

## SENATE BILL NO. 272—SENATOR RHOADS

MARCH 2, 2001

## Referred to Committee on Government Affairs

SUMMARY—Makes various changes to charter of City of Wells. (BDR S-1225)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: 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 charter of the City of Wells; repealing the provisions that prohibit the mayor and the members of the board of councilmen from holding certain offices; authorizing the board to appoint a city manager and establish the departments of the city; authorizing the board to provide by resolution for additional regular meetings of the board; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Section 1.070 of the charter of the City of Wells, being
- 2 chapter 275, Statutes of Nevada 1971, at page 458, is hereby amended to
- 3 read as follows:
- 4 Sec. 1.070 Mayor and councilmen not to hold other office ~~or~~ ***or***
- 5 ***employment.***
- 6 1. The mayor and councilmen ~~shall not:~~
- 7 ~~(a) Hold~~ :
- 8 ***(a) Shall not hold*** any other elective office or employment with
- 9 ~~Elko County or~~ the city, except as provided by law or as a member
- 10 of a board or commission for which no compensation is received.
- 11 (b) ~~Be elected or~~ ***May not be*** appointed to any office created by
- 12 or the compensation for which was increased or fixed by the board of
- 13 councilmen until 1 year after the expiration of the term for which
- 14 ~~such person~~ ***he*** was elected.
- 15 2. Any person ~~holding any office proscribed by~~ ***who violates the***
- 16 ***provisions of*** subsection 1 ~~shall automatically forfeit~~ ***automatically***
- 17 ***forfeits*** his office as mayor or councilman.



1     **Sec. 2.** Section 1.080 of the charter of the City of Wells, being chapter  
2 275, Statutes of Nevada 1971, at page 458, is hereby amended to read as  
3 follows:

4         Sec. 1.080 Appointive offices.

5         1. The board of councilmen of the city may appoint the following  
6 officers:

- 7         (a) City clerk.
- 8         (b) Municipal judge.
- 9         (c) Chief of police.
- 10        (d) City engineer.
- 11        (e) City attorney.
- 12        (f) City auditor.

13        (g) *City manager.*

14        2. The board of councilmen ~~{shall}~~ *may* establish such other  
15 offices as it ~~{may deem}~~ *deems* necessary.

16     **Sec. 3.** Section 2.030 of the charter of the City of Wells, being chapter  
17 275, Statutes of Nevada 1971, at page 459, is hereby amended to read as  
18 follows:

19         Sec. 2.030 Board of councilmen: Duties concerning departments.

20         1. The board of councilmen *may establish such departments of*  
21 *the city as it determines are necessary.*

22         2. *The board of councilmen* shall control and supervise the  
23 departments of the city *established pursuant to subsection 1* and may  
24 ~~{establish such}~~ *adopt* rules and regulations ~~{as may be necessary}~~ for  
25 the administration of ~~{such departments}~~.

26         ~~2. The mayor shall designate from among the board of~~  
27 ~~councilmen members to act as:~~

- 28         ~~(a) Superintendent of public safety.~~
- 29         ~~(b) Superintendent of streets and public works.~~
- 30         ~~(c) Superintendent of water and utilities.~~
- 31         ~~(d) Superintendent of health and sanitation.~~

32         ~~3. The mayor shall be known as the superintendent of finance and~~  
33 ~~revenue.~~

34         ~~4. The~~ *those departments.*

35         3. *The* duties of each department ~~{shall}~~ *must* be designated by  
36 the board of councilmen.

37     **Sec. 4.** Section 2.050 of the charter of the City of Wells, being chapter  
38 275, Statutes of Nevada 1971, at page 460, is hereby amended to read as  
39 follows:

40         Sec. 2.050 Meetings: Quorum.

41         1. The board of councilmen shall hold at least one regular  
42 meeting each month, and by ~~{ordinance}~~ *resolution* may provide for  
43 additional regular meetings.

44         2. A majority of all members of the board of councilmen  
45 constitutes a quorum to do business, but a lesser number may meet  
46 and recess from time to time, and compel the attendance of the absent  
47 members.

48         3. Except as otherwise provided by law, all sessions and ~~{all}~~  
49 proceedings of the board of councilmen ~~{shall}~~ *must* be public.



1     **Sec. 5.** This act becomes effective upon passage and approval for the  
2     purpose of authorizing any preliminary activities required to ensure that the  
3     departments of the City of Wells are reorganized pursuant to the provisions  
4     of section 3 of this act in an orderly manner and on October 1, 2001, for all  
5     other purposes.

