

SENATE BILL NO. 252—SENATOR CEGAVSKE

MARCH 22, 2005

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises date for primary city election and general city election in cities in certain larger counties. (BDR 24-971)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 elections; providing that the governing body of a city incorporated pursuant to general law in a county whose population is 400,000 or more shall adopt an ordinance to provide for a primary city election and general city election on the dates for state primary elections and state general elections; revising the charters of certain cities to provide for primary city elections and general city elections on the dates for state primary elections and state general elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides that city primary and general elections must be held in
- 2 odd-numbered years while state and other local primary and general elections must
- 3 be held in even-numbered years. (NRS 293.12755, 293.175, 293C.115, 293C.140,
- 4 293C.145)
- 5 This bill requires a city incorporated under general law in a county whose
- 6 population is 400,000 or more (currently Clark County) to adopt an ordinance
- 7 setting city elections in even-numbered years. This bill also amends the charter of
- 8 each city created by a charter that is located in a county whose population is
- 9 400,000 or more to reflect this change in election dates. Cities affected are Boulder
- 10 City, Henderson, Las Vegas, Mesquite and North Las Vegas.



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

Section 1. NRS 293C.115 is hereby amended to read as follows:

293C.115 1. ~~[The]~~ *Except as otherwise provided in subsection 2, the* governing body of a city incorporated pursuant to general law may by ordinance provide for a primary city election and a general city election on:

(a) The dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS; or

(b) The dates set forth for primary city elections and general city elections pursuant to the provisions of this chapter.

2. *The governing body of a city incorporated pursuant to general law in a county whose population is 400,000 or more shall by ordinance provide for a primary city election and a general city election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.*

3. If a governing body of a city adopts an ordinance pursuant to paragraph (a) of subsection 1 ~~[1]~~ *or subsection 2*, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165, and in NRS 293.175, 293.177, 293.345 and 293.368 apply for purposes of conducting the primary city elections and general city elections of the city.

~~[3-]~~ 4. If a governing body of a city adopts an ordinance pursuant to subsection 1:

(a) The term of office of any elected city official may not be shortened as a result of the ordinance; and

(b) Each elected city official holds office until the end of his term and until his successor has been elected and qualified.

5. *An ordinance adopted by the governing body of a city pursuant to subsection 2 must include, without limitation:*

(a) The term of office of any elected city official that is shortened as a result of the ordinance; and

(b) A provision stating that each elected city official holds office until his successor has been elected and qualified.

Sec. 2. NRS 293C.140 is hereby amended to read as follows:

293C.140 1. Except as otherwise provided in NRS 293C.115, a general city election must be held in each city of population categories one and two on the first Tuesday after the first Monday in June of the first odd-numbered year after incorporation, and on the same day every 2 years thereafter as determined by law, ordinance or resolution, at which time there must be elected the elective city officers, the offices of which are required next to be filled by election. All candidates, except as otherwise provided in NRS



1 266.220, at the general city election must be voted upon by the
2 electors of the city at large.

3 2. Unless the terms of office of city councilmen are extended
4 *or shortened* by an ordinance adopted pursuant to NRS 293C.115,
5 the terms of office of city councilmen are 4 years, which terms must
6 be staggered. The councilmen elected to office immediately after
7 incorporation shall decide, by lot, among themselves which of their
8 offices expire at the next general city election, and thereafter the
9 terms of office must be 4 years unless the terms are extended *or*
10 *shortened* by an ordinance adopted pursuant to NRS 293C.115.

11 **Sec. 3.** NRS 293C.145 is hereby amended to read as follows:

12 293C.145 1. Except as otherwise provided in NRS 293C.115,
13 a general city election must be held in each city of population
14 category three on the first Tuesday after the first Monday in June of
15 the first odd-numbered year after incorporation, and on the same day
16 every 2 years thereafter, as determined by ordinance.

17 2. There must be one mayor and three or five councilmen, as
18 the city council shall provide, by ordinance, for each city of
19 population category three. Unless the terms of office of the mayor
20 and the councilmen are extended *or shortened* by an ordinance
21 adopted pursuant to NRS 293C.115, the terms of office of the mayor
22 and the councilmen are 4 years, which terms must be staggered. The
23 mayor and councilmen elected to office immediately after
24 incorporation shall decide, by lot, among themselves which two of
25 their offices expire at the next general city election, and thereafter
26 the terms of office must be 4 years unless the terms are extended *or*
27 *shortened* by an ordinance adopted pursuant to NRS 293C.115. If a
28 city council thereafter increases the number of councilmen, it shall,
29 by lot, stagger the initial terms of the additional members.

30 3. Except as otherwise provided in NRS 293C.115, a candidate
31 for any office to be voted for at the general city election must file a
32 declaration of candidacy with the city clerk not less than 60 days nor
33 more than 70 days before the day of the general city election. The
34 city clerk shall charge and collect from the candidate and the
35 candidate must pay to the city clerk, at the time of filing the
36 declaration of candidacy, a filing fee in an amount fixed by the city
37 council by ordinance or resolution.

38 4. Candidates for mayor must be voted upon by the electors of
39 the city at large. Candidates for councilmen must be voted upon by
40 the electors of their respective wards to represent the wards in which
41 they reside or by the electors of the city at large in accordance with
42 the provisions of chapter 266 of NRS.



Sec. 4. NRS 293C.291 is hereby amended to read as follows:

293C.291 If a candidate whose name appears on the ballot at a primary city election or general city election dies after the applicable date set forth in:

1. NRS 293C.370; or

2. NRS 293.368, if the governing body of the city has adopted an ordinance pursuant to paragraph (a) of subsection 1 *of NRS 293C.115 or subsection 2* of NRS 293C.115,

↳ but before the time of the closing of the polls on the day of the election, the city clerk shall post a notice of the candidate's death at each polling place where the candidate's name will appear on the ballot for the primary city election or general city election.

