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 by a special act. (Nev. Const. Art. 8, § 8) Section 1 of this bill provides a charter for the City of Laughlin. Sections 3 and 17 of this bill make the incorporation of the City of Laughlin contingent upon the approval of the Charter by the qualified electors of the City. Sections 3-7 of this bill provide for the Board of County Commissioners of Clark County to conduct an election on the question of incorporation and a consolidated primary election for candidates for City Council and Mayor. Sections 10 and 11 of this bill provide for a general election of members of the City Council and a Mayor, contingent upon the approval of incorporation. Sections 12-14 of this bill authorize the elected City Council to perform various functions before the effective date of incorporation, including preparing a budget, adopting ordinances, negotiating contracts for personnel and various services and negotiating with Clark County for the equitable apportionment of the fixed assets of Clark County that are located in the City of Laughlin. Section 17 provides for the effective date of incorporation, which will be July 1 of the year
THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The charter of the City of Laughlin is as follows. Each section of the charter shall be deemed to be a section of this act for the purpose of any subsequent amendment.

ARTICLE I

INCORPORATION OF CITY; GENERAL POWERS; BOUNDARIES; ANNEXATIONS; CITY OFFICES

Section 1.010 Preamble: Legislative intent; powers.
1. In order to provide for the orderly government of the City of Laughlin and the general welfare of its residents, the Legislature hereby establishes this Charter for the government of the City of Laughlin. It is expressly declared as the intent of the Legislature that all provisions of this Charter be liberally construed to carry out the express purposes of the Charter and that the specific mention of particular powers shall not be construed as limiting in any way the general powers necessary to carry out the purposes of the Charter.

2. Any powers expressly granted by this Charter are in addition to any powers granted to a city by the general law of this State. All provisions of the Nevada Revised Statutes which are applicable generally to cities, unless otherwise expressly mentioned in this Charter, chapter 265, 266 or 267 of NRS, and which are not in conflict with the provisions of this Charter apply to the City of Laughlin.

Sec. 1.020 Incorporation of City.

1. All persons who are inhabitants of that portion of the State of Nevada embraced within the limits set forth in section 1.030 shall constitute a political and corporate body by the name of “City of Laughlin” and by that name they and their successors shall be known in law, have perpetual succession and may sue and be sued in all courts.

2. Whenever used throughout this Charter, “City” means the City of Laughlin.

Sec. 1.030 Description of territory. The territory embraced in the City is that certain land described in the official plat required by NRS 234.250 to be filed with the County Recorder and County Assessor of Clark County, as such plat is revised from time
to time. The territory is more generally described as the “Township of Laughlin” by Clark County.

Sec. 1.040 Form of government.

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

(a) Enact local legislation;
(b) Adopt budgets;
(c) Determine policies; and
(d) Appoint the City Manager, who shall execute the laws and administer the government of the City.

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

Sec. 1.050 Construction of Charter.

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

(a) The titles or leadlines which are applied to the articles and sections of this Charter are inserted only as a matter of convenience and ease in reference and in no way define, limit or describe the scope or intent of any provision of this Charter.
(b) The masculine gender includes the feminine and neuter genders. The use of a masculine noun or pronoun in conferring a benefit or imposing a duty does not exclude a female person from that benefit or duty. The use of a feminine noun or pronoun in conferring a benefit or imposing a duty does not exclude a male person from that benefit or duty.
(c) The singular number includes the plural number, and the plural includes the singular.
(d) The present tense includes the future tense.

ARTICLE II

CITY COUNCIL

Sec. 2.010 Number; selection and term; recall. The Council shall have four Council members and a Mayor elected from the City at large in the manner provided in Article X, for terms of 4 years and until their successors have been elected and have taken office as provided in section 2.020, subject to recall as provided in Article XI. No Council member shall represent any
particular constituency or district of the City, and each Council
member shall represent the entire City.

Sec. 2.020 Qualifications.
1. No person shall be eligible for the office of Council
member or Mayor unless he is a qualified elector of the City and
has been a resident of the City for at least 1 year immediately
before the election in which he is a candidate. He shall hold no
other elective public office, but may hold a commission as a notary
public or be a member of the Armed Forces reserve. No employee
of the City or officer thereof, excluding Council members,
receiving compensation under the provisions of this Charter or
any City ordinance, shall be a candidate for or eligible for the
office of Council member or Mayor without first resigning from
city employment or city office.

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

Sec. 2.030 Salaries.
1. For the first 2 years after election of the first members of
the Council after adoption of this Charter, each member of the
Council shall receive as compensation for his services as such a
monthly salary of $125.00, and the member elected to fill the
Office of Mayor shall receive the additional amount of $25.00 for
each month said member shall fill the Office of Mayor.

