
ASSEMBLY BILL NO. 383—ASSEMBLYMAN HARDY

MARCH 16, 2009

JOINT SPONSOR: SENATOR HARDY

Referred to Committee on Government Affairs

SUMMARY—Provides for the incorporation of the City of Laughlin contingent upon the approval of the voters in the City. (BDR S-676)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§§ 3-7)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT providing a charter for the City of Laughlin, in Clark County, Nevada; providing for an election to be held on the question of incorporation; making the incorporation of the City contingent upon approval of this act by qualified electors of the city; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Legislature may provide for the incorporation of a city
2 by a special act. (Nev. Const. Art. 8, § 8) **Section 1** of this bill provides a charter
3 for the City of Laughlin. **Sections 3 and 17** of this bill make the incorporation of
4 the City of Laughlin contingent upon the approval of the Charter by the qualified
5 electors of the City. **Sections 3-7** of this bill provide for the Board of County
6 Commissioners of Clark County to conduct an election on the question of
7 incorporation and a consolidated primary election for candidates for City Council
8 and Mayor. **Sections 10 and 11** of this bill provide for a general election of
9 members of the City Council and a Mayor, contingent upon the approval of
10 incorporation. **Sections 12-14** of this bill authorize the elected City Council to
11 perform various functions before the effective date of incorporation, including
12 preparing a budget, adopting ordinances, negotiating contracts for personnel and
13 various services and negotiating with Clark County for the equitable apportionment
14 of the fixed assets of Clark County that are located in the City of Laughlin. **Section**
15 **17** provides for the effective date of incorporation, which will be July 1 of the year



1 to time. The territory is more generally described as the
2 "Township of Laughlin" by Clark County.

3 *Sec. 1.040 Form of government.*

4 1. The municipal government provided by this Charter shall
5 be known as the "council-manager government." Pursuant to its
6 provisions and subject only to the limitations imposed by the
7 Constitution of this State and by this Charter, all powers of the
8 City shall be vested in an elective council, hereinafter referred to
9 as "the Council," which shall:

10 (a) Enact local legislation;

11 (b) Adopt budgets;

12 (c) Determine policies; and

13 (d) Appoint the City Manager, who shall execute the laws and
14 administer the government of the City.

15 2. All powers of the City shall be exercised in the manner
16 prescribed by this Charter, or if the manner is not prescribed, then
17 in such manner as may be prescribed by ordinance.

18 *Sec. 1.050 Construction of Charter.*

19 1. This Charter, except where the context by clear implication
20 otherwise requires, must be construed as follows:

21 (a) The titles or leadlines which are applied to the articles and
22 sections of this Charter are inserted only as a matter of
23 convenience and ease in reference and in no way define, limit or
24 describe the scope or intent of any provision of this Charter.

25 (b) The masculine gender includes the feminine and neuter
26 genders. The use of a masculine noun or pronoun in conferring a
27 benefit or imposing a duty does not exclude a female person from
28 that benefit or duty. The use of a feminine noun or pronoun in
29 conferring a benefit or imposing a duty does not exclude a male
30 person from that benefit or duty.

31 (c) The singular number includes the plural number, and the
32 plural includes the singular.

33 (d) The present tense includes the future tense.

34
35 **ARTICLE II**

36
37 **CITY COUNCIL**

38
39 *Sec. 2.010 Number; selection and term; recall. The*
40 *Council shall have four Council members and a Mayor elected*
41 *from the City at large in the manner provided in Article X, for*
42 *terms of 4 years and until their successors have been elected and*
43 *have taken office as provided in section 2.020, subject to recall as*
44 *provided in Article XI. No Council member shall represent any*



1 *particular constituency or district of the City, and each Council*
2 *member shall represent the entire City.*

3 *Sec. 2.020 Qualifications.*

4 *1. No person shall be eligible for the office of Council*
5 *member or Mayor unless he is a qualified elector of the City and*
6 *has been a resident of the City for at least 1 year immediately*
7 *before the election in which he is a candidate. He shall hold no*
8 *other elective public office, but may hold a commission as a notary*
9 *public or be a member of the Armed Forces reserve. No employee*
10 *of the City or officer thereof, excluding Council members,*
11 *receiving compensation under the provisions of this Charter or*
12 *any City ordinance, shall be a candidate for or eligible for the*
13 *office of Council member or Mayor without first resigning from*
14 *city employment or city office.*

15 *2. If a Council member or the Mayor ceases to possess any of*
16 *the qualifications enumerated in subsection 1 or is convicted of a*
17 *felony, or ceases to be resident of the City, his office shall*
18 *immediately become vacant.*

19 *Sec. 2.030 Salaries.*

20 *1. For the first 2 years after election of the first members of*
21 *the Council after adoption of this Charter, each member of the*
22 *Council shall receive as compensation for his services as such a*
23 *monthly salary of \$125.00, and the member elected to fill the*
24 *Office of Mayor shall receive the additional amount of \$25.00 for*
25 *each month said member shall fill the Office of Mayor.*

26 *2. After the period specified in subsection 1, the Council may*
27 *determine the annual salaries of the Mayor and Council members*
28 *by ordinance. The Council shall not adopt an ordinance which*
29 *increases or decreases the salary of the Mayor or the Council*
30 *members during the term for which they have been elected or*
31 *appointed.*

32 *3. Absence of a member of the Council from all regular and*
33 *special meetings of the Council during any calendar month shall*
34 *render him ineligible to receive the monthly salary for such a*
35 *calendar month unless by permission of the Council expressed in*
36 *its official minutes.*

37 *4. The Mayor and Council members shall be reimbursed for*
38 *their personal expenses when conducting or traveling on city*
39 *business as authorized by the Council. Reimbursement for use of*
40 *their personal automobiles will be at the rate per mile established*
41 *by the rules of the Internal Revenue Service of the United States.*

42 *5. The Mayor and Council members shall receive no*
43 *additional compensation or benefit other than that mandated by*
44 *state or federal law.*



1 *Sec. 2.040 Mayor; Mayor Pro Tem; duties.*

2 *1. The Mayor shall:*

3 *(a) Serve as a member of the Council and preside over its*
4 *meetings;*

5 *(b) Have no administrative duties; and*

6 *(c) Be recognized as the head of the city government for all*
7 *ceremonial purposes and for the purposes of dealing with*
8 *emergencies if martial law has been imposed on the City by the*
9 *State or Federal Government.*

10 *2. The Council shall elect one of its members to be Mayor*
11 *Pro Tem, who shall:*

12 *(a) Hold such office and title, without additional*
13 *compensation, for the period of 1 year;*

14 *(b) Perform the duties of the Mayor during the absence or*
15 *disability of the Mayor; and*

16 *(c) Assume the position of Mayor, if that office becomes*
17 *vacant, until the next regular election.*

18 *Sec. 2.050 Powers.*

19 *1. Except as otherwise provided in this Charter, all powers of*
20 *the City and the determination of all matters of policy shall be*
21 *vested in the Council. The Council shall have, without limitation,*
22 *the power to:*

23 *(a) Establish other administrative departments and distribute*
24 *the work of divisions.*

25 *(b) Adopt the budget of the City.*

26 *(c) Adopt civil service rules and regulations.*

27 *(d) Inquire into the conduct of any office, department or*
28 *agency of the City and make investigations as to municipal affairs.*

29 *(e) Appoint the members of all boards, commissions and*
30 *committees for specific or indefinite terms as provided elsewhere*
31 *in this Charter or in various resolutions or ordinances, with all*
32 *such persons serving at the pleasure of the Council, provided,*
33 *however, that all persons so appointed must be and remain bona*
34 *fide residents of the City during the tenure of each appointment.*

35 *(f) Levy such taxes as are authorized by applicable laws.*

36 *Sec. 2.060 Powers: Zoning and Planning. The Council*
37 *may:*

38 *1. Divide the City into districts and regulate and restrict the*
39 *erection, construction, reconstruction, alteration, repair or use of*
40 *buildings, structures or land within the districts.*

41 *2. Establish and adopt ordinances and regulations relating to*
42 *the subdivision of land.*

43 *Sec. 2.070 Council not to interfere in removals.*

44 *1. Neither the Council nor any of its members shall direct or*
45 *request the removal of any person from office by the City Manager*



1 or by any of his subordinates, or in any manner take part in the
2 removal of officers and employees in the administrative service of
3 the City. Except for the purpose of inquiry and as otherwise
4 provided in this Charter, the Council and its members shall deal
5 with the administrative service solely through the City Manager
6 and neither the Council nor any member thereof shall give orders
7 to any subordinates of the City Manager, either publicly or
8 privately.