Sec. 5. NRS 266.405 is hereby amended to read as follows:

266.405 1. In addition to the mayor and city council, there must be in each city of population category one or two a city clerk, a city treasurer, or if those offices are combined pursuant to subsection 4, a city clerk and treasurer, a municipal judge and a city attorney. The offices of city clerk, city treasurer, municipal judge and city attorney may be either elective or appointive offices, as provided by city ordinance. Except as otherwise provided in this subsection and unless the terms of those elected officers are extended *or shortened* by an ordinance adopted pursuant to NRS 293C.115, the elected officers shall hold their respective offices for 4 years and until their successors are elected and qualified. The cities of population category three may by ordinance provide that the mayor and city councilmen must be elected and shall hold office for 2 years unless the terms of office of the mayor and city councilmen are extended *or shortened* by an ordinance adopted pursuant to NRS 293C.115.

2. In each city of population category one or two, in which the officers are appointed pursuant to ordinance, the mayor, with the advice and consent of the city council, shall appoint all of the officers.

3. In cities of population category three, the mayor, with the advice and consent of the city council, may appoint any officers as may be deemed expedient.

4. The city council may provide by ordinance for the office of city clerk and the office of city treasurer to be combined into the office of city clerk and treasurer.

Sec. 6. NRS 267.110 is hereby amended to read as follows:

267.110 1. Any city having adopted a charter pursuant to the provisions of NRS 267.010 to 267.140, inclusive, has pursuant to the charter:

(a) All of the powers enumerated in the general laws of the State for the incorporation of cities.



(b) Such other powers necessary and not in conflict with the Constitution and laws of the State of Nevada to carry out the commission form of government.

2. The charter, when submitted, must:

(a) Fix the number of commissioners, their terms of office and their duties and compensation.

(b) Provide for all necessary appointive and elective officers for the form of government therein provided, and fix their salaries and emoluments, duties and powers.

(c) Fix, in accordance with the provisions of NRS 293C.140 and 293C.175 or with the provisions of NRS 293C.145, or with the provisions of paragraph (a) of subsection 1 *of NRS 293C.115 or subsection 2* of NRS 293C.115, the time for the first and subsequent elections for all elective officers. After the first election and the qualification of the officers who were elected, the old officers and all boards or offices and their emoluments must be abolished.

Sec. 7. Section 4 of the Charter of Boulder City is hereby amended to read as follows:

Section 4. Number; selection and term; recall.

1. The City Council shall have four Councilmen and a Mayor elected from the City at large in the manner provided in Article IX . ~~[, for terms of four years and until their successors have been elected and have taken office as provided in section 16, subject to recall as provided in section 111.5.]~~ No Councilman shall represent any particular constituency or district of the City, and each Councilman shall represent the entire City. (Amd. 2; 6-4-91; Add. 17; Amd. 1; 11-5-96)

2. (Repealed by Amd. 1; 6-4-91)

3. *Except as otherwise provided in section 96, all Councilmen and the Mayor shall serve for 4 years, subject to recall as provided in section 111.5.*

Sec. 8. Section 16 of the Charter of Boulder City is hereby amended to read as follows:

Section 16. Induction of Council into office; meetings of Council.

1. The City Council shall meet within ~~ten~~ **10** days after each ~~city~~ primary election and each ~~city~~ general election specified in Article IX, to canvass the returns and to declare the results. All newly elected or re-elected Mayor or Councilmen ~~shall~~ **must** be inducted into office at the next regular Council meeting following certification of the applicable ~~city~~ general election results. Immediately following such induction, both the Mayor and the Mayor pro tem ~~shall~~ **must** be designated as provided in section 7.



1 Thereafter, the Council shall meet regularly at such times as it
2 shall set by resolution from time to time, but not less
3 frequently than once each month. (Add. 13; Amd. 1; 6-2-87;
4 Amd. 2; 6-4-91; Add. 17; Amd. 1; 11-5-96)

5 A. (Add. 3; Amd. 2; 5-2-67; Repealed by Amd. 1;
6 6-4-91)

7 2. It is the intent of this Charter that deliberations and
8 actions of the Council be conducted openly. All meetings of
9 the City Council ~~{shall}~~ **must** be in accordance with chapter
10 241 of ~~{the Nevada Revised Statutes.}~~ **NRS**. (Add. 10; Amd.
11 1; 6-2-81)

12 3. Any emergency meeting of the City Council, as
13 defined by chapter 241 ~~{shall}~~ **of NRS, must** be as provided
14 therein, and in addition:

15 (a) An emergency meeting may be called by the Mayor or
16 upon written notice issued by a majority of the Council.

17 (b) Prior notice of such an emergency meeting ~~{shall}~~
18 **must** be given to all members of the City Council. (Add. 10;
19 Amd. 1; 6-2-81)

20 **Sec. 9.** Section 92 of the Charter of Boulder City is hereby
21 amended to read as follows:

22 Section 92. Public parks, recreation areas, parking.

23 1. All public parks, public recreation areas and publicly
24 owned off-street parking areas in existence at the time of
25 incorporation, unless under private lease, must not be sold,
26 leased or zoned for any other use without approval of the
27 majority of the voters voting at a special election ~~for primary~~
28 ~~or general~~ , **a primary** municipal **and state** election , ~~for~~
29 ~~primary~~ or **a general municipal and** state election.

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



1 **Sec. 10.** Section 96 of the Charter of Boulder City is hereby
2 amended to read as follows:

3 Section 96. Conduct of ~~{city}~~ elections.

4 1. All city elections must be nonpartisan in character and
5 must be conducted in accordance with the provisions of the
6 general election laws of the State of Nevada and any
7 ordinance regulations as adopted by the City Council which
8 are consistent with law and this Charter. (1959 Charter)

9 2. ~~{All}~~ *Except as otherwise provided in subsections 3*
10 *and 4, all* full terms of office in the City Council are ~~{four~~
11 ~~years, and}~~ *4 years.* Councilmen must be elected at large
12 without regard to precinct residency.