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

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

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

5. The Mayor and Council members shall receive no
additional compensation or benefit other than that mandated by
state or federal law.
Sec. 2.040 Mayor; Mayor Pro Tem; duties.
1. The Mayor shall:
   (a) Serve as a member of the Council and preside over its meetings;
   (b) Have no administrative duties; and
   (c) Be recognized as the head of the city government for all ceremonial purposes and for the purposes of dealing with emergencies if martial law has been imposed on the City by the State or Federal Government.
2. The Council shall elect one of its members to be Mayor Pro Tem, who shall:
   (a) Hold such office and title, without additional compensation, for the period of 1 year;
   (b) Perform the duties of the Mayor during the absence or disability of the Mayor; and
   (c) Assume the position of Mayor, if that office becomes vacant, until the next regular election.

Sec. 2.050 Powers.
1. Except as otherwise provided in this Charter, all powers of the City and the determination of all matters of policy shall be vested in the Council. The Council shall have, without limitation, the power to:
   (a) Establish other administrative departments and distribute the work of divisions.
   (b) Adopt the budget of the City.
   (c) Adopt civil service rules and regulations.
   (d) Inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs.
   (e) Appoint the members of all boards, commissions and committees for specific or indefinite terms as provided elsewhere in this Charter or in various resolutions or ordinances, with all such persons serving at the pleasure of the Council, provided, however, that all persons so appointed must be and remain bona fide residents of the City during the tenure of each appointment.
   (f) Levy such taxes as are authorized by applicable laws.

Sec. 2.060 Powers: Zoning and Planning. The Council may:
1. Divide the City into districts and regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land within the districts.
2. Establish and adopt ordinances and regulations relating to the subdivision of land.

Sec. 2.070 Council not to interfere in removals.
1. Neither the Council nor any of its members shall direct or request the removal of any person from office by the City Manager
or by any of his subordinates, or in any manner take part in the
removal of officers and employees in the administrative service of
the City. Except for the purpose of inquiry and as otherwise
provided in this Charter, the Council and its members shall deal
with the administrative service solely through the City Manager
and neither the Council nor any member thereof shall give orders
to any subordinates of the City Manager, either publicly or
privately.

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

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

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

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

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

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

Sec. 2.110 Council to be judge of qualifications of its
members. The Council shall be the judge of the election and
qualifications of its members and for such purpose shall have the
power to subpoena witnesses and require the production of
records, but the decision of the Council in any such case shall be
subject to review by the courts.

Sec. 2.120 Rules of procedure.
1. The Council shall establish rules by ordinance for the
conduct of its proceedings and to preserve order at its meetings. It
shall, through the City Clerk, maintain a journal record of its
proceedings which shall be open to public inspection. Any member
of the Council may place items on the Council agenda to be
considered by the Council.

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

Sec. 2.130 Investigations by Council.
1. The Council shall have power to inquire into the conduct
of any office, department, agency or officer of the City and to
make investigations as to municipal affairs. The Council shall
have the power and authority on any investigation or proceeding
pending before it to impel the attendance of witnesses, to examine
them under oath and to compel the production of evidence before
it. Each member of the Council shall have the power to administer
oaths and affirmations in any investigation or proceeding pending
before the Council.

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

Sec. 2.140 Council’s power to make and pass ordinances,
resolutions.
1. The Council shall have the power to make and pass all
ordinances, resolutions and orders, not repugnant to the
Constitution of the United States or of the State of Nevada or to
the provisions of this Charter, necessary for the municipal
government and the management of the city affairs, for the
execution of all powers vested in the City, and for making effective
the provisions of this Charter.

2. The Council shall have the power to enforce obedience to
its ordinances by such fines, imprisonments or other penalties as
the Council may deem proper, but the punishment for any offense
shall not be greater than the penalties specified for misdemeanors.
under applicable provisions of Nevada Revised Statutes in effect at
the time such offense occurred.

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

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

Sec. 2.150 Voting on ordinances and resolutions.
1. No ordinance or resolution shall be passed without
receiving the affirmative votes of at least three members of the
Council.

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

Sec. 2.160 Enactment of ordinances; subject matter, titles.
1. No ordinance shall be passed except by bill, and when any
ordinance is amended, the section or sections thereof must be
reenacted as amended, and no ordinance shall be revised or
amended by reference only to its title.

