is essentially twofold. One, as to the components dealing with the traffic/driving offenses themselves, it is meant to implement existing law by recognizing them as forms of reckless driving offenses consistent with NRS 484B.653 and related provisions in state law. Two, as to the components that deal with intersection or street “takeovers,” it is meant to implement existing law by identifying them under the conceptual rubric of public-order regulations and classifying them as public nuisances that, in appropriate cases, can be treated as imminent threats to public health, safety, and welfare consistent with state law provisions on nuisance abatement, including but not limited to NRS 244.3601. Though reckless driving offenses are misdemeanors consistent with state law, while nuisance abatements themselves are not strictly criminal matters, they have been combined together for purposes of reference and conceptual relatedness under chapter 70 of the county code. This is meant to make it easier for public awareness and ease of location, as well as code enforcement and law enforcement, to refer to them when making enforcement decisions in the field.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners adopt the proposed ordinance.

POSSIBLE MOTION

If approved, a possible motion might be:
Move to adopt the proposed ordinance.