9 2. Any Council member violating the provisions of this
10 section, or voting for a resolution or ordinance in violation of this
11 section, is guilty of a misdemeanor and upon conviction thereof
12 shall cease to be a Council member.

13 Sec. 2.080 Vacancies in Council. Except as otherwise
14 provided in NRS 268.325, a vacancy on the Council must be filled
15 by appointment by a majority of the remaining members of the
16 Council within 30 days or after three regular or special meetings,
17 whichever is the shorter period of time. In the event of a tie vote
18 among the remaining members of the Council, selection must be
19 made by lot. No such appointment extends beyond the next
20 municipal election.

21 Sec. 2.090 Creation of new departments or offices; change of
22 duties. The Council by ordinance may:

23 1. Create, change and abolish offices, departments or
24 agencies, other than offices, departments and agencies established
25 by this Charter.

26 2. Assign additional functions or duties to offices,
27 departments or agencies established by this Charter, but may not
28 discontinue or assign to any other office, department or agency
29 any function or duty assigned by this Charter to a particular
30 office, department or agency.

31 Sec. 2.100 Induction of Council into office; meetings of
32 Council. The Council shall meet within 10 days after each city
33 primary election and each city general election specified in Article
34 X, to canvass the returns and to declare the results. All newly
35 elected or reelected Mayor or Council members shall be inducted
36 into office at the next regular Council meeting following
37 certification of the applicable city general election results.
38 Immediately following such induction, the Mayor Pro Tem shall
39 be designated as provided in section 2.040. Thereafter, the Council
40 shall meet regularly at such times as it shall set by resolution from
41 time to time, but not less frequently than once each month.

42 Sec. 2.110 Council to be judge of qualifications of its
43 members. The Council shall be the judge of the election and
44 qualifications of its members and for such purpose shall have the
45 power to subpoena witnesses and require the production of



1 records, but the decision of the Council in any such case shall be
2 subject to review by the courts.

3 *Sec. 2.120 Rules of procedure.*

4 1. The Council shall establish rules by ordinance for the
5 conduct of its proceedings and to preserve order at its meetings. It
6 shall, through the City Clerk, maintain a journal record of its
7 proceedings which shall be open to public inspection. Any member
8 of the Council may place items on the Council agenda to be
9 considered by the Council.

10 2. The Council may organize special committees of its
11 members for the principal functions of the government of the City.
12 It shall be the duty of each such committee to be informed of the
13 business of the city government included within the assigned
14 functions of the committee, and, as ordered by the Council, to
15 report to the Council information or recommendations which shall
16 enable the Council properly to legislate.

17 *Sec. 2.130 Investigations by Council.*

18 1. The Council shall have power to inquire into the conduct
19 of any office, department, agency or officer of the City and to
20 make investigations as to municipal affairs. The Council shall
21 have the power and authority on any investigation or proceeding
22 pending before it to impel the attendance of witnesses, to examine
23 them under oath and to compel the production of evidence before
24 it. Each member of the Council shall have the power to administer
25 oaths and affirmations in any investigation or proceeding pending
26 before the Council.

27 2. Subpoenas may be issued in the name of the City pursuant
28 to subsection 1 and may be attested by the City Clerk.
29 Disobedience of such subpoenas or the refusal to testify upon
30 other than constitutional grounds shall constitute a misdemeanor,
31 and shall be punishable in the same manner as violations of this
32 Charter are punishable.

33 *Sec. 2.140 Council's power to make and pass ordinances,
34 resolutions.*

35 1. The Council shall have the power to make and pass all
36 ordinances, resolutions and orders, not repugnant to the
37 Constitution of the United States or of the State of Nevada or to
38 the provisions of this Charter, necessary for the municipal
39 government and the management of the city affairs, for the
40 execution of all powers vested in the City, and for making effective
41 the provisions of this Charter.

42 2. The Council shall have the power to enforce obedience to
43 its ordinances by such fines, imprisonments or other penalties as
44 the Council may deem proper, but the punishment for any offense
45 shall not be greater than the penalties specified for misdemeanors



1 *under applicable provisions of Nevada Revised Statutes in effect at*
2 *the time such offense occurred.*

3 *3. The Council may enact and enforce such local police*
4 *ordinances as are not in conflict with the general laws of the State*
5 *of Nevada.*

6 *4. Any offense made a misdemeanor by the laws of the State*
7 *of Nevada shall also be deemed to be a misdemeanor in the City of*
8 *Laughlin whenever such offense is committed within the city*
9 *limits.*

10 *Sec. 2.150 Voting on ordinances and resolutions.*

11 *1. No ordinance or resolution shall be passed without*
12 *receiving the affirmative votes of at least three members of the*
13 *Council.*

14 *2. The ayes and noes shall be taken upon the passage of all*
15 *ordinances and resolutions and entered upon the journal of the*
16 *proceedings of the Council. Upon the request of any member of*
17 *the Council, the ayes and noes shall be taken and recorded upon*
18 *any vote. All members of the Council present at any meeting shall*
19 *vote, except upon matters in which they have financial interest or*
20 *when they are reviewing an appeal from a decision of a city*
21 *commission, before which they have appeared as an advocate for*
22 *or an adversary against the decision being appealed.*

23 *Sec. 2.160 Enactment of ordinances; subject matter, titles.*

24 *1. No ordinance shall be passed except by bill, and when any*
25 *ordinance is amended, the section or sections thereof must be*
26 *reenacted as amended, and no ordinance shall be revised or*
27 *amended by reference only to its title.*

28 *2. Every ordinance, except those revising the city ordinances,*
29 *shall embrace but one subject and matters necessarily connected*
30 *therewith and pertaining thereto, and the subject shall be clearly*
31 *indicated in the title, and in all cases where the subject of the*
32 *ordinance is not so expressed in the title, the ordinance shall be*
33 *void as to the matter not expressed in the title.*

34 *Sec. 2.170 Introduction of ordinances; notice; final action;*
35 *publication.*

36 *1. The style of ordinances must be as follows: "The Council*
37 *of the City of Laughlin does ordain." All proposed ordinances,*
38 *when first proposed, must be read by title to the Council, after*
39 *which an adequate number of copies of the ordinance must be*
40 *deposited with the City Clerk for public examination and*
41 *distribution upon request. Notice of the deposit of the copies,*
42 *together with an adequate summary of the ordinance, must be*
43 *published once in a newspaper published in the City, if any,*
44 *otherwise in some newspaper published in the County which has a*
45 *general circulation in the City, at least 10 days before the adoption*



1 of the ordinance. At any meeting at which final action on the
2 ordinance is considered, at least one copy of the ordinance must
3 be available for public examination. The Council shall adopt or
4 reject the ordinance, or the ordinance as amended, within 30 days
5 after the date of publication, except that in cases of emergency, by
6 unanimous consent of the whole Council, final action may be
7 taken immediately or at a special meeting called for that purpose.

8 2. After final adoption the ordinance must be signed by the
9 Mayor, and, together with the votes cast on it, must be:

10 (a) Published by title, together with an adequate summary
11 including any amendments, once in a newspaper published in the
12 City, if any, otherwise in a newspaper published in the County and
13 having a general circulation in the City; and

14 (b) Posted in full in the city hall.

15 3. Except as otherwise provided in subsections 4 and 5, all
16 ordinances become effective 20 days after publication.