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

Sec. 2.170 Introduction of ordinances; notice; final action;
publication.
1. The style of ordinances must be as follows: “The Council
of the City of Laughlin does ordain.” All proposed ordinances,
when first proposed, must be read by title to the Council, after
which an adequate number of copies of the ordinance must be
deposited with the City Clerk for public examination and
distribution upon request. Notice of the deposit of the copies,
together with an adequate summary of the ordinance, must be
published once in a newspaper published in the City, if any,
otherwise in some newspaper published in the County which has a
general circulation in the City, at least 10 days before the adoption
of the ordinance. At any meeting at which final action on the
ordinance is considered, at least one copy of the ordinance must
be available for public examination. The Council shall adopt or
reject the ordinance, or the ordinance as amended, within 30 days
after the date of publication, except that in cases of emergency, by
unanimous consent of the whole Council, final action may be
taken immediately or at a special meeting called for that purpose.
2. After final adoption the ordinance must be signed by the
Mayor, and, together with the votes cast on it, must be:
(a) Published by title, together with an adequate summary
including any amendments, once in a newspaper published in the
City, if any, otherwise in a newspaper published in the County and
having a general circulation in the City; and
(b) Posted in full in the city hall.
3. Except as otherwise provided in subsections 4 and 5, all
ordinances become effective 20 days after publication.
4. Emergency ordinances having for their purpose the
immediate preservation of the public peace, health or safety,
containing a declaration of and the facts constituting its urgency
and passed by a four-fifths vote of the Council, and ordinances
calling or otherwise relating to a municipal election, become
effective on the date specified therein.
5. All ordinances having for their purpose the lease or sale of
real estate owned by the City, except city-owned subdivision or
cemetery lots, may be effective not fewer than 5 days after the
publication.
Sec. 2.180 Adoption of specialized, uniform codes. An
ordinance adopting any specialized or uniform building, plumbing
or electrical code or codes, printed in book or pamphlet form or
any other specialized or uniform code or codes of any nature
whatsoever so printed, may adopt such code, or any portion
thereof, with such changes as may be necessary to make the same
applicable to conditions in the City, and with such other changes
as may be desirable, by reference thereto, without the necessity of
reading the same at length. Such code, upon adoption, need not be
published if an adequate number of copies of such code, either
typewritten or printed, with such changes, if any, have been filed
for use and examination by the public in the Office of the City
Clerk at least 1 week before the passage of the ordinance adopting
the code, or any amendment thereto. Notice of such filing shall
be given in accordance with the provisions of subsection 2 of
section 2.170.
Sec. 2.190 Codification of ordinances; publication of Code.
1. The Council shall have the power to codify and publish a
code of its municipal ordinances in the form of a Municipal Code,
which Code may, at the election of the Council, have incorporated therein a copy of this Charter and such additional data as the Council may prescribe.

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

3. The codification shall be adopted by an ordinance which shall not contain any substantive changes, modifications or alterations of existing ordinances and the only title necessary for the ordinance shall be “An ordinance for codifying and compiling the general ordinances of the City of Laughlin.”

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

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

ARTICLE III

CITY MANAGER

   Sec. 3.010 Appointment and qualifications.

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

2. The City Manager shall be chosen on the basis of his executive and administrative qualifications. He shall be paid a salary commensurate with his responsibilities as Chief Administrative Officer of the City as set by resolution of the Council.
3. The Council shall appoint the City Manager for an
indefinite term and may remove him in accordance with the
procedures set forth in section 3.020.

Sec. 3.020 Removal.
1. Before removal of the City Manager may become effective,
the Council must adopt, by the affirmative votes of at least four
members, a resolution that must state the reasons for the proposed
removal of the City Manager and may provide for the suspension
of the City Manager from duty, but shall in any case cause to be
paid him forthwith any unpaid balance of his salary and his salary
for the next calendar month following the date of adoption of the
resolution. A copy of the resolution must be delivered promptly to
the City Manager.

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

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

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

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

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

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

5. Keep the Council advised of the financial condition and
future needs of the City and make such recommendations as may
seem to him desirable;
6. Keep himself informed of the activities of the several agencies, offices and departments of the City and see to the proper administration of their affairs and the efficient conduct of their business;

7. Be vigilant and active in causing all provisions of the law to be executed and enforced;

8. Perform all such duties as may be prescribed by this Charter or required of him by the Council, not inconsistent with this Charter;

9. Submit a monthly report to the Council covering significant activities of the city agencies, offices and departments under his supervision and any significant changes in administrative rules and procedures promulgated by him; and

10. Submit special reports in writing to the Council in answer to any requests for information filed with him by a member of the Council.

