

ASSEMBLY BILL NO. 590—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 17, 1999

Referred to Committee on Government Affairs

SUMMARY—Revises provisions of North Las Vegas City Charter regarding election of city councilmen. (BDR S-1547)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to the City of North Las Vegas; revising the provisions of the North Las Vegas City Charter regarding the election of city councilmen; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, at 1210, is hereby amended by adding thereto a new section to be designated as section 1.045, immediately following section 1.040, to read as follows:

Sec. 1.045 Wards: Creation; Boundaries.

1. The city must be divided into four wards which must be as nearly equal in population as practicable, and each of which must be composed entirely of contiguous territory.

2. The boundaries of the wards must be established and changed by ordinance. Except as otherwise provided in subsection 3, the boundaries of the wards must be changed whenever the population, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce, in any ward exceeds the population in any other ward by more than 5 percent.

3. The boundaries of the wards must not be changed, except to accommodate an annexation of territory to the city, during the period beginning 30 days immediately preceding the last day for

filing a declaration of candidacy for a municipal election and ending on the date of the election.

Sec. 2. Section 2.010 of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 215, Statutes of Nevada 1997, at page 748, is hereby amended to read as follows:

Sec. 2.010 City council: Qualifications; election; term of office; salary.

1. The legislative power of the city is vested in a city council consisting of four councilmen and a mayor.

2. The mayor ~~and councilmen~~ must be:

(a) ~~Bona fide residents~~ *A bona fide resident* of the city for at least 6 months immediately preceding ~~their election.~~

~~(b) Qualified electors~~ *his election.*

(b) A qualified elector within the city.

3. *Each councilman:*

(a) Must be a qualified elector who has resided in the ward which he represents for at least 30 days immediately preceding the last day for filing a declaration of candidacy for his office.

(b) Must continue to live in the ward he represents, except that changes in ward boundaries made pursuant to section 1.045 of this charter will not affect the right of any elected councilman to continue in office for the term for which he was elected.

4. At the time of filing, if so required by an ordinance duly enacted, candidates for the office of mayor and councilman shall produce evidence in satisfaction of any or all of the qualifications provided in subsection 2 ~~or~~

~~4.~~ *or 3, whichever is applicable.*

5. All councilmen, including the mayor, must be voted upon by the registered voters of the city at large, and their terms of office are 4 years.

~~5.~~ 6. The mayor and councilmen are entitled to receive a salary in an amount fixed by the city council.

Sec. 3. Section 5.020 of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 215, Statutes of Nevada 1997, at page 748, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections; declaration of candidacy.

1. The city council shall provide by ordinance for candidates for elective office to declare their candidacy and file the necessary documents. *The seats for city councilmen must be designated by the numbers one through four which number must correspond*

1 *with the wards the candidates for city councilmen will seek to*
2 *represent the office of city councilman shall include in his*
3 *declaration of candidacy the number of the ward which he seeks*
4 *to represent. Each candidate for city council must be designated*
5 *as a candidate for the city council seat that corresponds with the*
6 *ward that he seeks to represent.*

7 2. If for any general municipal election there are three or more
8 candidates for the offices of mayor or municipal judge, or ~~five or~~
9 ~~more candidates for the office of councilman,~~ *for a particular city*
10 *council seat*, a primary election for any such office must be held on
11 the Tuesday following the first Monday in May preceding the
12 general election.

13 3. Except as otherwise provided in ~~subsections 4 and 5,~~
14 *subsection 4*, after the primary election, the names of the two
15 candidates for mayor , ~~and~~ municipal judge and ~~the names of the~~
16 ~~four candidates for city councilman~~ *each city council seat* who
17 receive the highest number of votes must be placed on the ballot for
18 the general election.

19 4. If one of the candidates for mayor , ~~or~~ municipal judge *or a*
20 *city council seat* receives a majority of the total votes cast for that
21 office in the primary election, he shall be declared elected to office
22 and his name must not appear on the ballot for the general election.

23 ~~[5.—If a candidate for city council receives votes equal to a~~
24 ~~majority of voters casting ballots in the primary election:~~

25 ~~(a) He shall be declared elected to one of the open seats on the~~
26 ~~city council and his name must not appear on the ballot for the~~
27 ~~general election.~~

28 ~~(b) Unless all the open seats were filled pursuant to paragraph~~
29 ~~(a), the names of those candidates who received the highest number~~
30 ~~of votes but did not receive a number of votes equal to a majority of~~
31 ~~the voters casting ballots in the primary election, not to exceed~~
32 ~~twice the number of candidates remaining to be elected, must be~~
33 ~~placed on the ballot for the general election.]~~

34 **Sec. 4.** The city council shall, on or before January 1, 2000, establish
35 the boundaries of the wards pursuant to the amendatory provisions of
36 section 1 of this act. The amendatory provisions of sections 2 and 3 of this
37 act apply initially to the candidates for city council seats in the municipal
38 election held in 2001.