

ASSEMBLY BILL NO. 420—COMMITTEE
ON GOVERNMENT AFFAIRS

MARCH 25, 2013

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the position of fire chief in certain cities. (BDR S-1120)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to cities; amending the Charters of the City of Las Vegas and the City of North Las Vegas to revise provisions governing the appointment and service of the fire chief of each city; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 The Charters of the City of Las Vegas and the City of North Las Vegas
2 currently provide that the fire chief of each city is appointed, supervised and subject
3 to removal by the city manager of their respective cities. (Las Vegas City Charter
4 §§ 3.070, 3.180, 3.210; North Las Vegas City Charter §§ 1.080, 3.020) This bill
5 amends those Charters to transfer to the city council of each city the authority for
6 the appointment, supervision and removal of the fire chief of each city.

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 Las Vegas, being chapter
2 517, Statutes of Nevada 1983, at page 1391, is hereby amended by
3 adding thereto a new section to be designated as section 3.173,
4 immediately following section 3.170, to read as follows:

5 ***Sec. 3.173 Fire Chief: Appointment; duties.***

6 ***1. The City Council shall appoint a Fire Chief and fix***
7 ***the salary of his or her office.***

8 ***2. The Fire Chief shall report directly to the City***
9 ***Council, or to a committee designated by the City Council,***



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1 *and shall perform such duties as are designated by the City*
2 *Council or prescribed by ordinance.*

3 **Sec. 2.** Section 3.070 of the Charter of the City of Las Vegas,
4 being chapter 517, Statutes of Nevada 1983, as last amended by
5 chapter 338, Statutes of Nevada 2007, at page 1535, is hereby
6 amended to read as follows:

7 Sec. 3.070 Appointive officers: Appointment by City
8 Manager. The City Manager shall appoint the following
9 officers, subject to ratification by the City Council:

10 1. Director of Financial Management.

11 2. Director of Public Services.

12 3. ~~Fire Chief.~~

13 ~~—4.~~ City Clerk.

14 ~~5.~~ 4. City Treasurer.

15 ~~6.~~ 5. A Director of each department which is
16 established pursuant to section 3.060.

17 ~~7.~~ 6. Such other officers as may be necessary.

18 **Sec. 3.** Section 3.180 of the Charter of the City of Las Vegas,
19 being chapter 517, Statutes of Nevada 1983, as last amended by
20 chapter 347, Statutes of Nevada 1999, at page 1419, is hereby
21 amended to read as follows:

22 Sec. 3.180 Appointive officers: Qualification; duties
23 restricted and altered.

24 1. The City Council may prescribe by ordinance the
25 qualifications, powers and duties of all appointive officers of
26 the City, if those qualifications, powers and duties have not
27 been established by this Charter, and may add to, alter or
28 restrict those qualifications, powers and duties from time to
29 time.

30 2. The City Manager may designate additional
31 qualifications, powers and duties of all of the appointive City
32 officers, except the City Attorney, ~~and~~ City Auditor ~~and~~ *Fire Chief*,
33 which are not in conflict with the provisions of
34 this Charter or any ordinance which prescribes those
35 qualifications, powers and duties, as he or she deems
36 necessary or appropriate, and may add to, alter or restrict
37 those qualifications, powers and duties from time to time.

38 **Sec. 4.** Section 3.210 of the Charter of the City of Las Vegas,
39 being chapter 517, Statutes of Nevada 1983, as last amended by
40 chapter 347, Statutes of Nevada 1999, at page 1419, is hereby
41 amended to read as follows:

42 Sec. 3.210 Appointive officers: Removal.

43 1. Except as otherwise provided in subsection 2, each
44 appointive officer serves at the pleasure of the City Manager



1 and may be removed by him or her at any time, subject to
2 ratification by the City Council.

3 2. The City Attorney , ~~land~~ City Auditor *and Fire*
4 *Chief* serve at the pleasure of the City Council and may be
5 removed by an affirmative vote of a majority of the entire
6 membership of the City Council at any time.

7 **Sec. 5.** Section 3.220 of the Charter of the City of Las Vegas,
8 being chapter 517, Statutes of Nevada 1983, as last amended by
9 chapter 347, Statutes of Nevada 1999, at page 1419, is hereby
10 amended to read as follows:

11 Sec. 3.220 Appointive officers: Performance of duties;
12 salary.

13 1. All appointive officers of the City, except the City
14 Manager, City Attorney, City Auditor , *Fire Chief* and the
15 Board of Civil Service Trustees, must have such
16 qualifications and powers and shall perform such duties,
17 under the direction of the City Manager, as may be
18 designated by the City Manager or are prescribed, conferred
19 or imposed by ordinance, this Charter or general law.

20 2. All appointive officers of the City and their deputies,
21 except the City Attorney , ~~land~~ City Auditor ~~H~~ *and Fire*
22 *Chief*, must receive such salary as may be designated by the
23 City Manager within the salary ranges which have been
24 established for their respective positions by the City Council.