17 4. Emergency ordinances having for their purpose the
18 immediate preservation of the public peace, health or safety,
19 containing a declaration of and the facts constituting its urgency
20 and passed by a four-fifths vote of the Council, and ordinances
21 calling or otherwise relating to a municipal election, become
22 effective on the date specified therein.

23 5. All ordinances having for their purpose the lease or sale of
24 real estate owned by the City, except city-owned subdivision or
25 cemetery lots, may be effective not fewer than 5 days after the
26 publication.

27 *Sec. 2.180 Adoption of specialized, uniform codes. An*
28 *ordinance adopting any specialized or uniform building, plumbing*
29 *or electrical code or codes, printed in book or pamphlet form or*
30 *any other specialized or uniform code or codes of any nature*
31 *whatsoever so printed, may adopt such code, or any portion*
32 *thereof, with such changes as may be necessary to make the same*
33 *applicable to conditions in the City, and with such other changes*
34 *as may be desirable, by reference thereto, without the necessity of*
35 *reading the same at length. Such code, upon adoption, need not be*
36 *published if an adequate number of copies of such code, either*
37 *typewritten or printed, with such changes, if any, have been filed*
38 *for use and examination by the public in the Office of the City*
39 *Clerk at least 1 week before the passage of the ordinance adopting*
40 *the code, or any amendment thereto. Notice of such filing shall*
41 *be given in accordance with the provisions of subsection 2 of*
42 *section 2.170.*

43 *Sec. 2.190 Codification of ordinances; publication of Code.*

44 1. The Council shall have the power to codify and publish a
45 code of its municipal ordinances in the form of a Municipal Code,



1 *which Code may, at the election of the Council, have incorporated*
2 *therein a copy of this Charter and such additional data as the*
3 *Council may prescribe.*

4 *2. The ordinances in the Code shall be arranged in*
5 *appropriate chapters, articles and sections, excluding the titles,*
6 *enacting clauses, attestations and other formal parts.*

7 *3. The codification shall be adopted by an ordinance which*
8 *shall not contain any substantive changes, modifications or*
9 *alterations of existing ordinances and the only title necessary for*
10 *the ordinance shall be "An ordinance for codifying and compiling*
11 *the general ordinances of the City of Laughlin."*

12 *4. The codification may, by ordinance regularly passed,*
13 *adopted and published, be amended or extended.*

14 *Sec. 2.200 Independent annual audit. Before the end of*
15 *each fiscal year, the Council shall designate qualified accountants*
16 *who, as of the end of the fiscal year, shall make a complete and*
17 *independent audit of accounts and other evidences of financial*
18 *transactions of the city government and shall submit their report*
19 *to the Council and to the City Manager. Such accountants shall*
20 *have no personal interest, direct or indirect, in the fiscal affairs of*
21 *the city government or of any of its officers. They shall not*
22 *maintain any accounts or records of the city business, but, within*
23 *specifications approved by the Council, shall postaudit the books*
24 *and documents kept by the Department of Finance and any*
25 *separate or subordinate accounts kept by any other office,*
26 *department or agency of the city government.*

27
28 **ARTICLE III**

29
30 **CITY MANAGER**

31
32 *Sec. 3.010 Appointment and qualifications.*

33 *1. The Council shall appoint a City Manager by a majority*
34 *vote who by virtue of his position as City Manager shall be an*
35 *officer of the City and who shall have the powers and shall*
36 *perform the duties in this Charter provided. No member of the*
37 *Council shall receive such appointment during the term for which*
38 *he shall have been elected, nor within 1 year after the expiration*
39 *of his term.*

40 *2. The City Manager shall be chosen on the basis of his*
41 *executive and administrative qualifications. He shall be paid a*
42 *salary commensurate with his responsibilities as Chief*
43 *Administrative Officer of the City as set by resolution of the*
44 *Council.*



1 3. *The Council shall appoint the City Manager for an*
2 *indefinite term and may remove him in accordance with the*
3 *procedures set forth in section 3.020.*

4 *Sec. 3.020 Removal.*

5 1. *Before removal of the City Manager may become effective,*
6 *the Council must adopt, by the affirmative votes of at least four*
7 *members, a resolution that must state the reasons for the proposed*
8 *removal of the City Manager and may provide for the suspension*
9 *of the City Manager from duty, but shall in any case cause to be*
10 *paid him forthwith any unpaid balance of his salary and his salary*
11 *for the next calendar month following the date of adoption of the*
12 *resolution. A copy of the resolution must be delivered promptly to*
13 *the City Manager.*

14 2. *The City Manager may reply in writing and any member of*
15 *the Council may request a public hearing, which, if requested,*
16 *shall be held not earlier than 20 days or later than 30 days after*
17 *the filing of such request. After such public hearing, if one be*
18 *requested, and after full consideration, the Council may remove*
19 *the City Manager by motion adopted by the affirmative votes of at*
20 *least four members of the Council.*

21 *Sec. 3.030 Powers and duties. The City Manager shall be*
22 *the Chief Administrative Officer and the Head of the*
23 *Administrative Branch of the city government. He shall be*
24 *responsible to and under the direction of the Council for the*
25 *proper administration of all affairs of the City. Without limiting*
26 *the foregoing general grant of powers, responsibilities, and duties,*
27 *the City Manager shall have the power and be required to:*

28 1. *Subject to the civil service rules and regulations adopted by*
29 *the Council, and with the approval of the Council, appoint all*
30 *department heads and officers of the City except those officers the*
31 *power of appointment of whom is vested in the Council and as*
32 *otherwise provided in this Charter;*

33 2. *Subject to the civil service rules and regulations adopted by*
34 *the Council and ordinances adopted pursuant thereto, pass upon*
35 *and approve all proposed appointments and removals of*
36 *subordinate employees, by all officers and heads of offices,*
37 *agencies and departments;*

38 3. *Prepare the budget annually and submit it to the Council*
39 *and be responsible for its administration after adoption;*

40 4. *Prepare and submit to the Council at the end of the fiscal*
41 *year a complete report of the finances and administrative activities*
42 *of the City for the preceding fiscal year;*

43 5. *Keep the Council advised of the financial condition and*
44 *future needs of the City and make such recommendations as may*
45 *seem to him desirable;*



1 departments, and for the number, titles, qualifications, powers,
2 duties and compensation of all officers and employees.

3 2. The Council by ordinance may assign additional functions
4 or duties to offices, departments or other agencies established by
5 this Charter, but, except as otherwise provided in subsection 3,
6 shall not discontinue or assign to any other office, department or
7 other agency any function or duty assigned by this Charter to a
8 particular office, department or agency. No office provided in this
9 Charter, to be filled by appointment by the City Manager, shall be
10 combined with an office provided in this Charter to be filled by
11 appointment by the Council.

12 3. Notwithstanding the foregoing, the Council may transfer
13 or consolidate functions of the city government to or with
14 appropriate functions of the state or county government and, in
15 case of any such transfer or consolidation, the provisions of this
16 Charter providing for the functions of the city government so
17 transferred or consolidated, shall be deemed suspended during the
18 continuance of such transfer or consolidation, to the extent that
19 such suspension is made necessary or convenient and is set forth
20 in the ordinance establishing such transfer or consolidation. Any
21 such transfer or consolidation may be repealed by ordinance.

22 4. Subject to the civil service rules and regulations adopted by
23 the Council and section 3.020 of Article III, all officers and
24 department heads of the City, except the City Attorney, Municipal
25 Judge and the City Clerk, shall be appointed by the City Manager
26 and shall thereafter serve at the pleasure of the City Manager.

27 5. Officers of the City appointed by the Council shall be
28 required to reside within the city limits within 3 months of
29 appointment. Employees of the City shall be required to live within
30 a 50 mile radius of the City within 6 months of employment.