Sec. 3.040 Seat at council table. The City Manager shall be accorded a seat at the Council table and shall be entitled to participate in the deliberations of the Council, but shall not have a vote. He shall attend all regular and special meetings of the Council unless physically unable to do so or unless his absence has received prior approval by a majority of the Council.

Sec. 3.050 Absence, disability. To perform his duties during his temporary absence or disability, the City Manager may designate by letter filed with the City Clerk one of the other officers or department heads of the City to serve as acting City Manager during such temporary absence or disability. Such designation shall be subject to change thereof by the Council. In the event of the failure of the City Manager to make such a designation, the Council may by resolution appoint an officer or department head of the City to perform the duties of the City Manager until he shall be prepared to resume the duties of office.

ARTICLE IV

OFFICERS AND EMPLOYEES

Sec. 4.010 City administrative organization.

1. The Council may provide by ordinance not inconsistent with this Charter for the organization, conduct and operation of the several offices, departments and other agencies of the City as established by this Charter, for the creation of additional departments, divisions, offices and agencies and for their alteration or abolition, for their assignment and reassignment to
departments, and for the number, titles, qualifications, powers, duties and compensation of all officers and employees.

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

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

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

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

Sec. 4.020 Officers appointed by the Council.

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

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

3. The appointments of city officers pursuant to subsections 1 and 2 shall be for indefinite terms, and each such officer shall receive such compensation and other benefits as may be determined by resolution of the Council from time to time.
4. Any city officer may be temporarily suspended with full pay at any time by a majority vote of the Council, but no city officer may be removed from office unless he has first been given an opportunity for a hearing before the Council, at his request, with not less than 7 days' prior notice of the time and place of the hearing. Such hearing may be either public or private, as requested by the officer, and at the hearing, the officer may be assisted by his own legal counsel. Any action of the Council following such hearing shall be considered final and conclusive. If a city officer is so removed, the Council will appoint a person as a temporary replacement to perform the duties of the removed officer, and will appoint a qualified person as a permanent replacement officer as soon as practicable.

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

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

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

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

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

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

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

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

4. Maintain separate books in which shall be recorded respectively all ordinances and resolutions, with the certificate of the City Clerk annexed to each thereof stating the same to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter, and maintain all such books properly indexed and available for public inspection when not in actual use.
5. Have charge of the repository for contracts, surety bonds, agreements, and other related documents of City business.

6. Maintain custody of the City seal.

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

8. Conduct all City elections.

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

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

2. The City Attorney shall have the power and be required to:
   (a) Represent and advise the Council and all city officers in all matters of law pertaining to their offices;
   (b) Attend all meetings of the Council and give his advice or opinion in writing whenever requested to do so by the Council or by any of the officers and boards of the City;
   (c) Prepare or approve all proposed ordinances and resolutions for the City, and amendments thereto;
   (d) Prosecute on behalf of the people such criminal cases for violation of this Charter or city ordinances, and of misdemeanor offenses and infractions arising upon violations of the laws of the State as, in his opinion, that of the Council or of the City Manager, warrant his attention;
   (e) Represent and appear for the City, any city officer or employee, or former city officer or employee, in any or all actions and proceedings in which the City or any such officer or employee, in or by reason of his official capacity, is concerned or is a party;
   (f) Approve the form of all bonds given to, and all contracts made by, the City, endorsing his approval thereon in writing; and
   (g) On vacating the office, surrender to his successor all books, papers, files and documents pertaining to the City’s affairs.

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

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

1. The person appointed by the City Manager for the position of Director of Finance shall be qualified to administer and direct an integrated Department of Finance.
The Director of Finance shall have the power and be required to:

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

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

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

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

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

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

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

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

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

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

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

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

(3) Depositing all funds coming into his hands in such depository as may be designated by resolution of the Council, or, if no such resolution is adopted, by the City Manager, in compliance with all of the provisions of the Constitution and laws of this State governing the handling, depositing, and securing of public funds.
(k) Direct centralized purchasing and a property control system for the city government under rules and regulations to be prescribed by ordinance.

Sec. 4.060 Performance review. On or before the annual anniversary date of the appointment of persons serving in the positions of City Manager, City Attorney and City Clerk, the Council shall review and evaluate the performance of such appointees.

Sec. 4.070 Appointment powers of department heads. Subject to the approval of the City Manager and subject to civil service rules and regulations adopted by the Council, each head of a department, office or other agency shall have the power to appoint and remove such deputies, assistants, subordinates and employees as are provided for by the Council for his department, office or other agency.