13 3. Two ~~{full term}~~ Councilmen and the Mayor are to be
14 elected ~~{in each year immediately preceding a federal~~
15 ~~presidential election, and two full term}~~ *on the first Tuesday*
16 *after the first Monday in June 2003, at a general municipal*
17 *election to be held for that purpose. The two Councilmen*
18 *and the Mayor shall hold office until their successors have*
19 *been elected and qualified pursuant to subsection 5.*

20 4. Two Councilmen are to be elected ~~{in each year~~
21 ~~immediately following a federal presidential election.}~~ *on the*
22 *first Tuesday after the first Monday in June 2005, at a*
23 *general municipal election to be held for that purpose. The*
24 *two Councilmen shall hold office until their successors have*
25 *been elected and qualified pursuant to subsection 6.*

26 5. *Two Councilmen and the Mayor are to be elected on*
27 *the first Tuesday after the first Monday in November 2006,*
28 *and at each successive interval of 4 years thereafter. The*
29 *two Councilmen and the Mayor shall hold office for a*
30 *period of 4 years and until their successors have been*
31 *elected and qualified.*

32 6. *Two Councilmen are to be elected on the first*
33 *Tuesday after the first Monday in November 2008, and at*
34 *each successive interval of 4 years thereafter. The two*
35 *Councilmen shall hold office for a period of 4 years and*
36 *until their successors have been elected and qualified.*

37 7. In each election, the candidates receiving the greatest
38 number of votes must be declared elected to the vacant full-
39 term positions. (Add. 17; Amd. 1; 11-5-96)

40 A. In the event one or more ~~{two-year}~~ *2-year* term
41 positions on the Council will be available at the time of a
42 municipal election as provided in section 12, candidates must
43 file specifically for such ~~{position(s).}~~ *positions.* Candidates
44 receiving the greatest respective number of votes must be



declared elected to the respective available ~~[two-year]~~ *2-year* positions. (Add. 15; Amd. 2; 6-4-91)

~~[3.—A city]~~

8. A primary election must be held on the first Tuesday ~~[after the first Monday in April]~~ *in September* of each ~~[odd-numbered]~~ *even-numbered* year and a ~~[city]~~ general election must be held on the first Tuesday after the first Monday in ~~[June]~~ *November* of each ~~[odd-numbered]~~ *even-numbered* year.

A. A primary election must not be held if no more than double the number of Councilmen to be elected file as candidates. A primary election must not be held for the office of Mayor if no 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 Councilmen to be elected. (Add. 17; Amd. 1; 11-5-96)

B. 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]~~ *must* not be placed on the ballot for the general ~~[city]~~ election. (Add. 10; Amd. 7; 6-2-81)

C. In each primary and general election, voters ~~[shall be]~~ *are* entitled to cast ballots for candidates in a number equal to the number of seats to be filled in the city elections. (Add. 11; Amd. 5; 6-7-83)

Sec. 11. Section 100 of the Charter of Boulder City is hereby amended to read as follows:

Section 100. 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]~~ *may* adopt or reject it at a primary ~~[or general]~~ municipal *and state* election ~~[or primary]~~ or general *municipal and* state election.

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



1 **Sec. 12.** Section 102 of the Charter of Boulder City is hereby
2 amended to read as follows:

3 Section 102. Results of election.

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

12 2. If a majority of the registered voters voting on a
13 referred ordinance vote against it, it shall be considered
14 repealed upon certification of the results of the election.

15 3. No initiative ordinance voted upon by the registered
16 voters , or an initiative ordinance in substantially the same
17 form as one voted upon by the people, may again be placed
18 on the ballot until the next primary ~~for general~~ municipal
19 ~~and state~~ election or ~~primary or~~ general ~~municipal and~~ state
20 election.

21 **Sec. 13.** Section 119 of the Charter of Boulder City is hereby
22 amended to read as follows:

23 Section 119. Amending the Charter.

24 1. An amendment to this Charter:

25 A. May be made by the Legislature directly by the use of
26 mandatory specific wording or indirectly by the use of
27 wording allowing flexibility in expressing the required
28 change.

29 (a) If a statute is enacted which directly amends this
30 Charter, such an amendment is not subject to public approval
31 as provided in subsection B and must be included in the
32 Charter and identified as having been amended by the
33 particular statute involved.

34 (b) If a statute is enacted which requires that this
35 Charter be amended but does not require the specific wording
36 to be used, the City Council shall propose a suitable
37 amendment to be submitted to the registered voters of the
38 City as provided in subsection B. If such a proposed
39 amendment is not adopted by the voters, it must be redrafted
40 and resubmitted to the voters at one or more special, primary
41 ~~for general~~ city ~~and state~~ elections or ~~primary or~~ general
42 ~~city and~~ state elections until an amendment is adopted.

43 B. May be proposed by the City Council and submitted
44 to the registered voters of the City at a special election or the



1 next primary ~~[for-general]~~ city *and state* election or ~~[primary~~
2 ~~or]~~ general *city and* state election.

3 C. May be proposed by a petition signed by registered
4 voters of the City equal in number to 15 percent or more of
5 the voters who voted at the latest preceding general city
6 election and submitted to registered voters of the City at a
7 special election or at the next primary ~~[for-general]~~ city *and*
8 *state* election or ~~[primary-or]~~ general *city and* state election.