31 **Sec. 4.020 Officers appointed by the Council.**

32 1. In addition to the City Manager, the Council shall appoint
33 the City Attorney and the Municipal Judge, if required pursuant to
34 section 5.020 of Article V, who shall serve at the pleasure of the
35 Council and may be removed by motion of the Council adopted by
36 the affirmative votes of at least four members of the Council.

37 2. Subject to the provisions of this Charter and rules and
38 regulations adopted by the Council, the Council shall appoint the
39 City Clerk who shall serve at the pleasure of the Council and may
40 be removed by motion of the Council adopted by the affirmative
41 votes of three members of the Council.

42 3. The appointments of city officers pursuant to subsections 1
43 and 2 shall be for indefinite terms, and each such officer shall
44 receive such compensation and other benefits as may be
45 determined by resolution of the Council from time to time.



1 4. Any city officer may be temporarily suspended with full
2 pay at any time by a majority vote of the Council, but no city
3 officer may be removed from office unless he has first been given
4 an opportunity for a hearing before the Council, at his request,
5 with not less than 7 days' prior notice of the time and place of the
6 hearing. Such hearing may be either public or private, as
7 requested by the officer, and at the hearing, the officer may be
8 assisted by his own legal counsel. Any action of the Council
9 following such hearing shall be considered final and conclusive. If
10 a city officer is so removed, the Council will appoint a person as a
11 temporary replacement to perform the duties of the removed
12 officer, and will appoint a qualified person as a permanent
13 replacement officer as soon as practicable.

14 5. No person shall be appointed as a city officer who is a
15 grandparent, parent, uncle, aunt, brother, sister, nephew, niece,
16 child or grandchild, by birth, marriage or adoption, of a city
17 officer, employee or Council member at the time of appointment.

18 Sec. 4.030 City Clerk powers and duties. The City Clerk
19 shall have the power and be required to:

20 1. Receive all documents addressed to the Council and
21 present such documents to the Council.

22 2. Attend all meetings of the Council and its committees and
23 be responsible for:

24 (a) Recording and maintaining an accurate journal of Council
25 proceedings;

26 (b) Recording the ayes and noes in the final action upon the
27 questions of granting franchises, making of contracts, approving
28 of bills, disposing or leasing city property, the passage or
29 reconsideration of any ordinance, or upon any other act that
30 involves the payment of money or the incurring of debt by the
31 City; and

32 (c) Other duties as required upon the call of any member of
33 the Council.

34 3. Maintain the journal of Council proceedings in books
35 which shall bear appropriate titles and which shall be available for
36 public inspection.

37 4. Maintain separate books in which shall be recorded
38 respectively all ordinances and resolutions, with the certificate of
39 the City Clerk annexed to each thereof stating the same to be the
40 original or a correct copy, and as to an ordinance requiring
41 publication, stating that the same has been published or posted in
42 accordance with this Charter, and maintain all such books
43 properly indexed and available for public inspection when not in
44 actual use.



1 5. *Have charge of the repository for contracts, surety bonds,*
2 *agreements, and other related documents of City business.*

3 6. *Maintain custody of the City seal.*

4 7. *Administer oaths or affirmations, take affidavits and*
5 *depositions pertaining to the affairs and business of the City, and*
6 *issue certified copies of official City records.*

7 8. *Conduct all City elections.*

8 *Sec. 4.040 City Attorney; qualifications, power and duties.*

9 1. *The City Attorney shall be an attorney at law duly licensed*
10 *under the laws of the State of Nevada. He shall devote such time to*
11 *the duties of his office as may be specified in the ordinance or*
12 *resolution fixing the compensation of such office. If practicable,*
13 *the Council shall appoint an attorney who has had special training*
14 *or experience in municipal corporation law.*

15 2. *The City Attorney shall have the power and be required to:*

16 (a) *Represent and advise the Council and all city officers in all*
17 *matters of law pertaining to their offices;*

18 (b) *Attend all meetings of the Council and give his advice or*
19 *opinion in writing whenever requested to do so by the Council or*
20 *by any of the officers and boards of the City;*

21 (c) *Prepare or approve all proposed ordinances and*
22 *resolutions for the City, and amendments thereto;*

23 (d) *Prosecute on behalf of the people such criminal cases for*
24 *violation of this Charter or city ordinances, and of misdemeanor*
25 *offenses and infractions arising upon violations of the laws of the*
26 *State as, in his opinion, that of the Council or of the City*
27 *Manager, warrant his attention;*

28 (e) *Represent and appear for the City, any city officer or*
29 *employee, or former city officer or employee, in any or all actions*
30 *and proceedings in which the City or any such officer or*
31 *employee, in or by reason of his official capacity, is concerned or*
32 *is a party;*

33 (f) *Approve the form of all bonds given to, and all contracts*
34 *made by, the City, endorsing his approval thereon in writing; and*

35 (g) *On vacating the office, surrender to his successor all*
36 *books, papers, files and documents pertaining to the City's affairs.*

37 3. *The Council shall have control of all legal business and*
38 *proceedings and may employ other attorneys to take charge of any*
39 *litigation or matter or to assist the City Attorney therein.*

40 *Sec. 4.050 Director of Finance; qualifications, powers and*
41 *duties.*

42 1. *The person appointed by the City Manager for the position*
43 *of Director of Finance shall be qualified to administer and direct*
44 *an integrated Department of Finance.*



1 2. *The Director of Finance shall have the power and be*
2 *required to:*

3 (a) *Have charge of the administration of the financial affairs*
4 *of the City under the direction of the City Manager.*

5 (b) *Supervise and be responsible for the disbursement of all*
6 *money and have control over all expenditures to insure that*
7 *budget appropriations are not exceeded.*

8 (c) *Supervise a system of financial internal control including*
9 *the auditing of all purchase orders before issuance, the auditing*
10 *and approving before payment of all invoices, bills, payrolls,*
11 *claims, demands or other charges against the City, and, with the*
12 *advice of the City Attorney, when necessary, determining the*
13 *regularity, legality and correctness of such charges.*

14 (d) *With the advice of the City Attorney, settle claims, demands*
15 *or other charges, including the issuing of warrants therefor.*

16 (e) *Maintain general and cost accounting systems for the city*
17 *government and each of its offices, departments and other*
18 *agencies.*

19 (f) *Keep separate accounts for the items of appropriation*
20 *contained in the city budget. Each account shall show the amount*
21 *of appropriations, the amounts paid therefrom, the unpaid*
22 *obligations against it and the unencumbered balance.*

23 (g) *Require reports of the receipts and disbursements from*
24 *each receiving and expending agency of the city government to be*
25 *made daily or at such intervals as he may deem expedient.*

26 (h) *Submit to the Council through the City Manager a monthly*
27 *statement of all receipts and disbursements and other financial*
28 *data in sufficient detail to show the exact financial condition of*
29 *the City, and, as of the end of each fiscal year, submit a complete*
30 *financial statement and report.*

31 (i) *Administer the license and business tax program of the*
32 *City.*

33 (j) *Direct treasury administration for the City, including,*
34 *without limitation:*

35 (1) *Receiving and collecting revenues and receipts from*
36 *whatever source;*

37 (2) *Maintaining custody of all public funds belonging to or*
38 *under the control of the City or any office, department or other*
39 *agency of the city government; and*

40 (3) *Depositing all funds coming into his hands in such*
41 *depository as may be designated by resolution of the Council, or, if*
42 *no such resolution is adopted, by the City Manager, in compliance*
43 *with all of the provisions of the Constitution and laws of this State*
44 *governing the handling, depositing, and securing of public funds.*



1 *storm sewers, drainage systems, sewerage systems and sewerage*
2 *disposal plants, may be paid from the General Fund or Street*
3 *Fund or the cost or portion thereof as the Council shall determine,*
4 *may be defrayed by special assessments upon lots and premises*
5 *abutting upon that part of the street or alley so improved or*
6 *proposed so to be, or the land abutting upon such improvement*
7 *and such other lands as in the opinion of the Council may benefit*
8 *by the improvement all in the manner contained in the provisions*
9 *of the Nevada Revised Statutes.*