ARTICLE V

JUDICIAL

Sec. 5.010 Municipal court. The municipal court must be presided over by the Justice of the Peace of Laughlin Township as ex officio municipal judge.

Sec. 5.020 Municipal judge appointed. If the Office of Justice of the Peace of Laughlin Township ceases to exist, the municipal court shall be presided over by a municipal judge appointed by the Council.

ARTICLE VI

CITY BUDGETS

Sec. 6.010 Budgets. Budgets for the City shall be prepared in accordance with and shall be governed by the provisions of the general laws of the State pertaining to budgets of cities.

ARTICLE VII

PUBLIC IMPROVEMENTS AND REPAIRS

Sec. 7.010 Expenses of improvements; payment by funds or by special assessments. The expenses of public improvements and repairs, such as the improvement of streets and alleys by grading, paving, graveling and curbing, the construction, repair, maintenance and preservation of sidewalks, drains, curbs, gutters,
storm sewers, drainage systems, sewerage systems and sewerage
disposal plants, may be paid from the General Fund or Street
Fund or the cost or portion thereof as the Council shall determine,
may be defrayed by special assessments upon lots and premises
abutting upon that part of the street or alley so improved or
proposed so to be, or the land abutting upon such improvement
and such other lands as in the opinion of the Council may benefit
by the improvement all in the manner contained in the provisions
of the Nevada Revised Statutes.

ARTICLE VIII

CITY ASSESSOR; TAX RECEIVER; FINANCES AND PURCHASING

Sec. 8.010 Clark County Assessor to be ex officio City
Assessor. The County Assessor of Clark County shall, in
addition to the duties now imposed upon him by law, act as the
Assessor of the City and shall be ex officio City Assessor, without
further compensation. He shall perform such duties as the
Council may by ordinance prescribe with the County Assessor’s
consent.

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

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

Sec. 8.040 Transfer of appropriations. The City Manager
may at any time transfer any unencumbered appropriation
balance or portion thereof between general classifications of
expenditures within an office, department or agency.
Sec. 8.050  When contracts and expenditures prohibited.
1. No officer, department or agency shall, during any budget year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of the amounts appropriated for that general classification of expenditure pursuant to this Charter. Any contract, verbal or written, made in violation of this Charter shall be null and void. Any officer or employee of the City who violates this section shall be guilty of a misdemeanor and, upon conviction thereof, shall cease to hold his office or employment.
2. Nothing in this section shall prevent the making of contracts or the spending of money for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

ARTICLE IX

APPOINTIVE BOARDS AND COMMISSIONS

Sec. 9.010  Established; enumerated.
1. The Council may create by ordinance such other appointive boards or commissions as in its judgment are required and may grant to them powers and duties as are consistent with the provisions of this Charter. The Council, by motion adopted by the affirmative votes of at least a majority of its members, may appoint from time to time temporary committees as deemed advisable to render counsel and advice to the appointing authorities on any designated matters or subjects within the jurisdiction of such authorities.
2. The Personnel Board is hereby established and has the powers and duties contained in this Article.

Sec. 9.020  Appointments, removals, vacancies, terms.
1. Except as otherwise specified in this Charter, the members of each of the appointive boards and commissions shall be appointed, and may be removed, by the Council, subject in both appointment and removal by the affirmative votes of a majority of the Council. For the purposes of this rule, residency is only required at the time of nomination.
2. If a member of a board or commission:
   (a) Is absent from two regular meetings of such board or commission, consecutively, unless by permission of such board or commission expressed in its official minutes;
(b) Fails to attend at least one-half of the regular meetings of such board or commission within a calendar year;
(c) Is convicted of a crime involving moral turpitude; or
(d) Ceases to be a qualified elector of the City,

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

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

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

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

Sec. 9.050  Meetings; chairman.

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

2. Each board or commission, other than the Personnel Board, shall hold a regular meeting at least once a month with reasonable provision for attendance by the public. The City Manager shall designate a secretary for the recording of minutes for each such board and commission, who shall keep a record of its proceedings and transactions. Each board and commission shall prescribe rules and regulations governing its operations which shall be consistent with this Charter and shall be filed with the City Clerk for public inspection. The Personnel Board shall meet monthly, provided there is business on the agenda to come before it. In the event no business is placed on the Personnel Board’s agenda 5 days preceding the tentative meeting date, no
meeting need be held, provided that in no event shall more than 3
months intervene between meetings of the Personnel Board.

