

SENATE BILL NO. 262—SENATOR HARDY

MARCH 17, 2011

JOINT SPONSOR: ASSEMBLYMAN HARDY

Referred to Committee on Government Affairs

SUMMARY—Provides for the incorporation of the City of Laughlin contingent upon the approval of the voters in the City. (BDR S-125)

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

~

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

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

**Legislative Counsel's Digest:**

1 Under existing law, the Legislature may provide for the incorporation of a city  
2 by a special act. (Nev. Const. Art. 8, § 8) **Section 1** of this bill provides a charter  
3 for the City of Laughlin. **Section 4** of this bill requires the Committee on Local  
4 Government Finance to prepare a report with respect to the fiscal feasibility of the  
5 incorporation of the City of Laughlin and submit it to the Board of County  
6 Commissioners of Clark County by December 31, 2011. **Sections 5 and 17** of this  
7 bill make the incorporation of the City of Laughlin contingent upon the approval of  
8 the Charter by the qualified electors of the City. **Sections 5-9** of this bill provide for  
9 the Board of County Commissioners of Clark County to conduct an election on the  
10 question of incorporation and a consolidated primary election for candidates for  
11 City Council and Mayor. **Sections 11 and 12** of this bill provide for a general  
12 election of members of the City Council and a Mayor, contingent upon the approval  
13 of incorporation. **Section 10** of this bill authorizes the Board of County  
14 Commissioners to accept gifts, grants and donations to pay for any expenses  
15 associated with incorporation, including, without limitation, the costs of the  
16 Committee on Local Government Finance for preparing the fiscal feasibility report  
17 and for the election held on the question of incorporation and the general election  
18 of the Mayor and City Council. **Sections 2 and 10** of this bill provide that to the



\* S B 2 6 2 \*

19 extent that gifts, grants and donations do not cover such expenses, the Board of  
20 County Commissioners shall use the Fort Mohave Valley Development Fund to pay  
21 the costs.

22 **Sections 13-15** of this bill authorize the elected City Council to perform  
23 various functions before the effective date of incorporation, including preparing a  
24 budget, adopting ordinances, negotiating contracts for personnel and various  
25 services and negotiating with Clark County for the equitable apportionment of the  
26 fixed assets of Clark County that are located in the City of Laughlin. **Section 17**  
27 provides for the effective date of incorporation, which will be July 1, 2013.

---

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

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

4  
5 **ARTICLE I**

6  
7 **INCORPORATION OF CITY; GENERAL POWERS;  
8 BOUNDARIES; ANNEXATIONS; CITY OFFICES**

9  
10 **Section 1.010 Preamble: Legislative intent; powers.**

11 *1. In order to provide for the orderly government of the City*  
12 *of Laughlin and the general welfare of its residents, the*  
13 *Legislature hereby establishes this Charter for the government of*  
14 *the City of Laughlin. It is expressly declared as the intent of the*  
15 *Legislature that all provisions of this Charter be liberally*  
16 *construed to carry out the express purposes of the Charter and*  
17 *that the specific mention of particular powers shall not be*  
18 *construed as limiting in any way the general powers necessary to*  
19 *carry out the purposes of the Charter.*

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

27 **Sec. 1.020 Incorporation of City.**

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



\* S B 2 6 2 \*

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 hereby defined and established as follows:

1. All those portions of Township 32 South, Range 64 East; Township 32 South, Range 65 East; Township 32 South, Range 66 East; Township 33 South, Range 65 East; Township 33 South, Range 66 East; Township 34 South, Range 66 East, M.D.B. & M., which are located in the County of Clark, State of Nevada.

2. Excepting therefrom the following described land:

(a) That land referred to as the Fort Mojave Indian Reservation, approximately 3,842 acres of land, being a portion of Sections 17, 19, 20 thru 22, 27 thru 28, 30 thru 33 and all of Section 29 of Township 33 South, Range 66 East, Clark County, Nevada, and a portion of Section 5 of Township 34 South, Range 66 East, Clark County, Nevada.

(b) Further excepting therefrom Township 34 South, Range 66 East, M.D.B. & M., Clark County, Nevada.

(c) Further excepting therefrom the following described Parcels of land referred to as the "Hotel Corridor":

(1) Parcel 1. The South Half (S 1/2) of the South Half of Section 12 of Township 32 South, Range 66 East, M.D.M., Clark County, Nevada, excepting therefrom State Route 163 recorded in Book 920722 as Instrument 00564, Official Records of Clark County, Nevada, together with Parcel 1 of File 70 of Parcel Maps at Page 20, Official Records of Clark County Nevada, also together with Civic Way recorded in Book 910906 as Instrument Number 00680, Official Records of Clark County, Nevada, lying within the South Half (S 1/2) of the South Half (S 1/2) of said Section 12.