10
11 **ARTICLE VIII**

12
13 **CITY ASSESSOR; TAX RECEIVER; FINANCES AND PURCHASING**

14
15 *Sec. 8.010 Clark County Assessor to be ex officio City*
16 *Assessor. The County Assessor of Clark County shall, in*
17 *addition to the duties now imposed upon him by law, act as the*
18 *Assessor of the City and shall be ex officio City Assessor, without*
19 *further compensation. He shall perform such duties as the*
20 *Council may by ordinance prescribe with the County Assessor's*
21 *consent.*

22 *Sec. 8.020 Clark County Treasurer to be ex officio City Tax*
23 *Receiver. The County Treasurer of Clark County shall, in*
24 *addition to the duties now imposed upon him by law, act as ex*
25 *officio City Tax Receiver. He shall receive and safely keep all*
26 *moneys that come to the City by taxation, and shall pay the same*
27 *to the Director of Finance. The City Tax Receiver may, with the*
28 *consent of the Council, collect special assessments which may be*
29 *levied by authority of this Charter or city ordinance when they*
30 *become due and payable, and whenever and wherever the general*
31 *laws of the State of Nevada regarding the authorized acts of tax*
32 *receivers may be, the same hereby are, make applicable to the City*
33 *Tax Receiver of the City of Laughlin, in the collection of city*
34 *special assessments.*

35 *Sec. 8.030 Procedures for city purchasing. All purchases of*
36 *goods or services of every kind or description for the City by any*
37 *office, commission, board, department or any division thereof*
38 *shall be made in conformance with the Nevada Revised Statutes,*
39 *as amended from time to time.*

40 *Sec. 8.040 Transfer of appropriations. The City Manager*
41 *may at any time transfer any unencumbered appropriation*
42 *balance or portion thereof between general classifications of*
43 *expenditures within an office, department or agency.*



1 (b) Fails to attend at least one-half of the regular meetings of
2 such board or commission within a calendar year;

3 (c) Is convicted of a crime involving moral turpitude; or

4 (d) Ceases to be a qualified elector of the City,

5 ↳ the office of that member shall become vacant and shall be so
6 declared by the Council.

7 3. Except as otherwise provided in subsection 2 or section
8 9.030, the members of such boards and commissions shall serve
9 for a term of 2 years and until their respective successors are
10 appointed and qualified.

11 *Sec. 9.030 Prohibition against serving as treasurer for*
12 *campaign committee. If any member of an appointive board or*
13 *commission shall become the treasurer of a campaign committee*
14 *which receives contributions for any candidate for Mayor or*
15 *Council member, his office shall become vacant and shall be so*
16 *declared by the Council. Any provisions of this Article IX*
17 *notwithstanding, no person who serves as the treasurer of a*
18 *campaign committee which receives contributions for any*
19 *candidate for Mayor or Council member shall be eligible for*
20 *appointment to any appointive board or commission.*

21 *Sec. 9.040 Appropriations therefor. The Council shall*
22 *include in its annual budget such appropriations of funds as, in its*
23 *opinion, shall be sufficient for the efficient and proper functioning*
24 *of such appointive boards and commissions.*

25 *Sec. 9.050 Meetings; chairman.*

26 1. *The election of each chairman and vice chairman shall be*
27 *held at the meetings of the respective boards and commissions*
28 *during the month of July of each year. The board or commission,*
29 *in the event of a vacancy in the office of the chairman or vice*
30 *chairman, shall elect one of its members for the unexpired term.*
31 *The chairman shall have the responsibility for informing the*
32 *Council or board, commission or committee of actions or inactions*
33 *and the reasons therefor.*

34 2. *Each board or commission, other than the Personnel*
35 *Board, shall hold a regular meeting at least once a month with*
36 *reasonable provision for attendance by the public. The City*
37 *Manager shall designate a secretary for the recording of minutes*
38 *for each such board and commission, who shall keep a record of*
39 *its proceedings and transactions. Each board and commission*
40 *shall prescribe rules and regulations governing its operations*
41 *which shall be consistent with this Charter and shall be filed with*
42 *the City Clerk for public inspection. The Personnel Board shall*
43 *meet monthly, provided there is business on the agenda to come*
44 *before it. In the event no business is placed on the Personnel*
45 *Board's agenda 5 days preceding the tentative meeting date, no*



1 *meeting need be held, provided that in no event shall more than 3*
2 *months intervene between meetings of the Personnel Board.*

3 *Sec. 9.060 Compensation. The members of appointive*
4 *boards and commissions shall receive such compensation, if any,*
5 *as may be prescribed by ordinance and may receive*
6 *reimbursement for necessary traveling and other expenses when*
7 *on official duty of the City when such expenditure has been so*
8 *authorized by the board or commission and subject to rules and*
9 *regulations prescribed by ordinance or order of the Council.*

10 *Sec. 9.070 Attendance of witnesses; oaths and affirmations.*
11 *Each appointive board or commission shall have the same power*
12 *as the Council to compel the attendance of witnesses, to examine*
13 *them under oath and to compel the production of evidence before*
14 *it. Each member of any such board or commission shall have the*
15 *power to administer oaths and affirmations in any investigation or*
16 *proceeding pending before such board or commission.*

17 *Sec. 9.080 Personnel Board: Membership. The Personnel*
18 *Board shall consist of five members to be appointed by the Council*
19 *from the qualified electors of the City. None of the members shall*
20 *be removed from office without reasonable and sufficient cause, in*
21 *accordance with procedures as provided by ordinance. None of the*
22 *members shall hold public office or employment in the city*
23 *government or be a candidate for any other public office or*
24 *position, be an officer of any local, state or national partisan*
25 *political club or organization, or while a member of the Personnel*
26 *Board or for a period of 1 year after he has ceased for any reason*
27 *to be a member, be eligible for appointment to any salaried office*
28 *or employment in the service of the City.*

29 *Sec. 9.090 Personnel Board: Powers and duties. The*
30 *Personnel Board shall have the power and be required to:*

31 *1. Hear appeals pertaining to the disciplinary suspension,*
32 *demotion or dismissal of any officer or employee having*
33 *permanent status in any office, position or employment in the civil*
34 *service, and as otherwise provided for in the civil service rules and*
35 *regulations;*

36 *2. Consider matters that may be referred to it by the Council*
37 *or the City Manager and render such counsel and advice in regard*
38 *thereto as may be requested by the referring authorities;*

39 *3. By its own motion, make such studies and investigations as*
40 *it may deem necessary for the review of civil service rules and*
41 *regulations, or to determine the wisdom and efficacy of the rules,*
42 *regulations, policies, plans and procedures dealing with civil*
43 *service matters and report its findings and recommendations to the*
44 *City Manager or the Council, or to both such authorities, as it may*
45 *see fit; and*



1 *elected to one of the vacancies and his name shall not be placed*
2 *on the ballot for the general city election.*

3 *Sec. 10.070 Voters entitled to vote for each seat on ballot.*
4 *In each primary and general election, voters shall be entitled to*
5 *cast ballots for candidates in a number equal to the number of*
6 *seats to be filled in the city elections.*

7 *Sec. 10.080 Council to control elections. The conduct of all*
8 *municipal elections shall be under the control of the Council,*
9 *which shall adopt by ordinance all regulations which it considers*
10 *desirable and consistent with law and this Charter. Nothing in this*
11 *Charter shall be construed as to deny or abridge the power of the*
12 *Council to provide for supplemental regulations for the prevention*
13 *of fraud in such elections and for the recount of ballots in cases of*
14 *doubt or fraud.*

15
16 **ARTICLE XI**

17
18 **INITIATIVE, REFERENDUM AND RECALL**

19
20 *Sec. 11.010 Registered voters' power of initiative and*
21 *referendum concerning city ordinances. The registered voters of*
22 *a city may:*

23 *1. Propose ordinances to the Council and, if the Council fails*
24 *to adopt an ordinance so proposed without change in substance, to*
25 *adopt or reject it at a primary or general municipal election or*
26 *primary or general state election; and*