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

22 3. The City Attorney shall draft any amendment
23 proposed pursuant to subsections A(b) or B or, if such a
24 proposed amendment has been previously drafted, the City
25 Attorney shall review the previous draft and recommend to
26 the Council any suggested changes or corrections. (Amd. 3;
27 6-6-89)

28 4. The City Attorney shall, upon request, review any
29 amendment intended to be proposed by petition pursuant to
30 subsection C, make only such corrections as are agreed to by
31 the proposers and report to the City Council his analysis of
32 the significance and potential effects of the proposed
33 amendment. (Amd. 3; 6-6-89)

34 5. A petition for amendment must be in the form
35 specified by state law for city initiative petitions, and must be
36 filed with the City Clerk not later than 6 months before the
37 date of the primary ~~[for-general]~~ city *and state* election or
38 ~~[primary-or]~~ general *city and* state election at which the
39 proposed amendment is to be submitted to the voters of the
40 City. (Amd. 3; 6-6-89)

41 6. When an amendment is adopted by the registered
42 voters of the City, the City Clerk shall, within 30 days
43 thereafter, transmit a certified copy of the amendment to the
44 Legislative Counsel. (Add. 13; Amd. 3; 6-2-87)



1 **Sec. 14.** Section 138 of the Charter of Boulder City is hereby
2 amended to read as follows:

3 Section 138. Sale of public utilities; proviso.

4 1. No public utility of any kind, after having been
5 acquired by the City, may thereafter be sold or leased by the
6 City, unless the proposition for the sale or lease has been
7 submitted to the electors of the City at a special election ~~for~~
8 ~~primary or general~~, a *primary* municipal *and state* election ,
9 or ~~primary or~~ a general *municipal and* state election. After
10 a majority vote of those electors in favor of the sale, the sale
11 may not be made except after 30 days' published notice
12 thereof, except that the provisions of this section do not apply
13 to a sale by the Council of parts, equipment, trucks, engines
14 and tools ~~[-]~~ which have become obsolete or worn out, any of
15 which equipment may be sold by the Council in the regular
16 course of business.

17 2. A special election may be held only if the City
18 Council determines, by a unanimous vote, that an emergency
19 exists. The determination made by the City Council is
20 conclusive unless it is shown that the City Council acted with
21 fraud or a gross abuse of discretion. An action to challenge
22 the determination made by the City Council must be
23 commenced within 15 days after the City Council's
24 determination is final. As used in this subsection,
25 "emergency" means any unexpected occurrence or
26 combination of occurrences which requires immediate action
27 by the City Council to prevent or mitigate a substantial
28 financial loss to the City or to enable the City Council to
29 provide an essential service to the residents of the City. (1959
30 Charter)

31 **Sec. 15.** Section 143 of the Charter of Boulder City is hereby
32 amended to read as follows:

33 Section 143. Expenditures from Capital Improvement
34 Fund.

35 1. All expenditures from the Capital Improvement Fund
36 must be approved by a simple majority of the votes cast by
37 the registered voters of the City on a proposition placed
38 before them in a special election ~~for primary or general~~, a
39 *primary* municipal *and state* election , or ~~primary or~~ a
40 general *municipal and* state election.

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



1 the determination made by the City Council must be
2 commenced within 15 days after the City Council's
3 determination is final. As used in this subsection,
4 "emergency" means any unexpected occurrence or
5 combination of occurrences which requires immediate action
6 by the City Council to prevent or mitigate a substantial
7 financial loss to the City or to enable the City Council to
8 provide an essential service to the residents of the City. (Add.
9 7; Amd. 5; 6-3-75)

10 **Sec. 16.** Section 2.010 of the Charter of the City of Henderson,
11 being chapter 266, Statutes of Nevada 1971, as last amended by
12 chapter 596, Statutes of Nevada 1995, at page 2206, is hereby
13 amended to read as follows:

14 Sec. 2.010 City Council: Qualifications; election; term
15 of office; salary.

16 1. The legislative power of the City is vested in a City
17 Council consisting of four Councilmen and the Mayor.

18 2. The Mayor must be:

19 (a) A bona fide resident of the territory which is
20 established by the boundaries of the City for the 12 months
21 immediately preceding the last day for filing a declaration of
22 candidacy for the office.

23 (b) A qualified elector within the City.

24 3. Each Councilman must be:

25 (a) A bona fide resident of the territory which is
26 established by the boundaries of the City for the 12 months
27 immediately preceding the last day for filing a declaration of
28 candidacy for the office.

29 (b) A qualified elector within the ward which he
30 represents.

31 (c) A resident of the ward which he represents for at least
32 30 days immediately preceding the last day for filing a
33 declaration of candidacy for the office, except that changes in
34 ward boundaries pursuant to the provisions of section 1.040
35 do not affect the right of any elected Councilman to continue
36 in office for the term for which he was elected.

37 4. All Councilmen, including the Mayor, must be voted
38 upon by the registered voters of the City at large and shall
39 serve for terms of 4 years **H**, *except as otherwise provided*
40 *in section 5.020.*

41 5. The Mayor and Councilmen are entitled to receive a
42 salary in an amount fixed by the City Council. The City
43 Council shall not adopt an ordinance which increases or
44 decreases the salary of the Mayor or the Councilmen during
45 the term for which they have been elected or appointed.



1 **Sec. 17.** Section 5.010 of the Charter of the City of Henderson,
2 being chapter 266, Statutes of Nevada 1971, as last amended by
3 chapter 637, Statutes of Nevada 1999, at page 3565, is hereby
4 amended to read as follows:

5 Sec. 5.010 Primary election.

6 1. A primary election must be held on the *first* Tuesday
7 ~~[after the first Monday in April of each odd-numbered year.]~~
8 *of September 2006, and at each successive interval of 2*
9 *years thereafter,* at which time there must be nominated
10 candidates for offices to be voted for at the next general
11 ~~[municipal]~~ election.

12 2. A candidate for any office to be voted for at any
13 primary ~~[municipal]~~ election must file a declaration of
14 candidacy as provided by the election laws of this State.

15 3. All candidates for elective office must be voted upon
16 by the registered voters of the City at large.

17 4. If in the primary election no candidate receives a
18 majority of votes cast in that election for the office for which
19 he is a candidate, the names of the two candidates receiving
20 the highest number of votes must be placed on the ballot for
21 the general election. If in the primary election, regardless
22 of the number of candidates for an office, one candidate
23 receives a majority of votes cast in that election for the office
24 for which he is a candidate, he must be declared elected and
25 no general election need be held for that office.