(2) Parcel 2. Section 13, Township 32 South, Range 66 East, M.D.M., Clark County, Nevada, excepting therefrom that remaining portion of Parcel 1 of File 53 of Parcel Maps at Page 53, Official Records of Clark County, Nevada, lying within the Southwest Quarter (SW 1/4) of said Section 13, more particularly described as beginning at the Northeast corner of said Parcel 1, said point being on the Southerly right-of-way line of Bruce Woodbury Drive (90.00 feet wide); thence departing said Southerly right-of-way line and along the Easterly line of said Parcel 1, South 01°08'21" West, 100.00 feet to the Northerly line of Parcel 4 as shown by map thereof recorded in File 98 of Parcel Maps at Page 17, Official Records of Clark County, Nevada; thence along said Northerly line of Parcel 4 the following 2 courses: South 89°59'51" East, 75.00 feet; North 01°28'01" East, 100.00 feet to said Southerly right-of-way and said Northerly line



1 of Parcel 1; thence along said Southerly right-of-way line and  
2 along said Northerly line of Parcel 1, South 89°59'51" East, 75.00  
3 feet to the Point of Beginning.

4 (3) Parcel 3. Section 24 of Township 32 South, Range 66  
5 East, M.D.M., Clark County, Nevada excepting therefrom  
6 Government Lots 7 & 8 of said Section 24, together with Lots 1 &  
7 2 of File 54 of Parcel Maps at Page 79, Official Records of Clark  
8 County, Nevada, lying within the Southwest Quarter (SW 1/4) of  
9 said Section 24.

10 Sec. 1.040 Form of government.

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

17 (a) Enact local legislation;

18 (b) Adopt budgets;

19 (c) Determine policies; and

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

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

25 Sec. 1.050 Construction of Charter. This Charter, except  
26 where the context by clear implication otherwise requires, must be  
27 construed as follows:

28 1. The titles or leadlines which are applied to the articles and  
29 sections of this Charter are inserted only as a matter of  
30 convenience and ease in reference and in no way define, limit or  
31 describe the scope or intent of any provision of this Charter.

32 2. The singular number includes the plural number, and the  
33 plural includes the singular.

34 3. The present tense includes the future tense.

## 35 ARTICLE II

### 36 CITY COUNCIL

37  
38  
39  
40 Sec. 2.010 Number; selection and term; recall. The  
41 Council shall have four Council members and a Mayor elected  
42 from the City at large in the manner provided in Article X, for  
43 terms of 4 years and until their successors have been elected and  
44 have taken office as provided in section 2.100, subject to recall as  
45 provided in Article XI. No Council member shall represent any



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

3 *Sec. 2.020 Qualifications.*

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

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

19 *Sec. 2.030 Salaries.*

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

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

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

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

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

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



1     *1. The Mayor shall:*

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

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

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

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

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

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

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

17     *Sec. 2.050 Powers. Except as otherwise provided in this*  
18 *Charter, all powers of the City and the determination of all matters*  
19 *of policy shall be vested in the Council. The Council shall have,*  
20 *without limitation, the power to:*

21     1. *Establish other administrative departments and distribute*  
22 *the work of divisions.*

23     2. *Adopt the budget of the City.*

24     3. *Adopt civil service rules and regulations.*

25     4. *Inquire into the conduct of any office, department or*  
26 *agency of the City and make investigations as to municipal affairs.*

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

33     6. *Levy such taxes as are authorized by applicable laws.*

34     *Sec. 2.060 Powers: Zoning and Planning. The Council*  
35 *may:*

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

39     2. *Establish and adopt ordinances and regulations relating to*  
40 *the subdivision of land.*

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

42     1. *Neither the Council nor any of its members shall direct or*  
43 *request the removal of any person from office by the City Manager*  
44 *or by any of his or her subordinates, or in any manner take part in*  
45 *the removal of officers and employees in the administrative service*



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

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

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

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

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

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

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

40 Sec. 2.110 Council to be judge of qualifications of its  
41 members. The Council shall be the judge of the election and  
42 qualifications of its members and for such purpose shall have the  
43 power to subpoena witnesses and require the production of  
44 records, but the decision of the Council in any such case shall be  
45 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.*





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

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

8       Sec. 2.150 Voting on ordinances and resolutions.

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

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

21       Sec. 2.160 Enactment of ordinances; subject matter, titles.

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

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

32       Sec. 2.170 Introduction of ordinances; notice; final action;  
33 publication.

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



1 *be available for public examination. The Council shall adopt or*  
2 *reject the ordinance, or the ordinance as amended, within 30 days*  
3 *after the date of publication, except that in cases of emergency, by*  
4 *unanimous consent of the whole Council, final action may be*  
5 *taken immediately or at a special meeting called for that purpose.*