27 *2. Require reconsideration by the Council of any adopted*
28 *ordinance, and if the Council fails to repeal an ordinance so*
29 *considered, to approve or reject it at a primary or general*
30 *municipal election or primary or general state election.*

31 *Sec. 11.020 Initiative and referendum proceedings. All*
32 *initiative and referendum proceedings shall be conducted in*
33 *conformance with the provisions of the Nevada Revised Statutes,*
34 *as amended from time to time.*

35 *Sec. 11.030 Results of election.*

36 *1. If a majority of the registered voters voting on a proposed*
37 *initiative ordinance vote in its favor, it shall be considered adopted*
38 *upon certification of the results of the election and must be treated*
39 *in all respects in the same manner as ordinances of the same kind*
40 *adopted by the Council. If conflicting ordinances are approved at*
41 *the same election, the one receiving the greatest number of*
42 *affirmative votes prevails to the extent of the conflict.*

43 *2. If a majority of the registered voters voting on a referred*
44 *ordinance vote against it, it shall be considered repealed upon*
45 *certification of the results of the election.*



1 *and regulations concerning placement of easement improvements*
2 *such as poles, valves, hydrants and the like.*

3 2. *No franchise shall be transferred hereafter by any utility to*
4 *another without the approval of the Council, and as a condition to*
5 *such approval, the successor in interest to the said franchise shall*
6 *execute a written agreement containing a covenant that it will*
7 *comply with all the terms and conditions of the franchise then in*
8 *existence, together with any other terms, conditions and*
9 *regulations and ordinances which the City, or its agencies, may*
10 *wish to impose.*

11 *Sec. 12.030 Rates; annual cost of service and sliding scale*
12 *basis. The Council shall enact proper ordinances and shall*
13 *prosecute or cause to be prosecuted all appropriate proceedings*
14 *before the Public Utilities Commission of Nevada to secure fair*
15 *rates for consumers at large and for the City.*

16 *Sec. 12.040 Records and proceedings.*

17 1. *The Council shall establish or designate an agency of the*
18 *city government which shall assemble the facts which are essential*
19 *to the proper determination of cost of service and the fixing of*
20 *reasonable rates. Such agency shall have and keep up to date an*
21 *inventory of the property used in public service, the cost of such*
22 *properties as actually and reasonably incurred or as fixed by*
23 *appraisal additions and retirements made each year, the*
24 *depreciation, and all matters that enter into the periodical*
25 *readjustment of the rate base. It shall have power to make, and*
26 *shall conduct, all inspections and examinations of public utility*
27 *properties accounts and records necessary or appropriate to carry*
28 *out the provisions of this Charter. At the close of each calendar or*
29 *fiscal year, it shall make a comprehensive report and*
30 *recommendations to the City Manager and the Council. Every*
31 *public utility operating within the City shall furnish to such*
32 *agency regular reports as to capital outlay, property retirements,*
33 *operating revenues, operating expenses, taxes and other*
34 *accounting matters according to the standard accounting*
35 *classification issued for such utilities by the Public Utilities*
36 *Commission of Nevada. In addition, the City may require reports*
37 *regarding salaries, wages, employees, contracts, service*
38 *performance and all other records of operation that pertain to*
39 *proper rate adjustments on the basis of facts and regular*
40 *administration.*

41 2. *The agency established or designated by the Council shall*
42 *also make appropriate efforts to obtain proper annual revision of*
43 *rates of private utilities which do not operate under the franchise*
44 *terms of this Charter and which are not subject to municipal*
45 *regulation by general law. It may initially obtain proper surveys of*



1 *operating expenses, taxes and other charges and of the net capital*
2 *investment in the properties used in public service within the City,*
3 *and thereupon may endeavor, through negotiation with the utility,*
4 *to obtain proper rate adjustments. If it cannot obtain due*
5 *agreement, it shall file a complaint and petition with the Public*
6 *Utilities Commission of Nevada for a formal rate inquiry. In such*
7 *proceeding, it shall represent the consumers at large and shall*
8 *prepare and present in legal form all the evidence with respect to*
9 *cost of service and other elements as required in the public*
10 *interest. It shall obtain all requisite data for successive rate*
11 *revisions, and at the end of each calendar or fiscal year, it shall*
12 *endeavor to secure any revision of rates indicated by the showing*
13 *of facts, and, if necessary, shall proceed again with a request for*
14 *formal inquiry by the Public Utilities Commission of Nevada.*

15 *Sec. 12.050 Condemnation. The City, by initiative*
16 *ordinance, shall have the right to condemn the property of any*
17 *public utility. The public utility shall receive just compensation for*
18 *the taking of its property. Such an initiative petition must be voted*
19 *on by the people and cannot be passed by simple acceptance of the*
20 *Council.*

21 *Sec. 12.060 Establishment of municipally owned and*
22 *operated utilities.*

23 *1. The City shall have power to own and operate any public*
24 *utility, to construct and install all facilities that are reasonably*
25 *needed and to lease or purchase any existing utility properties*
26 *used and useful in public service. The City may also furnish*
27 *service in adjacent and nearby communities which may be*
28 *conveniently and economically served by the municipally owned*
29 *and operated utility, subject to:*

- 30 *(a) Agreements with such communities;*
31 *(b) Provisions of state law; and*
32 *(c) Provisions of this Charter.*

33 *2. The Council may provide by ordinance for the*
34 *establishment of such utility, but an ordinance providing for a*
35 *newly owned and operated utility shall be enacted only after such*
36 *hearings and procedure as required herein for the granting of a*
37 *franchise, and shall also be submitted to and approved at a*
38 *popular referendum provided that an ordinance providing for any*
39 *extension, enlargement or improvement of an existing utility may*
40 *be enacted as a matter of general municipal administration.*

41 *3. The City shall have the power to execute long-term*
42 *contracts for the purpose of augmenting the services of existing*
43 *municipally owned utilities. Such contracts shall be passed only in*
44 *the form of ordinances and may exceed in length the terms of*
45 *office of the members of the Council.*



1 *Sec. 12.070 Municipal utility organizations.*

2 *1. The Council may provide for the establishment of a*
3 *separate department to administer the utility function, including*
4 *the regulation of privately owned and operated utilities and the*
5 *operation of municipally owned utilities. Such department shall*
6 *keep separate financial and accounting records for each*
7 *municipally owned and operated utility and before February 1 of*
8 *each fiscal year, shall prepare for the City Manager, in*
9 *accordance with his specifications, a comprehensive report of*
10 *each utility. The responsible departments or officer shall endeavor*
11 *to make each utility financially self-sustaining, unless the Council*
12 *shall by ordinance adopt a different policy. All net profits derived*
13 *from municipally owned and operated utilities may be expended in*
14 *the discretion of the Council for general municipal purposes.*

15 *2. The rates for the products and services of any municipally*
16 *owned and operated utility shall only be established, reduced,*
17 *altered or increased by resolution of the Council following a*
18 *public hearing.*

19 *Sec. 12.080 Financial provisions.*

20 *1. The City may finance the acquisition of privately owned*
21 *utility properties, the purchase of land and the cost of all*
22 *construction and property installation for utility purposes by*
23 *borrowing in accordance with the provisions of general law.*

24 *2. Appropriate provisions shall be made for the amortization*
25 *and retirement of all bonds within a maximum period of 40 years.*
26 *Such amortization and retirement may be effected through the use*
27 *of depreciation funds or other financial resources provided*
28 *through the earnings of the utility.*

29 *Sec. 12.090 Sale of public utilities; proviso.*

30 *1. No public utility of any kind, after having been acquired by*
31 *the City, may thereafter be sold or leased by the City, unless the*
32 *proposition for the sale or lease has been submitted to the electors*
33 *of the City at a special election or primary or general municipal*
34 *election or primary or general state election. After a majority vote*
35 *of those electors in favor of the sale, the sale may not be made*
36 *except after 30 days' published notice thereof, except that the*
37 *provisions of this section do not apply to a sale by the Council of*
38 *parts, equipment, trucks, engines and tools which have become*
39 *obsolete or worn out, any of which equipment may be sold by the*
40 *Council in the regular course of business.*