26 **Sec. 18.** Section 5.020 of the Charter of the City of Henderson,
27 being chapter 266, Statutes of Nevada 1971, as last amended by
28 chapter 209, Statutes of Nevada 2001, at page 971, is hereby
29 amended to read as follows:

30 Sec. 5.020 General ~~[municipal election.]~~ *elections.*

31 1. ~~[A general election must be held in the City on]~~ *On*
32 *the first Tuesday after the first Monday in June* ~~[of each odd-~~
33 ~~numbered year and on the same day every 2 years thereafter,~~
34 ~~at which time the registered voters of the City shall elect city~~
35 ~~officers to fill the available elective positions.~~

36 —2. ~~All candidates for the office of Mayor, Councilman~~
37 ~~and Municipal Judge must be voted upon by the registered~~
38 ~~voters of the City at large. The term of office for members of~~
39 ~~the City Council and the Mayor is 4 years. Except as~~
40 ~~otherwise provided in subsection 3 of section 4.015 of this~~
41 ~~Charter, the term of office for a Municipal Judge is 6 years.]~~
42 *2005, there must be elected by the qualified voters of the*
43 *City, at a general municipal election to be held for that*
44 *purpose, a Mayor and a Councilman from the third ward,*



1 *both of whom will hold office until their successors have*
2 *been elected and qualified pursuant to subsection 7.*

3 2. *On the first Tuesday after the first Monday in June*
4 *2003, there must be elected by the qualified voters of the*
5 *City, at a general municipal election to be held for that*
6 *purpose, Councilmen from the first, second and fourth*
7 *wards, all of whom will hold office until their successors*
8 *have been elected and qualified pursuant to subsection 6.*

9 3. On the *first* Tuesday after the first Monday in June
10 2001, ~~[and every 6 years thereafter.]~~ there must be elected by
11 the qualified voters of the City, at a general municipal
12 election to be held for that purpose, a Municipal Judge for
13 Department 1 who will hold office until his successor has
14 been elected and qualified ~~[.]~~ *pursuant to subsection 8.*

15 4. On the *first* Tuesday after the first Monday in June
16 2003, ~~[and every 6 years thereafter.]~~ there must be elected by
17 the qualified voters of the City, at a general municipal
18 election to be held for that purpose, a Municipal Judge for
19 Department 2 who will hold office until his successor has
20 been elected and qualified ~~[.]~~ *pursuant to subsection 9.*

21 5. On the *first* Tuesday after the first Monday in June
22 2005, ~~[and every 6 years thereafter.]~~ there must be elected by
23 the qualified voters of the City, at a general municipal
24 election to be held for that purpose, a Municipal Judge for
25 Department 3 who will hold office until his successor has
26 been elected and qualified ~~[.]~~ *pursuant to subsection 10.*

27 6. *On the first Tuesday after the first Monday in*
28 *November 2006, and at each successive interval of 4 years*
29 *thereafter, there must be elected by the qualified voters of*
30 *the City, at the general election, Councilmen from the first,*
31 *second and fourth wards, all of whom will hold office until*
32 *their successors have been elected and qualified.*

33 7. *On the first Tuesday after the first Monday in*
34 *November 2008, and at each successive interval of 4 years*
35 *thereafter, there must be elected by the qualified voters of*
36 *the City, at the general election, a Mayor and a Councilman*
37 *from the third ward, both of whom will hold office until*
38 *their successors have been elected and qualified.*

39 8. *On the first Tuesday after the first Monday in*
40 *November 2006, and at each successive interval of 6 years*
41 *thereafter, there must be elected by the qualified voters of*
42 *the City, at the general election, a Municipal Judge for*
43 *Department 1 who shall hold office until his successor has*
44 *been elected and qualified.*



1 9. *On the first Tuesday after the first Monday in*
2 *November 2008, and at each successive interval of 6 years*
3 *thereafter, there must be elected by the qualified voters of*
4 *the City, at the general election, a Municipal Judge for*
5 *Department 2 who will hold office until his successor has*
6 *been elected and qualified.*

7 10. *On the first Tuesday after the first Monday in*
8 *November 2010, and at each successive interval of 6 years*
9 *thereafter, there must be elected by the qualified voters of*
10 *the City, at the general election, a Municipal Judge for*
11 *Department 3 who will hold office until his successor has*
12 *been elected and qualified.*

13 11. *All candidates for the offices of Mayor,*
14 *Councilman and Municipal Judge must be voted upon by*
15 *the registered voters of the City at large. Except as otherwise*
16 *provided in subsections 1 and 2, the term of office for a*
17 *member of the City Council and the Mayor is 4 years.*
18 *Except as otherwise provided in subsections 3, 4 and 5 and*
19 *in subsection 3 of section 4.015, the term of office for a*
20 *Municipal Judge is 6 years.*

21 **Sec. 19.** Section 1.140 of the Charter of the City of Las Vegas,
22 being chapter 517, Statutes of Nevada 1983, as last amended by
23 chapter 6, Statutes of Nevada 2001, at page 10, is hereby amended
24 to read as follows:

25 Sec. 1.140 Elective offices.

26 1. The elective officers of the City consist of:

27 (a) A Mayor.

28 (b) One Councilman from each ward.

29 (c) Municipal Judges.

30 2. ~~[The]~~ *Except as otherwise provided in section 5.010,*
31 *the* terms of office of the Mayor and Councilmen are 4 years.

32 3. Except as otherwise provided in subsection 3 of
33 section 4.010 ~~[of this Charter,]~~ *or section 5.010,* the term of
34 office of a Municipal Judge is 6 years.

35 **Sec. 20.** Section 2.310 of the Charter of the City of Las Vegas,
36 being chapter 517, Statutes of Nevada 1983, as last amended by
37 chapter 416, Statutes of Nevada 2001, at page 2101, is hereby
38 amended to read as follows:

39 Sec. 2.310 Powers of City Council: Acquisition or
40 establishment of City utility.

41 1. Except as otherwise provided in subsection 3 of
42 section 2.300 and section 2.315, the City Council, on behalf
43 of the City and in its name, may acquire, establish, hold,
44 manage and operate, alone or with any other government or



any instrumentality or subdivision of any government, any public utility in the manner which is provided in this section.