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

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

12 *(b) Posted in full in the city hall.*

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

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

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

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

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

42 *1. The Council shall have the power to codify and publish a*  
43 *code of its municipal ordinances in the form of a Municipal Code,*  
44 *which Code may, at the election of the Council, have incorporated*



1 *therein a copy of this Charter and such additional data as the*  
2 *Council may prescribe.*

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

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

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

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

### 26 27 *ARTICLE III*

#### 28 29 *CITY MANAGER*

##### 30 31 *Sec. 3.010 Appointment and qualifications.*

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

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



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

4       Sec. 3.020 Removal.

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

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

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

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

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

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

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



1       5. *Keep the Council advised of the financial condition and*  
2 *future needs of the City and make such recommendations as may*  
3 *seem to him or her desirable;*

4       6. *Keep himself or herself informed of the activities of the*  
5 *several agencies, offices and departments of the City and see to the*  
6 *proper administration of their affairs and the efficient conduct of*  
7 *their business;*

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

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

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

18      10. *Submit special reports in writing to the Council in answer*  
19 *to any requests for information filed with the City Manager by a*  
20 *member of the Council.*

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

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

## ARTICLE IV

### OFFICERS AND EMPLOYEES

41  
42  
43  
44      *Sec. 4.010 City administrative organization.*



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

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

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

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

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

37       Sec. 4.020 Officers appointed by the Council.

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

43       2. Subject to the provisions of this Charter and rules and  
44 regulations adopted by the Council, the Council shall appoint the  
45 City Clerk who shall serve at the pleasure of the Council and may



1 *be removed by motion of the Council adopted by the affirmative*  
2 *votes of three members of the Council.*

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

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

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

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

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

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

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

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

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

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

43 4. *Maintain separate books in which shall be recorded*  
44 *respectively all ordinances and resolutions, with the certificate of*  
45 *the City Clerk annexed to each thereof stating the same to be the*





1 original or a correct copy, and as to an ordinance requiring  
2 publication, stating that the same has been published or posted in  
3 accordance with this Charter, and maintain all such books  
4 properly indexed and available for public inspection when not in  
5 actual use.

6 5. Have charge of the repository for contracts, surety bonds,  
7 agreements, and other related documents of City business.

8 6. Maintain custody of the City seal.

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

12 8. Conduct all City elections.

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

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

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

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

23 (b) Attend all meetings of the Council and give his or her  
24 advice or opinion in writing whenever requested to do so by the  
25 Council or by any of the officers and boards of the City;

26 (c) Prepare or approve all proposed ordinances and  
27 resolutions for the City, and amendments thereto;

28 (d) Prosecute on behalf of the people such criminal cases for  
29 violation of this Charter or city ordinances, and of misdemeanor  
30 offenses and infractions arising upon violations of the laws of the  
31 State as, in his or her opinion, that of the Council or of the City  
32 Manager, warrant his or her attention;

33 (e) Represent and appear for the City, any city officer or  
34 employee, or former city officer or employee, in any or all actions  
35 and proceedings in which the City or any such officer or  
36 employee, in or by reason of his or her official capacity, is  
37 concerned or is a party;

38 (f) Approve the form of all bonds given to, and all contracts  
39 made by, the City, endorsing his or her approval thereon in  
40 writing; and

41 (g) On vacating the office, surrender to his or her successor all  
42 books, papers, files and documents pertaining to the City's affairs.

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



*(3) Depositing all funds coming into his or her 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 or her 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 or her by law, act as the Assessor of the City and shall be ex officio City Assessor, without further compensation. He or she 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 or her by law, act as ex officio City Tax Receiver. He or she 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, made 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*



1 office, commission, board, department or any division thereof  
2 shall be made in conformance with the Nevada Revised Statutes,  
3 as amended from time to time.

4 Sec. 8.040 Transfer of appropriations. The City Manager  
5 may at any time transfer any unencumbered appropriation  
6 balance or portion thereof between general classifications of  
7 expenditures within an office, department or agency.

8 Sec. 8.050 When contracts and expenditures prohibited.

9 1. No officer, department or agency shall, during any budget  
10 year, expend or contract to expend any money or incur any  
11 liability, or enter into any contract which by its terms involves the  
12 expenditure of money, for any purpose, in excess of the amounts  
13 appropriated for that general classification of expenditure  
14 pursuant to this Charter. Any contract, verbal or written, made in  
15 violation of this Charter shall be null and void. Any officer or  
16 employee of the City who violates this section shall be guilty of a  
17 misdemeanor and, upon conviction thereof, shall cease to hold his  
18 or her office or employment.