41 *2. A special election may be held only if the Council*
42 *determines, by a unanimous vote, that an emergency exists. The*
43 *determination made by the Council is conclusive unless it is shown*
44 *that the Council acted with fraud or a gross abuse of discretion.*
45 *An action to challenge the determination made by the Council*



1 *must be commenced within 15 days after the Council's*
2 *determination is final. As used in this subsection, "emergency"*
3 *means any unexpected occurrence or combination of occurrences*
4 *which requires immediate action by the Council to prevent or*
5 *mitigate a substantial financial loss to the City or to enable the*
6 *Council to provide an essential service to the residents of the City.*

7
8 **ARTICLE XIII**

9
10 **MISCELLANEOUS PROVISIONS**

11
12 *Sec. 13.010 Removal of officers and employees. Subject to*
13 *the provisions of this Charter not inconsistent herewith, any*
14 *employee of the City may be suspended or dismissed from*
15 *employment at any time by the City Manager or by any applicable*
16 *person appointed by the City Manager pursuant to this Charter.*
17 *Unless otherwise provided in this Charter, any such action shall*
18 *be considered final and conclusive and shall not be subject to*
19 *appeal to any city governmental entity.*

20 *Sec. 13.020 Right of City Manager and other officers of*
21 *Council. The City Manager shall have the right to take part in*
22 *the discussion of all matters coming before the Council, and the*
23 *directors and other officers shall be entitled to take part in all*
24 *discussions of the Council relating to their respective offices,*
25 *departments or agencies.*

26 *Sec. 13.030 Personal interest.*

27 *1. No elective or appointive officer shall take any official*
28 *action on any contract or other matter in which he has any*
29 *financial interest.*

30 *2. A violation of the provisions of this section shall constitute*
31 *a misdemeanor, subject to a penalty not to exceed the penalties*
32 *specified for misdemeanors under applicable provisions of Nevada*
33 *Revised Statutes in effect at the time of such violation.*

34 *Sec. 13.040 Official bonds. Officers or employees, as the*
35 *Council may by general ordinance require so to do, including a*
36 *municipal court judge appointed pursuant to section 5.020 of this*
37 *Charter, if any, shall give bond in such amount and with such*
38 *surety as may be approved by the Council. The premiums on such*
39 *bonds shall be paid by the City.*

40 *Sec. 13.050 Oath of office. Every officer of the City shall,*
41 *before entering upon the duties of his office, take and subscribe to*
42 *the official oath of office of the State of Nevada:*

43
44 *"I,, do solemnly swear (or affirm) that I will*
45 *support, protect and defend the Constitution and*



Government of the United States and the Constitution and Government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any Ordinance, Resolution or Law of any State notwithstanding, and I will well and faithfully perform all the duties of the Office of on which I am about to enter; (if any oath) so help me God; (if any affirmation) under the pains and penalties of perjury.”

Sec. 13.060 Amending the Charter.

1. An amendment to this Charter:

(a) May be made by the Legislature directly by the use of mandatory specific wording or indirectly by the use of wording allowing flexibility in expressing the required change.

(1) If a law is enacted which directly amends this Charter, such an amendment is not subject to public approval as provided in paragraph (b) and must be included in the Charter and identified as having been amended by the particular law involved.

(2) If a law is enacted which requires that this Charter be amended but does not require the specific wording to be used, the Council shall propose a suitable amendment to be submitted to the registered voters of the City as provided by paragraph (b). If such a proposed amendment is not adopted by the voters, it must be redrafted and resubmitted to the voters at one or more general city elections or general state elections until an amendment is adopted.

(b) May be proposed by the Council and submitted to the registered voters of the City at a general city election or general state election.

(c) May be proposed by a petition signed by registered voters of the City equal in number to 15 percent or more of the voters who voted at the latest preceding general city election and submitted to registered voters of the City at the next general city election or general state election.

2. The City Attorney shall draft any amendment proposed pursuant to subparagraph (2) of paragraph (a) or paragraph (b) of subsection 1, or if such a proposed amendment has been previously drafted, the City Attorney shall review the previous draft and recommend to the Council any suggested changes or corrections.

3. The City Attorney shall, upon request, review any amendment intended to be proposed by petition pursuant to paragraph (c) of subsection 1, make only such corrections as are agreed to by the proposers and report to the Council his analysis of the significance and potential effects of the proposed amendment.



1 4. A petition for amendment must be in the form specified by
2 state law for city initiative petitions and must be filed with the City
3 Clerk not later than 6 months before the date of the general city
4 election or general state election at which the proposed
5 amendment is to be submitted to the voters of the City.

6 5. When an amendment is adopted by the registered voters of
7 the City, the City Clerk shall, within 30 days thereafter, transmit a
8 certified copy of the amendment to the Legislative Counsel.

9 6. Any amendment to the Charter proposed under the
10 provisions of this section shall be adopted by a simple majority of
11 the voters casting ballots on that question at two consecutive
12 general elections before any such amendment shall become
13 effective.

14 Sec. 13.070 Short title; citation of City of Laughlin Act of
15 2009. This Charter shall be known and may be cited as the City
16 of Laughlin Charter.

17 Sec. 13.080 Construction of Charter; separability of
18 provisions.

19 1. Whenever any reference is made to any portion of the
20 Nevada Revised Statutes or of any other law of the State or of the
21 United States, such reference shall apply to all amendments and
22 additions thereto now or hereafter made.

23 2. If any section or part of a section of this Charter shall be
24 held invalid by a court of competent jurisdiction, such holding
25 shall not affect the remainder of this Charter nor the context in
26 which such section or part of section so held invalid may appear,
27 except to the extent that an entire section or part of a section may
28 be inseparably connected in meaning and effect with the section or
29 part of the section to which such holding shall directly apply.

30 Sec. 2. As used in sections 3 to 17, inclusive, of this act:

31 1. "Board of County Commissioners" means the Board of
32 County Commissioners of Clark County.

33 2. "City" means the City of Laughlin.

34 3. "City Council" means the City Council elected pursuant to
35 section 10 of this act.

36 4. "County" means the County of Clark.

37 5. "Qualified elector" means a person who is registered to vote
38 in this State and is a resident of the area to be included in the City,
39 as shown by the last official registration lists before the election.

40 Sec. 3. 1. An election on the question of incorporation of the
41 City of Laughlin must be held after October 1, 2009. The election
42 will also be a primary election for the offices of Mayor and City
43 Council.

44 2. The Board of County Commissioners may call a special
45 election for the purposes of subsection 1, or may conduct an election



1 pursuant to subsection 1 on the date of the first primary election
2 held in the county after October 1, 2009. The special election must
3 be conducted in accordance with the provisions of law relating to
4 general elections so far as the same can be made applicable.

5 3. If the Board of County Commissioners calls a special
6 election for the purposes of subsection 1, the County Clerk shall
7 cause a notice of the election to be published in a newspaper printed
8 in the county and having a general circulation in the City at least
9 once a week for 3 consecutive weeks. The final publication of notice
10 must be published before the date of the election.

11 4. If the Board of County Commissioners conducts an election
12 pursuant to subsection 1 on the day of the first primary election held
13 in the County after October 1, 2009, the County Clerk shall cause
14 notice of the election to be published pursuant to NRS 293.203.

15 5. The notice of the election held pursuant to subsections 3 or 4
16 must contain:

- 17 (a) The date of the election;
- 18 (b) The hours during the day in which the polls will be open;
- 19 (c) The location of the polling places;
- 20 (d) A statement of the question in substantially the same form as
21 it will appear on the ballots;
- 22 (e) The names of the candidates; and
- 23 (f) A list of the offices to which the candidates seek election.