2. The City Council ~~{must}~~ *shall* adopt a resolution which sets forth fully and in detail:

(a) The public utility which is proposed to be acquired or established.

(b) The estimated cost of that utility ~~{}~~ as shown in a recent report, which has been approved by the City Council, of an engineer or consulting firm which had previously been appointed by the City Council for that purpose.

(c) The proposed bonded indebtedness which must be incurred to acquire or establish that utility, the terms, amount and rate of interest of that indebtedness and the time within which, and the fund from which, that indebtedness is redeemable.

(d) That a public hearing on the advisability of acquiring the public utility will be held at the first regular meeting of the City Council after the final publication of the resolution.

3. The resolution must be published in full at least once a week for 4 successive weeks.

4. At the first regular meeting of the City Council, or any adjournment of that meeting, after the completion of the publication, the City Council may, without an election, enact an ordinance for that purpose ~~{}~~ which must conform in all respects to the terms and conditions of the resolution, unless, within 30 days after the final publication of the resolution, a petition is filed with the City Clerk which has been signed by a number of registered voters of the City which is not less than 15 percent of the registered voters of the City, as shown by the last preceding registration list, who own not less than 10 percent in assessed value of the taxable property within the City, as shown by the last preceding tax list or assessment roll, and which prays for the submission of the question of the enactment of the proposed ordinance at a special election or the next primary ~~{for general}~~ municipal *and state* election or ~~{primary or}~~ general *municipal and* state election. Upon the filing of that petition, the proposed ordinance may not be enacted or be effective for any purpose unless, at a special election ~~{for primary or general}~~ , *primary* municipal *and state* election , or ~~{primary or}~~ general *municipal and* state election, a majority of the votes which are cast in that election are cast in favor of the enactment of the ordinance.

5. A special election may be held only if the City Council determines, by a unanimous vote, that an emergency exists. The determination made by the City Council is



1 conclusive unless it is shown that the City Council acted with
2 fraud or a gross abuse of discretion. An action to challenge
3 the determination made by the City Council must be
4 commenced within 15 days after the City Council's
5 determination is final. As used in this subsection,
6 "emergency" means any unexpected occurrence or
7 combination of occurrences which requires immediate action
8 by the City Council to prevent or mitigate a substantial
9 financial loss to the City or to enable the City Council to
10 provide an essential service to the residents of the City.

11 6. If the proposed ordinance is adopted, without an
12 election or as a result of an election, the City Council may
13 issue bonds to obtain revenue for acquiring or constructing
14 systems, plants, works, instrumentalities and properties which
15 are needed in connection with that public utility.

16 **Sec. 21.** Section 5.010 of the Charter of the City of Las Vegas,
17 being chapter 517, Statutes of Nevada 1983, as last amended by
18 chapter 637, Statutes of Nevada 1999, at page 3565, is hereby
19 amended to read as follows:

20 Sec. 5.010 Primary ~~[[municipal]]~~ elections.

21 1. On the Tuesday after the first Monday in April ~~[[2001,~~
22 ~~and at each successive interval of 4 years,]]~~ 2005, a primary
23 municipal election must be held in the City, at which time
24 candidates for ~~[[half of the offices of]]~~ Councilman *from the*
25 *second, fourth and sixth wards*, and for Municipal Judge ~~[[~~
26 ~~Department]] for Departments 2, 3 and 5~~ must be nominated.

27 2. On the Tuesday after the first Monday in April 2003,
28 ~~[[and at each successive interval of 4 years,]]~~ a primary
29 municipal election must be held in the City, at which time
30 candidates for Mayor, for ~~[[the other half of the offices of]]~~
31 Councilman *from the first, third and fifth wards* and for
32 Municipal Judge ~~[[, Department]] for Departments 1, 4 and 6~~
33 must be nominated.

34 3. *On the Tuesday after the first Monday in September*
35 *2006, and at each successive interval of 4 years, a primary*
36 *election must be held in the City, at which time candidates*
37 *for Mayor and for Councilman from the first, third and fifth*
38 *wards must be nominated.*

39 4. *On the Tuesday after the first Monday in September*
40 *2008, and at each successive interval of 4 years, a primary*
41 *election must be held in the City, at which time candidates*
42 *for Councilman from the second, fourth and sixth wards*
43 *must be nominated.*

44 5. *On the Tuesday after the first Monday in September*
45 *2008, and at each successive interval of 6 years, a primary*



1 *election must be held in the City, at which time candidates*
2 *for Municipal Judge for Departments 1, 4 and 6 must be*
3 *nominated.*

4 6. *On the Tuesday after the first Monday in September*
5 *2010, and at each successive interval of 6 years, a primary*
6 *election must be held in the City, at which time candidates*
7 *for Municipal Judge for Departments 2, 3 and 5 must be*
8 *nominated.*

9 7. The candidates for Councilman who are to be
10 nominated as provided in subsections 1 ~~[and 2]~~ to 4,
11 *inclusive*, must be nominated and voted for separately
12 according to the respective wards. ~~[The candidates from each~~
13 ~~even-numbered ward must be nominated as provided in~~
14 ~~subsection 1, and the candidates from each odd-numbered~~
15 ~~ward must be nominated as provided in subsection 2.~~

16 ~~—4.]~~ 8. If the City Council has established an additional
17 department or departments of the Municipal Court pursuant to
18 section 4.010 ~~[of this Charter.]~~ and, as a result, more than
19 one office of Municipal Judge is to be filled at any election,
20 the candidates for those offices must be nominated and voted
21 upon separately according to the respective departments.

22 ~~[5.]~~ 9. Each candidate for the municipal offices which
23 are provided for in subsections 1 ~~[, 2 and 4]~~ to 6, *inclusive*,
24 must file a declaration of candidacy with the City Clerk. All
25 filing fees collected by the City Clerk must be paid into the
26 City Treasury.