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

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

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

Sec. 9.090 Personnel Board: Powers and duties. The
Personnel Board shall have the power and be required to:
1. Hear appeals pertaining to the disciplinary suspension,
demotion or dismissal of any officer or employee having
permanent status in any office, position or employment in the civil
service, and as otherwise provided for in the civil service rules and
regulations;
2. Consider matters that may be referred to it by the Council
or the City Manager and render such counsel and advice in regard
thereto as may be requested by the referring authorities;
3. By its own motion, make such studies and investigations as
it may deem necessary for the review of civil service rules and
regulations, or to determine the wisdom and efficacy of the rules,
regulations, policies, plans and procedures dealing with civil
service matters and report its findings and recommendations to the
City Manager or the Council, or to both such authorities, as it may
see fit; and
4. Conduct public hearings on proposed revisions of civil service rules and regulations in the manner as prescribed by ordinance and advise the Council of its findings in such matters within 60 days.

ARTICLE X

CITY ELECTIONS

Sec. 10.010 Applicability of state election laws. All city elections must be nonpartisan in character and must be conducted in accordance with the provisions of the general election laws of the State of Nevada and any ordinance regulations as adopted by the Council which are consistent with law and this Charter.

Sec. 10.020 Terms. All full terms of office in the Council are 4 years, and Council members and the Mayor must be elected at large without regard to precinct residency. Two full-term Council members and the Mayor are to be elected in each year immediately preceding a federal presidential election, and two full-term Council members are to be elected in each year immediately following a federal presidential election. In each election, the candidates receiving the greatest number of votes must be declared elected to the vacant full-term positions.

Sec. 10.030 Specific Council positions. In the event a 2-year term position on the Council will be available at the time of a municipal election as provided in section 10.020, a candidate must file specifically for such a position. The candidate receiving the greatest respective number of votes must be declared elected to the available 2-year position.

Sec. 10.040 Primary municipal elections. A city primary election must be held on the first Tuesday after the first Monday in April of each odd-numbered year and a city general election must be held on the first Tuesday after the first Monday in June of each odd-numbered year.

Sec. 10.050 Primary not required. A primary election must not be held if not more than double the number of Council members to be elected file as candidates. A primary election must not be held for the Office of Mayor if not more than two candidates file for that position. The primary election must be held for the purpose of eliminating candidates in excess of a figure double the number of Council members to be elected.

Sec. 10.060 General election not required. If, in the primary city election, a candidate receives votes equal to a majority of voters casting ballots in that election, he shall be considered
elected to one of the vacancies and his name shall not be placed on the ballot for the general city election.

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

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

ARTICLE XI

INITIATIVE, REFERENDUM AND RECALL

Sec. 11.010 Registered voters’ power of initiative and referendum concerning city ordinances. The registered voters of a city may:

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

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

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

Sec. 11.030 Results of election.

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

2. If a majority of the registered voters voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the results of the election.
3. No initiative ordinance voted upon by the registered voters or an initiative ordinance in substantially the same form as one voted upon by the people, may again be placed on the ballot until the next primary or general municipal election or primary or general state election.

Sec. 11.040 Repealing ordinances; publication. Initiative and referendum ordinances adopted or approved by the voters may be published and shall not be amended or repealed by the Council, as in the case of other ordinances.

Sec. 11.050 Recall of Council members. As provided by the general laws of this State, every member of the Council is subject to recall from office.

ARTICLE XII

PUBLIC UTILITIES

Sec. 12.010 Granting of franchises.
1. The City shall have the power to grant a franchise to any private corporation for the use of streets and other public places in the furnishing of any public utility service to the City and to its inhabitants.

2. All franchises and any renewals, extensions and amendments thereto shall be granted only by ordinance. A proposed franchise ordinance shall be submitted to the City Manager, and he shall render to the Council a written report containing recommendations thereon.

3. The City shall have the power, as one of the conditions of granting any franchise, to impose a franchise tax, either for the purpose of license or for revenue.

Sec. 12.020 Conditions and transfer of franchises.
1. Every franchise or renewal, extension or amendment of a franchise hereafter granted shall:
   (a) Impose upon the utility the duty to furnish proper service at minimum attainable cost under proper organization and efficient management;
   (b) Include that the City may issue such orders with respect to safety and other matters as may be necessary or desirable for the community; and
   (c) Reserve to the City the right to make all future regulations or ordinances deemed necessary for the preservation of the health, safety and public welfare of the City, including, without limitation, regulations concerning the imposition of uniform codes upon the utilities, standards and rules concerning the excavations and use to which the streets, alleys and public thoroughfares may be put.
and regulations concerning placement of easement improvements such as poles, valves, hydrants and the like.

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

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

Sec. 12.040 Records and proceedings.