24 **Sec. 4.** The incorporation question on the ballots used for the
25 election held pursuant to section 3 of this act must be in
26 substantially the following form:

27 Shall the area described as.....(describe area) be
28 incorporated as the City of Laughlin?

29 Yes No

30 The voter shall mark the ballot by placing a cross (x) next to the
31 word "yes" or "no."

32 **Sec. 5.** 1. A person who wishes to become a candidate for
33 any office to be voted for at the election held pursuant to section 3
34 of this act must:

- 35 (a) Reside within the boundaries of the City;
- 36 (b) File an affidavit of candidacy, which must include a
37 declaration of residency, with the County Clerk not later than the
38 date for the filing of such affidavits as set by the County Clerk;
- 39 (c) File a nomination petition containing at least 100 signatures
40 of qualified electors; and
- 41 (d) Pay a filing fee of \$30.

42 2. Qualified electors may sign more than one nominating
43 petitions for candidates for the same office.

44 3. A candidate may withdraw his candidacy pursuant to the
45 provisions of NRS 293.202.



1 4. If there are less than three candidates for any office to be
2 filled at the primary election held pursuant to section 3 of this act,
3 their names must not be placed on the ballot for the primary election
4 but must be placed on the ballot for the election held pursuant to
5 section 10 of this act.

6 5. The names of the two candidates for mayor and for each seat
7 on the City Council who receive the highest number of votes in the
8 primary election must be placed on the ballot for the general
9 election held pursuant to section 10 of this act.

10 **Sec. 6.** 1. At least 10 days before the election held pursuant
11 to section 3 of this act, the County Clerk shall cause to be mailed to
12 each qualified elector a sample ballot for his precinct with a notice
13 informing the elector of the location of his polling place.

14 2. The sample ballot must:

15 (a) Include the form required by section 4 of this act;

16 (b) Describe the area proposed to be incorporated by assessor's
17 parcel maps, existing boundaries of subdivision or parcel maps,
18 identifying visible ground features, extensions of the visible ground
19 features, or by any boundary that coincides with the official
20 boundary of the state, a county, a city, a township, a section or any
21 combination of these; and

22 (c) Include the names of candidates for the various offices as
23 determined pursuant to section 5 of this act.

24 **Sec. 7.** 1. The Board of County Commissioners shall canvass
25 the votes cast in the election held pursuant to section 3 of this act in
26 the same manner as votes are canvassed in a general election. Upon
27 completion of the canvass, the Board shall immediately notify the
28 County Clerk of the results.

29 2. The County Clerk shall, upon receiving notice of the canvass
30 from the Board of County Commissioners, immediately cause to be
31 published a notice of the results of the election in a newspaper of
32 general circulation in the County. If the incorporation is approved
33 by the voters, the notice must include the class of the City according
34 to population, as described in NRS 266.055. The County Clerk shall
35 file a copy of the notice with the Secretary of State.

36 **Sec. 8.** The costs incurred by the Board of County
37 Commissioners in carrying out the provisions of this act are a charge
38 against the County if the incorporation is disapproved by the voters
39 and a charge against the City if the incorporation is approved by the
40 voters.

41 **Sec. 9.** Upon approval of the incorporation by the voters, the
42 Board of County Commissioners shall authorize a land surveyor
43 registered pursuant to chapter 625 of NRS to prepare a legal
44 description of the area of the City by metes and bounds and courses
45 and distances. The cost of the survey is a charge against the City.



1 **Sec. 10.** 1. If the incorporation is approved by the voters at
2 an election held pursuant to section 3 of this act, a general election
3 must be held to elect four members of the City Council and the
4 Mayor. The Board of County Commissioners may conduct a special
5 election for the purposes of this subsection, or may conduct
6 an election pursuant to this subsection on the date of the first general
7 election held in the County after the date of the election held
8 pursuant to section 3 of this act. The election must be conducted in
9 accordance with the provisions of law relating to general elections
10 so far as the same can be made applicable.

11 2. The names of the two candidates for Mayor and for each
12 particular seat on the City Council who receive the highest number
13 of votes in the primary election must be placed on the ballot for the
14 election. A candidate for Mayor or a seat on the City Council may
15 not withdraw from the general election.

16 **Sec. 11.** 1. The term of the Mayor elected pursuant to section
17 10 of this act expires upon the election and qualification of the
18 person elected Mayor in the first general election held pursuant to
19 section 10.020 of this Charter.

20 2. The terms of two of the members of the City Council elected
21 pursuant to section 10 of this act expire upon the election and
22 qualification of the persons elected initially to the City Council in
23 the first general election held pursuant to section 10 of this act. The
24 terms of the remaining members of the City Council elected
25 pursuant to section 10 of this act expire upon the election and
26 qualification of the persons initially elected to the City Council in
27 the second general election held pursuant to section 10.020 of this
28 Charter.

29 3. The members of the City Council elected pursuant to section
30 10 of this act shall, at the first meeting of the City Council after their
31 election and qualification, draw lots to determine the length of their
32 respective terms.

33 **Sec. 12.** Before the incorporation of the City becomes
34 effective, the City Council may:

- 35 1. Prepare and adopt a budget;
- 36 2. Adopt ordinances;
- 37 3. Levy an ad valorem tax on property within the area of the
38 City, at the time and in the amount prescribed by law for cities, for
39 the fiscal year beginning on the date the incorporation of the City
40 becomes effective;
- 41 4. Negotiate an equitable apportionment of the fixed assets of
42 the County pursuant to section 14 of this act;
- 43 5. Negotiate contracts for the employment of personnel;



1 6. Negotiate contracts to provide services for the City,
2 including, without limitation, those services provided for by chapter
3 277 of NRS; and

4 7. Negotiate contracts for the purchase of equipment, materials
5 and supplies.

6 **Sec. 13.** 1. During the period from the filing of the notice of
7 results of the election conducted pursuant to section 3 of this act by
8 the County Clerk until the date the incorporation of the City
9 becomes effective, the County is entitled to receive the taxes and
10 other revenue from the City and shall continue to provide services to
11 the City.

12 2. Except as otherwise provided in NRS 318.492, all special
13 districts, except fire protection districts, located within the
14 boundaries of the City continue to exist within the City after the
15 incorporation becomes effective.

16 **Sec. 14.** 1. The City Council and the Board of County
17 Commissioners shall, before the date that the incorporation becomes
18 effective or within 90 days after that date, equitably apportion those
19 fixed assets of the County which are located within the boundaries
20 of the City. The City Council and the Board of County
21 Commissioners shall consider the location, use and types of assets
22 in determining an equitable apportionment between the County and
23 the City.

24 2. Any real property and its appurtenances located within the
25 City and not required for the efficient operation of the County's
26 duties must first be applied toward the City's share of the assets of
27 the County. Any real property which is required by the County for
28 the efficient operation of its duties must not be transferred to the
29 City.

30 3. If an agreement to apportion the assets of the County is not
31 reached within 90 days after the incorporation of the City, the matter
32 may be submitted to arbitration upon the motion of either party.

33 4. Any appeal of the arbitration award must be filed with the
34 district court within 30 days after the award is granted.

35 **Sec. 15.** Any property located within the City which was
36 assessed and taxed by the County before incorporation must
37 continue to be assessed and taxed to pay for the indebtedness
38 incurred by the County before incorporation.

39 **Sec. 16.** The provisions of NRS 354.599 do not apply to any
40 additional expenses of a local government that are related to the
41 provisions of this act.

42 **Sec. 17.** 1. This section and sections 2 to 16, inclusive, of
43 this act become effective on October 1, 2009.



1 2. Section 1 of this act becomes effective, if the incorporation
2 of the City is approved by the voters at the election held pursuant to
3 section 3 of this act:

4 (a) If the election held pursuant to section 3 of this act is held on
5 or before the first Tuesday after the first Monday in November, on
6 July 1 of the year next following the election; or

7 (b) If the election held pursuant to section 3 of this act is held
8 after the first Tuesday after the first Monday in November, 1 year
9 after July 1 of the year next following the election.

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