27 ~~[6.]~~ 10. If, in the primary election, regardless of the
28 number of candidates for an office, one candidate receives a
29 majority of votes which are cast in that election for the office
30 for which he is a candidate, he must be declared elected for
31 the term which commences on the day of the first regular
32 meeting of the City Council next succeeding the meeting at
33 which the canvass of the returns is made, and no general
34 election need be held for that office. If, in the primary
35 election, no candidate receives a majority of votes which are
36 cast in that election for the office for which he is a candidate,
37 the names of the two candidates who receive the highest
38 number of votes must be placed on the ballot for the general
39 election.

40 **Sec. 22.** Section 5.020 of the Charter of the City of Las Vegas,
41 being chapter 517, Statutes of Nevada 1983, at page 1415, is hereby
42 amended to read as follows:

43 Sec. 5.020 General ~~[municipal election.]~~ *elections.*

44 1. A general ~~[municipal]~~ election must be held in the
45 City on the *first* Tuesday after the ~~[1st]~~ *first* Monday in



1 ~~[June]~~ *November* of each ~~[odd-numbered]~~ *even-numbered*
2 year and on the same day every 2 years thereafter, at which
3 time there must be elected those officers whose offices are
4 required to be filled by election in that year.

5 2. All candidates for elective office, except the office of
6 Councilman, must be voted upon by the registered voters of
7 the City at large.

8 **Sec. 23.** Section 5.110 of the Charter of the City of Las Vegas,
9 being chapter 517, Statutes of Nevada 1983, at page 1416, is hereby
10 amended to read as follows:

11 Sec. 5.110 Special elections: Registration of electors.

12 1. If a question is to be submitted to the registered voters
13 of the City at a ~~[municipal or state]~~ primary *municipal and*
14 *state election* or general *municipal and state* election, no
15 notice of registration of electors is required other than that
16 which is required by the election laws of the State for that
17 election. If the question is to be submitted at a special
18 municipal election, the City Clerk shall , at the expense of the
19 City, cause to be published at least once a week for 5
20 consecutive weeks by five weekly insertions 1 week apart, the
21 first publication to be not more than 60 days nor less than 45
22 days next preceding the election, a notice which has been
23 signed by ~~[him]~~ *the City Clerk* to the effect that registration
24 for the special election will be closed on the date which is
25 designated in the notice, as provided in this section.

26 2. Except as *otherwise* provided in this subsection, the
27 Office of the City Clerk must be open for the special election
28 from 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Mondays
29 through Fridays, with legal holidays excepted, for the
30 registration of any qualified elector.

31 **Sec. 24.** Section 1.060 of the Charter of the City of North Las
32 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
33 by chapter 515, Statutes of Nevada 1997, at page 2451, is hereby
34 amended to read as follows:

35 Sec. 1.060 Elective offices: Vacancies. Except as
36 otherwise provided in NRS 268.325:

37 1. A vacancy in the City Council or in the office of
38 Mayor or Municipal Judge must be filled by a majority vote
39 of the members of the City Council within 30 days after the
40 occurrence of the vacancy. A person may be selected to fill a
41 prospective vacancy in the City Council before the vacancy
42 occurs. In such a case, each member of the Council, except
43 any member whose term of office expires before the
44 occurrence of the vacancy, may participate in any action
45 taken by the Council pursuant to this section. The appointee



1 must have the same qualifications as are required of the
2 elective official.

3 2. No such appointment extends beyond the first day of
4 ~~[July]~~ *December* after the next municipal election, at which
5 election the office must be filled for the remaining unexpired
6 term.

7 **Sec. 25.** Section 2.010 of the Charter of the City of North Las
8 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
9 by chapter 344, Statutes of Nevada 1999, at page 1413, is hereby
10 amended to read as follows:

11 Sec. 2.010 City Council: Qualifications; election; term
12 of office; salary.

13 1. The legislative power of the City is vested in a City
14 Council consisting of four Councilmen and a Mayor.

15 2. The Mayor must be:

16 (a) A bona fide resident of the City for at least 6 months
17 immediately preceding his election.

18 (b) A qualified elector within the City.

19 3. Each Councilman:

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

24 (b) Must continue to live in the ward he represents, except
25 that changes in ward boundaries made pursuant to section
26 1.045 ~~[of this Charter]~~ will not affect the right of any elected
27 Councilman to continue in office for the term for which he
28 was elected.

29 4. At the time of filing, if so required by an ordinance
30 duly enacted, candidates for the office of Mayor and
31 Councilman shall produce evidence in satisfaction of any or
32 all of the qualifications provided in subsection 2 or 3,
33 whichever is applicable.

34 5. All Councilmen, including the Mayor, must be voted
35 upon by the registered voters of the City at large. ~~[, and their]~~

36 6. *Except as otherwise provided in section 5.010, the*
37 *terms of office of the Mayor and the Councilmen* are 4
38 years.

39 ~~[6.]~~ 7. The Mayor and Councilmen are entitled to
40 receive a salary in an amount fixed by the City Council.



1 **Sec. 26.** Section 4.005 of the Charter of the City of North Las
2 Vegas, being chapter 215, Statutes of Nevada 1997, as amended by
3 chapter 73, Statutes of Nevada 2003, at page 484, is hereby
4 amended to read as follows:

5 Sec. 4.005 Municipal Court.

6 1. There is a Municipal Court of the City which consists
7 of at least one department. Each department must be presided
8 over by a Municipal Judge and has such power and
9 jurisdiction as is prescribed in, and is, in all respects which
10 are not inconsistent with this Charter, governed by the
11 provisions of chapters 5 and 266 of NRS which relate to
12 municipal courts.

13 2. The City Council may, from time to time, by
14 ordinance, establish additional departments of the Municipal
15 Court and shall appoint an additional Municipal Judge for
16 each additional department.

17 3. At the first municipal primary or municipal general
18 election that follows the appointment of an additional
19 Municipal Judge to a newly created department of the
20 Municipal Court, the successor to that Municipal Judge must
21 be elected for an initial term of not more than 6 years, as
22 determined by the City Council, ~~[in order]~~ *so* that, as nearly
23 as practicable, one-third of the number of Municipal Judges
24 ~~[be]~~ *is* elected every 2 years.