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

2. The agency established or designated by the Council shall also make appropriate efforts to obtain proper annual revision of rates of private utilities which do not operate under the franchise terms of this Charter and which are not subject to municipal regulation by general law. It may initially obtain proper surveys of
operating expenses, taxes and other charges and of the net capital
investment in the properties used in public service within the City,
and thereupon may endeavor, through negotiation with the utility,
to obtain proper rate adjustments. If it cannot obtain due
agreement, it shall file a complaint and petition with the Public
Utilities Commission of Nevada for a formal rate inquiry. In such
proceeding, it shall represent the consumers at large and shall
prepare and present in legal form all the evidence with respect to
cost of service and other elements as required in the public
interest. It shall obtain all requisite data for successive rate
revisions, and at the end of each calendar or fiscal year, it shall
endeavor to secure any revision of rates indicated by the showing
of facts, and, if necessary, shall proceed again with a request for
formal inquiry by the Public Utilities Commission of Nevada.
Sec. 12.050 Condemnation. The City, by initiative
ordinance, shall have the right to condemn the property of any
public utility. The public utility shall receive just compensation for
the taking of its property. Such an initiative petition must be voted
on by the people and cannot be passed by simple acceptance of the
Council.
Sec. 12.060 Establishment of municipally owned and
operated utilities.
1. The City shall have power to own and operate any public
utility, to construct and install all facilities that are reasonably
needed and to lease or purchase any existing utility properties
used and useful in public service. The City may also furnish
service in adjacent and nearby communities which may be
conveniently and economically served by the municipally owned
and operated utility, subject to:
   (a) Agreements with such communities;
   (b) Provisions of state law; and
   (c) Provisions of this Charter.
2. The Council may provide by ordinance for the
establishment of such utility, but an ordinance providing for a
newly owned and operated utility shall be enacted only after such
hearings and procedure as required herein for the granting of a
franchise, and shall also be submitted to and approved at a
popular referendum provided that an ordinance providing for any
extension, enlargement or improvement of an existing utility may
be enacted as a matter of general municipal administration.
3. The City shall have the power to execute long-term
contracts for the purpose of augmenting the services of existing
municipally owned utilities. Such contracts shall be passed only in
the form of ordinances and may exceed in length the terms of
office of the members of the Council.
Sec. 12.070  Municipal utility organizations.

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

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

Sec. 12.080  Financial provisions.

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

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

Sec. 12.090  Sale of public utilities; proviso.

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

2. A special election may be held only if the Council determines, by a unanimous vote, that an emergency exists. The determination made by the Council is conclusive unless it is shown that the Council acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the Council
must be commenced within 15 days after the Council’s
determination is final. As used in this subsection, “emergency”
means any unexpected occurrence or combination of occurrences
which requires immediate action by the Council to prevent or
mitigate a substantial financial loss to the City or to enable the
Council to provide an essential service to the residents of the City.

ARTICLE XIII

MISCELLANEOUS PROVISIONS

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

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

Sec. 13.030 Personal interest.
1. No elective or appointive officer shall take any official
action on any contract or other matter in which he has any
financial interest.
2. A violation of the provisions of this section shall constitute
a misdemeanor, subject to a penalty not to exceed the penalties
specified for misdemeanors under applicable provisions of Nevada
Revised Statutes in effect at the time of such violation.

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

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

“I, ...................., do solemnly swear (or affirm) that I will
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.
4. A petition for amendment must be in the form specified by state law for city initiative petitions and must be filed with the City Clerk not later than 6 months before the date of the general city election or general state election at which the proposed amendment is to be submitted to the voters of the City.

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

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

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

Sec. 13.080 Construction of Charter; separability of provisions.

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

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

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

1. “Board of County Commissioners” means the Board of County Commissioners of Clark County.

2. “City” means the City of Laughlin.

3. “City Council” means the City Council elected pursuant to section 10 of this act.

4. “County” means the County of Clark.

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

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

2. The Board of County Commissioners may call a special election for the purposes of subsection 1, or may conduct an election
pursuant to subsection 1 on the date of the first primary election held in the county after October 1, 2009. The special election must be conducted in accordance with the provisions of law relating to general elections so far as the same can be made applicable.

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

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

5. The notice of the election held pursuant to subsections 3 or 4 must contain:
   (a) The date of the election;
   (b) The hours during the day in which the polls will be open;
   (c) The location of the polling places;
   (d) A statement of the question in substantially the same form as it will appear on the ballots;
   (e) The names of the candidates; and
   (f) A list of the offices to which the candidates seek election.