19 2. Nothing in this section shall prevent the making of  
20 contracts or the spending of money for capital improvements to be  
21 financed in whole or in part by the issuance of bonds, nor the  
22 making of contracts of lease or for services for a period exceeding  
23 the budget year in which such contract is made, when such  
24 contract is permitted by law.

## 25 ARTICLE IX

### 26 APPOINTIVE BOARDS AND COMMISSIONS

27  
28 Sec. 9.010 Established; enumerated.

29 1. The Council may create by ordinance such other  
30 appointive boards or commissions as in its judgment are required  
31 and may grant to them powers and duties as are consistent with  
32 the provisions of this Charter. The Council, by motion adopted by  
33 the affirmative votes of at least a majority of its members, may  
34 appoint from time to time temporary committees as deemed  
35 advisable to render counsel and advice to the appointing  
36 authorities on any designated matters or subjects within the  
37 jurisdiction of such authorities.

38 2. The Personnel Board is hereby established and has the  
39 powers and duties contained in this Article.

40 Sec. 9.020 Appointments, removals, vacancies, terms.

41 1. Except as otherwise specified in this Charter, the members  
42 of each of the appointive boards and commissions shall be  
43 appointed, and may be removed, by the Council, subject in both  
44  
45



1 *appointment and removal by the affirmative votes of a majority of*  
2 *the Council. For the purposes of this rule, residency is only*  
3 *required at the time of nomination.*

4 *2. If a member of a board or commission:*

5 *(a) Is absent from two regular meetings of such board or*  
6 *commission, consecutively, unless by permission of such board or*  
7 *commission expressed in its official minutes;*

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

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

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

12 *↳ the office of that member shall become vacant and shall be so*  
13 *declared by the Council.*

14 *3. Except as otherwise provided in subsection 2 or section*  
15 *9.030, the members of such boards and commissions shall serve*  
16 *for a term of 2 years and until their respective successors are*  
17 *appointed and qualified.*

18 *Sec. 9.030 Prohibition against serving as treasurer for*  
19 *campaign committee. If any member of an appointive board or*  
20 *commission shall become the treasurer of a campaign committee*  
21 *which receives contributions for any candidate for Mayor or*  
22 *Council member, his or her office shall become vacant and shall*  
23 *be so declared by the Council. Any provisions of this Article*  
24 *notwithstanding, no person who serves as the treasurer of a*  
25 *campaign committee which receives contributions for any*  
26 *candidate for Mayor or Council member shall be eligible for*  
27 *appointment to any appointive board or commission.*

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

32 *Sec. 9.050 Meetings; chair.*

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

40 *2. Each board or commission, other than the Personnel*  
41 *Board, shall hold a regular meeting at least once a month with*  
42 *reasonable provision for attendance by the public. The City*  
43 *Manager shall designate a secretary for the recording of minutes*  
44 *for each such board and commission, who shall keep a record of*  
45 *its proceedings and transactions. Each board and commission*



1 *shall prescribe rules and regulations governing its operations*  
2 *which shall be consistent with this Charter and shall be filed with*  
3 *the City Clerk for public inspection. The Personnel Board shall*  
4 *meet monthly, provided there is business on the agenda to come*  
5 *before it. In the event no business is placed on the Personnel*  
6 *Board's agenda 5 days preceding the tentative meeting date, no*  
7 *meeting need be held, provided that in no event shall more than 3*  
8 *months intervene between meetings of the Personnel Board.*

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

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

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

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

37 *1. Hear appeals pertaining to the disciplinary suspension,*  
38 *demotion or dismissal of any officer or employee having*  
39 *permanent status in any office, position or employment in the civil*  
40 *service, and as otherwise provided for in the civil service rules and*  
41 *regulations;*

42 *2. Consider matters that may be referred to it by the Council*  
43 *or the City Manager and render such counsel and advice in regard*  
44 *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*



1 candidates file for that position. The primary election must be held  
2 for the purpose of eliminating candidates in excess of a figure  
3 double the number of Council members to be elected.