25 4. Except as otherwise provided by the ordinance
26 establishing an additional department ~~[]~~ *or section 5.010,*
27 each Municipal Judge must be voted upon by the registered
28 voters of the City at large and holds office for a period of 6
29 years and until his successor has been elected and qualified.

30 5. The respective departments of the Municipal Court
31 must be numbered 1 through the appropriate Arabic numeral,
32 as additional departments are approved by the City Council.
33 A Municipal Judge must be elected for each department by
34 number.

35 **Sec. 27.** Section 5.010 of the Charter of the City of North Las
36 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
37 by chapter 73, Statutes of Nevada 2003, at page 485, is hereby
38 amended to read as follows:

39 Sec. 5.010 General ~~[municipal]~~ elections.

40 1. On the Tuesday after the first Monday in June ~~[1977,~~
41 ~~and at each successive interval of 4 years thereafter, there~~
42 ~~shall]~~ *2003, there must* be elected by the qualified voters of
43 the City, at a general *municipal* election to be held for that
44 purpose, a Mayor and two Councilmen, who shall hold office



1 ~~[for a period of 4 years and]~~ until their successors have been
2 elected and qualified ~~[]~~ *pursuant to subsection 3.*

3 2. On the Tuesday after the first Monday in June ~~[1975,~~
4 ~~and at each successive interval of 4 years thereafter, there~~
5 ~~shall]~~ *2005, there must* be elected by the qualified voters of
6 the City, at a general *municipal* election to be held for that
7 purpose, two Councilmen ~~[]~~ who shall hold office ~~[for a~~
8 ~~period of 4 years and]~~ until their successors have been elected
9 and qualified ~~[]~~ *pursuant to subsection 4.*

10 3. *On the Tuesday after the first Monday in November*
11 *2006, and at each successive interval of 4 years thereafter,*
12 *there must be elected by the qualified voters of the City, at a*
13 *general election to be held for that purpose, a Mayor and*
14 *two Councilmen, who shall hold office for a period of 4*
15 *years and until their successors have been elected and*
16 *qualified.*

17 4. *On the Tuesday after the first Monday in November*
18 *2008, and at each successive interval of 4 years thereafter,*
19 *there must be elected by the qualified voters of the City, at a*
20 *general election to be held for that purpose, two*
21 *Councilmen who shall hold office for a period of 4 years*
22 *and until their successors have been elected and qualified.*

23 5. *On the Tuesday after the first Monday in November*
24 *2006, and at each successive interval of 6 years thereafter,*
25 *there must be elected by the qualified voters of the City, at a*
26 *general election to be held for that purpose, a Municipal*
27 *Judge for Department 1 who shall hold office for a period*
28 *of 6 years and until his successor has been elected and*
29 *qualified.*

30 **Sec. 28.** Section 5.020 of the Charter of the City of North Las
31 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
32 by chapter 637, Statutes of Nevada 1999, at page 3566, is hereby
33 amended to read as follows:

34 Sec. 5.020 Primary ~~[municipal]~~ elections; declaration of
35 candidacy.

36 1. The City Council shall provide by ordinance for
37 candidates for elective office to declare their candidacy and
38 file the necessary documents. The seats for City Councilmen
39 must be designated by the numbers one through four, which
40 numbers must correspond with the wards the candidates for
41 City Councilmen will seek to represent. A candidate for the
42 office of City Councilman shall include in his declaration of
43 candidacy the number of the ward which he seeks to
44 represent. Each candidate for City Council must be



1 designated as a candidate for the City Council seat that
2 corresponds with the ward that he seeks to represent.

3 2. If for any general municipal election there are three or
4 more candidates for the offices of Mayor or Municipal Judge,
5 or for a particular City Council seat, a primary election for
6 any such office must be held on the *first* Tuesday ~~following~~
7 ~~the first Monday in April~~ in *September* preceding the
8 general election.

9 3. Except as otherwise provided in subsection 4, after
10 the primary election, the names of the two candidates for
11 Mayor, Municipal Judge and each City Council seat who
12 receive the highest number of votes must be placed on the
13 ballot for the general election.

14 4. If one of the candidates for Mayor, Municipal Judge
15 or a City Council seat receives a majority of the total votes
16 cast for that office in the primary election, he ~~shall~~ *must* be
17 declared elected to office and his name must not appear on
18 the ballot for the general election.

19 **Sec. 29.** Section 5.080 of the Charter of the City of North Las
20 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
21 by chapter 465, Statutes of Nevada 1985, at page 1440, is hereby
22 amended to read as follows:

23 Sec. 5.080 Election returns; canvass; certificates of
24 election; entry of officers upon duties; tie vote procedure.

25 1. The election returns from any special, primary or
26 general municipal election ~~shall~~ *must* be filed with the City
27 Clerk, who shall immediately place the returns in a safe or
28 vault, and no person may be permitted to handle, inspect or in
29 any manner interfere with the returns until canvassed by the
30 City Council.

31 2. The City Council shall meet at any time within 16
32 days after any election and shall canvass the returns and
33 declare the result. The election returns must then be sealed
34 and kept by the City Clerk for 6 months, and no person may
35 have access thereto except on order of a court of competent
36 jurisdiction or by order of the City Council.

37 3. The City Clerk, under his hand and official seal, shall
38 issue to each person declared to be elected a certificate of
39 election. The officers so elected shall qualify and enter upon
40 the discharge of their respective duties on the ~~first~~ *first* day
41 of ~~July~~ *December* next following their election.

42 4. If any election should result in a tie, the City Council
43 shall summon the candidates who received the tie vote and
44 determine the tie by lot. The Clerk shall then issue to the
45 winner a certificate of election.



1 **Sec. 30.** On or before January 1, 2006, the governing body of
2 a city incorporated pursuant to general law in a county whose
3 population is 400,000 or more shall adopt the ordinance required
4 pursuant to the provisions of subsection 2 of NRS 293C.115, as
5 amended by this act.