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

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

Yes ☐ No ☐

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

Sec. 5. 1. A person who wishes to become a candidate for any office to be voted for at the election held pursuant to section 3 of this act must:
   (a) Reside within the boundaries of the City;
   (b) File an affidavit of candidacy, which must include a declaration of residency, with the County Clerk not later than the date for the filing of such affidavits as set by the County Clerk;
   (c) File a nomination petition containing at least 100 signatures of qualified electors; and
   (d) Pay a filing fee of $30.

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

3. A candidate may withdraw his candidacy pursuant to the provisions of NRS 293.202.
4. If there are less than three candidates for any office to be filled at the primary election held pursuant to section 3 of this act, their names must not be placed on the ballot for the primary election but must be placed on the ballot for the election held pursuant to section 10 of this act.

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

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

2. The sample ballot must:
   (a) Include the form required by section 4 of this act;
   (b) Describe the area proposed to be incorporated by assessor’s parcel maps, existing boundaries of subdivision or parcel maps, identifying visible ground features, extensions of the visible ground features, or by any boundary that coincides with the official boundary of the state, a county, a city, a township, a section or any combination of these; and
   (c) Include the names of candidates for the various offices as determined pursuant to section 5 of this act.

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

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

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

Sec. 9. Upon approval of the incorporation by the voters, the Board of County Commissioners shall authorize a land surveyor registered pursuant to chapter 625 of NRS to prepare a legal description of the area of the City by metes and bounds and courses and distances. The cost of the survey is a charge against the City.
Sec. 10. 1. If the incorporation is approved by the voters at an election held pursuant to section 3 of this act, a general election must be held to elect four members of the City Council and the Mayor. The Board of County Commissioners may conduct a special election for the purposes of this subsection, or may conduct an election pursuant to this subsection on the date of the first general election held in the County after the date of the election held pursuant to section 3 of this act. The election must be conducted in accordance with the provisions of law relating to general elections so far as the same can be made applicable.

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

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

2. The terms of two of the members of the City Council elected pursuant to section 10 of this act expire upon the election and qualification of the persons elected initially to the City Council in the first general election held pursuant to section 10 of this act. The terms of the remaining members of the City Council elected pursuant to section 10 of this act expire upon the election and qualification of the persons initially elected to the City Council in the second general election held pursuant to section 10.020 of this Charter.

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

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

1. Prepare and adopt a budget;

2. Adopt ordinances;

3. Levy an ad valorem tax on property within the area of the City, at the time and in the amount prescribed by law for cities, for the fiscal year beginning on the date the incorporation of the City becomes effective;

4. Negotiate an equitable apportionment of the fixed assets of the County pursuant to section 14 of this act;

5. Negotiate contracts for the employment of personnel;
6. Negotiate contracts to provide services for the City, including, without limitation, those services provided for by chapter 277 of NRS; and
7. Negotiate contracts for the purchase of equipment, materials and supplies.

Sec. 13. 1. During the period from the filing of the notice of results of the election conducted pursuant to section 3 of this act by the County Clerk until the date the incorporation of the City becomes effective, the County is entitled to receive the taxes and other revenue from the City and shall continue to provide services to the City.
2. Except as otherwise provided in NRS 318.492, all special districts, except fire protection districts, located within the boundaries of the City continue to exist within the City after the incorporation becomes effective.

Sec. 14. 1. The City Council and the Board of County Commissioners shall, before the date that the incorporation becomes effective or within 90 days after that date, equitably apportion those fixed assets of the County which are located within the boundaries of the City. The City Council and the Board of County Commissioners shall consider the location, use and types of assets in determining an equitable apportionment between the County and the City.
2. Any real property and its appurtenances located within the City and not required for the efficient operation of the County’s duties must first be applied toward the City’s share of the assets of the County. Any real property which is required by the County for the efficient operation of its duties must not be transferred to the City.
3. If an agreement to apportion the assets of the County is not reached within 90 days after the incorporation of the City, the matter may be submitted to arbitration upon the motion of either party.
4. Any appeal of the arbitration award must be filed with the district court within 30 days after the award is granted.

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

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

Sec. 17. 1. This section and sections 2 to 16, inclusive, of this act become effective on October 1, 2009.
2. Section 1 of this act becomes effective, if the incorporation of the City is approved by the voters at the election held pursuant to section 3 of this act:
   (a) If the election held pursuant to section 3 of this act is held on or before the first Tuesday after the first Monday in November, on July 1 of the year next following the election; or
   (b) If the election held pursuant to section 3 of this act is held after the first Tuesday after the first Monday in November, 1 year after July 1 of the year next following the election.