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

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

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

## 21 22 ARTICLE XI

### 23 24 INITIATIVE, REFERENDUM AND RECALL

25  
26 Sec. 11.010 Registered voters' power of initiative and  
27 referendum concerning city ordinances. The registered voters of  
28 a city may:

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

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

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

41 Sec. 11.030 Results of election.

42 1. If a majority of the registered voters voting on a proposed  
43 initiative ordinance vote in its favor, it shall be considered adopted  
44 upon certification of the results of the election and must be treated  
45 in all respects in the same manner as ordinances of the same kind



1 *adopted by the Council. If conflicting ordinances are approved at*  
2 *the same election, the one receiving the greatest number of*  
3 *affirmative votes prevails to the extent of the conflict.*

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

7 *3. No initiative ordinance voted upon by the registered voters*  
8 *or an initiative ordinance in substantially the same form as one*  
9 *voted upon by the people, may again be placed on the ballot until*  
10 *the next primary or general municipal election or primary or*  
11 *general state election.*

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

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

## 19 20 **ARTICLE XII**

### 21 22 **PUBLIC UTILITIES**

23  
24 *Sec. 12.010 Granting of franchises.*

25 *1. The City shall have the power to grant a franchise to any*  
26 *private corporation for the use of streets and other public places in*  
27 *the furnishing of any public utility service to the City and to its*  
28 *inhabitants.*

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

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

37 *Sec. 12.020 Conditions and transfer of franchises.*

38 *1. Every franchise or renewal, extension or amendment of a*  
39 *franchise hereafter granted shall:*

40 *(a) Impose upon the utility the duty to furnish proper service at*  
41 *minimum attainable cost under proper organization and efficient*  
42 *management;*

43 *(b) Include that the City may issue such orders with respect to*  
44 *safety and other matters as may be necessary or desirable for the*  
45 *community; and*



1 (c) Reserve to the City the right to make all future regulations  
2 or ordinances deemed necessary for the preservation of the health,  
3 safety and public welfare of the City, including, without limitation,  
4 regulations concerning the imposition of uniform codes upon the  
5 utilities, standards and rules concerning the excavations and use  
6 to which the streets, alleys and public thoroughfares may be put  
7 and regulations concerning placement of easement improvements  
8 such as poles, valves, hydrants and the like.

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

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

22 Sec. 12.040 Records and proceedings.

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



1 *proper rate adjustments on the basis of facts and regular*  
2 *administration.*

3     2. *The agency established or designated by the Council shall*  
4 *also make appropriate efforts to obtain proper annual revision of*  
5 *rates of private utilities which do not operate under the franchise*  
6 *terms of this Charter and which are not subject to municipal*  
7 *regulation by general law. It may initially obtain proper surveys of*  
8 *operating expenses, taxes and other charges and of the net capital*  
9 *investment in the properties used in public service within the City,*  
10 *and thereupon may endeavor, through negotiation with the utility,*  
11 *to obtain proper rate adjustments. If it cannot obtain due*  
12 *agreement, it shall file a complaint and petition with the Public*  
13 *Utilities Commission of Nevada for a formal rate inquiry. In such*  
14 *proceeding, it shall represent the consumers at large and shall*  
15 *prepare and present in legal form all the evidence with respect to*  
16 *cost of service and other elements as required in the public*  
17 *interest. It shall obtain all requisite data for successive rate*  
18 *revisions, and at the end of each calendar or fiscal year, it shall*  
19 *endeavor to secure any revision of rates indicated by the showing*  
20 *of facts, and, if necessary, shall proceed again with a request for*  
21 *formal inquiry by the Public Utilities Commission of Nevada.*

22     *Sec. 12.050 Condemnation. The City, by initiative*  
23 *ordinance, shall have the right to condemn the property of any*  
24 *public utility. The public utility shall receive just compensation for*  
25 *the taking of its property. Such an initiative petition must be voted*  
26 *on by the people and cannot be passed by simple acceptance of the*  
27 *Council.*

28     *Sec. 12.060 Establishment of municipally owned and*  
29 *operated utilities.*

30     1. *The City shall have power to own and operate any public*  
31 *utility, to construct and install all facilities that are reasonably*  
32 *needed and to lease or purchase any existing utility properties*  
33 *used and useful in public service. The City may also furnish*  
34 *service in adjacent and nearby communities which may be*  
35 *conveniently and economically served by the municipally owned*  
36 *and operated utility, subject to:*

37     (i) *Agreements with such communities;*

38     (ii) *Provisions of state law; and*

39     (iii) *Provisions of this Charter.*

40     2. *The Council may provide by ordinance for the*  
41 *establishment of such utility, but an ordinance providing for a*  
42 *newly owned and operated utility shall be enacted only after such*  
43 *hearings and procedure as required herein for the granting of a*  
44 *franchise, and shall also be submitted to and approved at a*  
45 *popular referendum provided that an ordinance providing for any*



1 *extension, enlargement or improvement of an existing utility may*  
2 *be enacted as a matter of general municipal administration.*

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

8 *Sec. 12.070 Municipal utility organizations.*

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

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

27 *Sec. 12.080 Financial provisions.*

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

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

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

38 1. *No public utility of any kind, after having been acquired by*  
39 *the City, may thereafter be sold or leased by the City, unless the*  
40 *proposition for the sale or lease has been submitted to the electors*  
41 *of the City at a special election or primary or general municipal*  
42 *election or primary or general state election. After a majority vote*  
43 *of those electors in favor of the sale, the sale may not be made*  
44 *except after 30 days' published notice thereof, except that the*  
45 *provisions of this section do not apply to a sale by the Council of*



1 *parts, equipment, trucks, engines and tools which have become*  
2 *obsolete or worn out, any of which equipment may be sold by the*  
3 *Council in the regular course of business.*

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

### 15 16 ARTICLE XIII

#### 17 18 MISCELLANEOUS PROVISIONS

19  
20 *Sec. 13.010 Removal of officers and employees. Subject to*  
21 *the provisions of this Charter not inconsistent herewith, any*  
22 *employee of the City may be suspended or dismissed from*  
23 *employment at any time by the City Manager or by any applicable*  
24 *person appointed by the City Manager pursuant to this Charter.*  
25 *Unless otherwise provided in this Charter, any such action shall*  
26 *be considered final and conclusive and shall not be subject to*  
27 *appeal to any city governmental entity.*

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

34 *Sec. 13.030 Personal interest.*

35 *1. No elective or appointive officer shall take any official*  
36 *action on any contract or other matter in which he or she has any*  
37 *financial interest.*

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

42 *Sec. 13.040 Official bonds. Officers or employees, as the*  
43 *Council may by general ordinance require so to do, including a*  
44 *municipal court judge appointed pursuant to section 5.020 of*  
45 *Article V, if any, shall give bond in such amount and with such*





1 *surety as may be approved by the Council. The premiums on such*  
2 *bonds shall be paid by the City.*

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

6  
7 *“I, ....., do solemnly swear (or affirm) that I will*  
8 *support, protect and defend the Constitution and*  
9 *Government of the United States and the Constitution and*  
10 *Government of the State of Nevada, against all enemies,*  
11 *whether domestic or foreign, and that I will bear true faith,*  
12 *allegiance and loyalty to the same, any Ordinance,*  
13 *Resolution or Law of any State notwithstanding, and I will*  
14 *well and faithfully perform all the duties of the Office of*  
15 *..... on which I am about to enter; (if any oath) so*  
16 *help me God; (if any affirmation) under the pains and*  
17 *penalties of perjury.”*

18 *Sec. 13.060 Amending the Charter.*

19 *1. An amendment to this Charter:*

20 *(a) May be made by the Legislature directly by the use of*  
21 *mandatory specific wording or indirectly by the use of wording*  
22 *allowing flexibility in expressing the required change. If a law is*  
23 *enacted which:*

24 *(1) Directly amends this Charter, such an amendment is*  
25 *not subject to public approval as provided in paragraph (b) and*  
26 *must be included in the Charter and identified as having been*  
27 *amended by the particular law involved.*

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

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

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

43 *2. The City Attorney shall draft any amendment proposed*  
44 *pursuant to subparagraph (2) of paragraph (a) or paragraph (b) of*  
45 *subsection 1, or if such a proposed amendment has been*



1 *previously drafted, the City Attorney shall review the previous*  
2 *draft and recommend to the Council any suggested changes or*  
3 *corrections.*

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

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

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

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

23 *Sec. 13.070 Short title; citation of City of Laughlin Act of*  
24 *2011. This Charter shall be known and may be cited as the City*  
25 *of Laughlin Charter.*

26 *Sec. 13.080 Construction of Charter; separability of*  
27 *provisions.*

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

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

39 **Sec. 2.** Section 9 of the Fort Mohave Valley Development  
40 Law, being chapter 427, Statutes of Nevada 2007, as amended by  
41 chapter 369, Statutes of Nevada 2009, at page 1860, is hereby  
42 amended to read as follows:

43 Sec. 9. Limitations on use of money.

44 **[The]**



1           ***1. Except as otherwise provided in subsection 2, the***  
2 Board of County Commissioners may use money in the Fort  
3 Mohave Valley Development Fund only to:

4           ~~11.~~ ***(a) Purchase or otherwise acquire lands described in***  
5 sections 4 and 8 of this act; and

6           ~~12.~~ ***(b) Administer the Fort Mohave Valley Development***  
7 Law exclusively for the purposes of developing the Fort  
8 Mohave Valley and any general improvement district, special  
9 district, town or city whose territory contains all or a part of  
10 the land in the Fort Mohave Valley, including, without  
11 limitation, the planning, design and construction of capital  
12 improvements which develop the land in the Fort Mohave  
13 Valley or in any general improvement district, special district,  
14 town or city whose territory contains all or a part of the land  
15 in the Fort Mohave Valley.

16           ***2. The Board of County Commissioners shall use***  
17 ***money in the Fort Mohave Valley Development Fund to***  
18 ***pay:***

19           ***(a) Any costs incurred by the Committee on Local***  
20 ***Government Finance created by NRS 354.105, for the***  
21 ***preparation of the report related to the fiscal feasibility of***  
22 ***the incorporation of the City of Laughlin that is required by***  
23 ***section 4 of this act;***

24           ***(b) Any costs incurred by the County to hold the***  
25 ***elections described in sections 5 and 11 this act; and***

26           ***(c) Any other costs incurred by the County or City of***  
27 ***Laughlin associated with the incorporation of the City of***  
28 ***Laughlin,***

29           ***↪ to the extent that gifts, grants or donations are not***  
30 ***available to pay for the expenses.***

31           **Sec. 3.** As used in sections 3 to 16, inclusive, of this act:

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

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

35           3. "City Council" means the City Council elected pursuant to  
36 section 11 of this act.

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

38           5. "Fort Mohave Valley Development Fund" means the fund  
39 created in the County Treasury pursuant to section 6 of the Fort  
40 Mohave Valley Development Law.

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

44           **Sec. 4.** 1. On or before December 31, 2011, the Committee  
45 on Local Government Finance, created by NRS 354.105, shall



1 prepare and submit a report to the Board of County Commissioners  
2 with respect to the fiscal feasibility of the incorporation of the City.  
3 This report must be made available to the public for consideration  
4 before the election on the question of incorporation held pursuant to  
5 section 5 of this act.

6 2. The County Clerk shall cause the report to be published in a  
7 newspaper printed in the County and having a general circulation in  
8 the City at least once a week for 3 consecutive weeks. The final  
9 publication of the report must be published before the date of the  
10 special election.

11 **Sec. 5.** 1. An election on the question of incorporation of the  
12 City of Laughlin must be held after the Committee on Local  
13 Government Finance submits to the Board of County  
14 Commissioners the report required by section 4 of this act. The  
15 election will also be a primary election for the offices of Mayor and  
16 City Council.

17 2. The Board of County Commissioners may call a special  
18 election for the purposes of subsection 1, or may conduct an election  
19 pursuant to subsection 1 on the date of the first primary election  
20 held in the County after the Board of County Commissioners  
21 receives the report required by section 4 of this act. The special  
22 election, if any, must be held within 90 days after the Board of  
23 County Commissioners receives the report prepared pursuant to  
24 section 4 of this act and conducted in accordance with the provisions  
25 of law relating to general elections so far as the same can be made  
26 applicable.

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

33 4. If the Board of County Commissioners conducts an election  
34 pursuant to subsection 1 on the day of the first primary election held  
35 in the County after the Board of County Commissioners receives the  
36 report required by section 4 of this act, the County Clerk shall cause  
37 notice of the election to be published pursuant to NRS 293.203.

38 5. The notice of the election held pursuant to subsection 3 or 4  
39 must contain:

- 40 (a) The date of the election;  
41 (b) The hours during the day in which the polls will be open;  
42 (c) The location of the polling places;  
43 (d) A statement of the question in substantially the same form as  
44 it will appear on the ballots;  
45 (e) The names of the candidates; and



(f) A list of the offices to which the candidates seek election.

**Sec. 6.** The incorporation question on the ballots used for the election held pursuant to section 5 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. 7.** 1. A person who wishes to become a candidate for any office to be voted for at the election held pursuant to section 5 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; and

(c) File a nomination petition containing at least 100 signatures of qualified electors.

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

3. A candidate may withdraw his or her 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 5 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 general election held pursuant to section 11 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 held pursuant to section 5 of this act must be placed on the ballot for the general election held pursuant to section 11 of this act.

**Sec. 8.** 1. At least 10 days before the election held pursuant to section 5 of this act, the County Clerk shall cause to be mailed to each qualified elector a sample ballot for his or her precinct with a notice informing the elector of the location of his or her polling place.

2. The sample ballot must:

(a) Include the question in the form required by section 6 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



\* S B 2 6 2 \*

1 boundary of the state, a county, a city, a township, a section or any  
2 combination of these; and

3 (c) Include the names of candidates for the various offices as  
4 determined pursuant to section 7 of this act.

5 **Sec. 9.** 1. The Board of County Commissioners shall canvass  
6 the votes cast in the election held pursuant to section 5 of this act in  
7 the same manner as votes are canvassed in a general election. Upon  
8 completion of the canvass, the Board shall immediately notify the  
9 County Clerk of the results.

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

17 **Sec. 10.** 1. The Board of County Commissioners may accept  
18 gifts, grants and donations to pay for any expenses that are related to  
19 the incorporation of the City, including, without limitation:

20 (a) The costs incurred by the Committee on Local Government  
21 Finance for preparing the fiscal feasibility report required by section  
22 4 of this act;

23 (b) The costs incurred by the County to hold the elections  
24 described in sections 5 and 11 of this act; and

25 (c) Any other costs incurred by the County or City associated  
26 with the incorporation of the City of Laughlin.

27 2. To the extent that gifts, grants and donations do not pay the  
28 costs of the expenses described in subsection 1, the Board of County  
29 Commissioners shall order the County Treasurer to pay such  
30 expenses from the Fort Mohave Valley Development Fund.

31 3. The County Clerk shall submit to the Board of County  
32 Commissioners a statement of all expenses related to conducting the  
33 elections held pursuant to sections 5 and 11 of this act.

34 **Sec. 11.** 1. If the incorporation of the City is approved by the  
35 voters at an election held pursuant to section 5 of this act, a general  
36 election must be held to elect four members of the City Council and  
37 the Mayor. The Board of County Commissioners may conduct a  
38 special election for the purposes of this subsection, or may conduct  
39 the election required by this subsection on the date of the first  
40 general election held in the County after the date of the election held  
41 pursuant to section 5 of this act. The election must be conducted in  
42 accordance with the provisions of law relating to general elections  
43 so far as the same can be made applicable.

44 2. The names of the two candidates for Mayor and for each  
45 particular seat on the City Council who receive the highest number



\* S B 2 6 2 \*

1 of votes in the primary election must be placed on the ballot for the  
2 general election. A candidate for Mayor or a seat on the City  
3 Council may not withdraw from the general election.

4 **Sec. 12.** 1. The term of the Mayor elected pursuant to section  
5 11 of this act expires upon the election and qualification of the  
6 person elected Mayor in the first general election held pursuant to  
7 section 10.020 of the City of Laughlin Charter.

8 2. The terms of two of the members of the City Council elected  
9 pursuant to section 11 of this act expire upon the election and  
10 qualification of the persons elected to the City Council in the first  
11 general election held pursuant to section 10.020 of the City of  
12 Laughlin Charter. The terms of the remaining members of the City  
13 Council elected pursuant to section 11 of this act expire upon the  
14 election and qualification of the persons elected to the City Council  
15 in the second general election held pursuant to section 10.020 of the  
16 City of Laughlin Charter.

17 3. The members of the City Council elected pursuant to section  
18 11 of this act shall, at the first meeting of the City Council after their  
19 election and qualification, draw lots to determine the length of their  
20 respective terms.

21 **Sec. 13.** Before the incorporation of the City becomes  
22 effective, the City Council may:

23 1. Prepare and adopt a budget;

24 2. Adopt ordinances;

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

29 4. Negotiate an equitable apportionment of the fixed assets of  
30 the County pursuant to section 15 of this act;

31 5. Negotiate contracts for the employment of personnel;

32 6. Negotiate contracts to provide services for the City,  
33 including, without limitation, those services provided for by chapter  
34 277 of NRS; and

35 7. Negotiate contracts for the purchase of equipment, materials  
36 and supplies.

37 **Sec. 14.** 1. During the period from the filing of the notice of  
38 results of the election conducted pursuant to section 5 of this act by  
39 the County Clerk until the date the incorporation of the City  
40 becomes effective, the County is entitled to receive the taxes and  
41 other revenue from the City and shall continue to provide services to  
42 the City.

43 2. Except as otherwise provided in NRS 318.492, all special  
44 districts, except fire protection districts, located within the



\* S B 2 6 2 \*



1 boundaries of the City continue to exist within the City after the  
2 incorporation becomes effective.

3 **Sec. 15.** 1. The City Council and the Board of County  
4 Commissioners shall, before the date that the incorporation becomes  
5 effective or within 90 days after that date, equitably apportion those  
6 fixed assets of the County which are located within the boundaries  
7 of the City. The City Council and the Board of County  
8 Commissioners shall consider the location, use and types of assets  
9 in determining an equitable apportionment between the County and  
10 the City.

11 2. Any real property and its appurtenances located within the  
12 City and not required for the efficient operation of the County's  
13 duties must first be applied toward the City's share of the assets of  
14 the County. Any real property which is required by the County for  
15 the efficient operation of its duties must not be transferred to the  
16 City.

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

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

22 **Sec. 16.** Any property located within the City which was  
23 assessed and taxed by the County before incorporation must  
24 continue to be assessed and taxed to pay for the indebtedness  
25 incurred by the County before incorporation.

26 **Sec. 17.** 1. This section and sections 2 to 16, inclusive, of  
27 this act become effective upon passage and approval.

28 2. Section 1 of this act becomes effective, if the incorporation  
29 of the City of Laughlin is approved by the voters at the election held  
30 pursuant to section 5 of this act on July 1, 2013.