25 **Sec. 6.** Section 3.230 of the Charter of the City of Las Vegas,
26 being chapter 517, Statutes of Nevada 1983, as last amended by
27 chapter 347, Statutes of Nevada 1999, at page 1420, is hereby
28 amended to read as follows:

29 Sec. 3.230 Appointive officers; City Manager's
30 direction; administration of departments. All departments,
31 offices and agencies, except the City Manager, City Attorney,
32 City Auditor , *Fire Chief* and the Board of Civil Service
33 Trustees, are under the general direction and supervision of
34 the City Manager and must be administered by an officer who
35 is subject to the immediate direction and supervision of the
36 City Manager. With the consent of the City Council, the City
37 Manager may serve also as the Director of one or more
38 departments, offices or agencies and may appoint one person
39 to be the Director of two or more departments, offices or
40 agencies.

41 **Sec. 7.** Section 10.010 of the Charter of the City of Las Vegas,
42 being chapter 517, Statutes of Nevada 1983, as last amended by
43 chapter 338, Statutes of Nevada 2007, at page 1537, is hereby
44 amended to read as follows:

45 Sec. 10.010 Civil Service.



1 1. There is hereby created a System of Civil Service
2 which is applicable to and governs all of the employees of the
3 City except the elected officials, persons who serve as
4 members of boards, commissioners or committees for which
5 no compensation is received, the City Manager, the City
6 Attorney, *the Fire Chief*, persons who are appointed pursuant
7 to sections 3.040 and 3.070, persons who hold such
8 probationary, provisional or temporary appointments as are
9 designated in the Civil Service rules, Alternate Judges and
10 persons who hold such other positions as are designated by
11 the City Council.

12 2. The City Council may determine that the System of
13 Civil Service must be administered by a Board of Civil
14 Service Trustees which is composed of five members who are
15 appointed by the City Council for terms of 4 years.

16 3. The City Council shall adopt by ordinance a
17 codification of the rules which govern the System of Civil
18 Service and may from time to time amend those rules. If the
19 System of Civil Service is administered by a Board of Civil
20 Service Trustees, the rules which govern the System of Civil
21 Service, and any amendments thereto, must be reviewed by
22 the Board before the City Council adopts them.

23 4. The rules which govern the System of Civil Service
24 must provide for:

- 25 (a) The examination of potential employees;
- 26 (b) Recruitment and placement procedures;
- 27 (c) The classification of positions;
- 28 (d) Procedures for the promotion of employees;
- 29 (e) Procedures for disciplinary actions against, and the
30 discharge of, employees;
- 31 (f) Appeals with respect to actions which are taken
32 pursuant to paragraphs (d) and (e);
- 33 (g) The acceptance and processing of citizens' complaints
34 against employees; and
- 35 (h) Such other matters, if any, as the Board of Civil
36 Service Trustees or the City Council deems are necessary or
37 appropriate.

38 5. Copies of the rules of the System of Civil Service
39 must be made available to all of the employees of the City.

40 **Sec. 8.** The Charter of the City of North Las Vegas, being
41 chapter 573, Statutes of Nevada 1971, at page 1210, is hereby
42 amended by adding thereto a new section to be designated as section
43 3.053, immediately following section 3.050, to read as follows:

44 ***Sec. 3.053 Fire Chief: Appointment; duties; removal.***

45 1. ***The City Council shall appoint a Fire Chief.***



1 2. *The Fire Chief shall report directly to the City*
2 *Council, or to a committee designated by the City Council,*
3 *and shall perform such duties as are designated by the City*
4 *Council or prescribed by ordinance.*

5 3. *The Fire Chief serves at the pleasure of the City*
6 *Council and may be removed by an affirmative vote of a*
7 *majority of the entire membership of the City Council at any*
8 *time.*

9 **Sec. 9.** Section 1.080 of the Charter of the City of North Las
10 Vegas, being chapter 573, Statutes of Nevada 1971, as amended by
11 chapter 159, Statutes of Nevada 1999, at page 838, is hereby
12 amended to read as follows:

13 Sec. 1.080 Appointment of officers; City Manager's
14 direction.

15 1. Except as otherwise provided in ~~section~~ *sections*
16 3.050 ~~H~~ *and 3.053*, all officers, not elected or covered under
17 the Civil Service System, must be appointed by the City
18 Manager subject to ratification by the City Council.

19 2. All departments, offices and agencies under the
20 direction and supervision of the City Manager must be
21 administered by an officer subject to the direction and
22 supervision of the City Manager. With the consent of the City
23 Council, the City Manager may serve as the head of two or
24 more departments, offices or agencies or may appoint one
25 person to be head of two or more departments, offices or
26 agencies.

27 3. All appointive officers of the City are entitled to
28 receive such salary as may be designated by the City Council.

29 4. The City Council may require from all other officers
30 and employees of the City constituted or appointed under this
31 Charter, except Council Members, sufficient security for the
32 faithful and honest performance of their respective duties.

33 **Sec. 10.** Section 3.020 of the Charter of the City of North Las
34 Vegas, being chapter 573, Statutes of Nevada 1971, as amended by
35 chapter 301, Statutes of Nevada 1979, at page 452, is hereby
36 amended to read as follows:

37 Sec. 3.020 City Manager: Powers and duties.

38 1. The City Manager is the Chief Administrative Officer
39 of the City. He or she is responsible to the City Council for
40 the administration of all City affairs placed in his or her
41 charge by or under this Charter.

42 2. The City Manager shall:

43 (a) Except as otherwise provided by law, *section 3.050 or*
44 *3.053 or any other provision of* this Charter, or personnel
45 rules adopted pursuant to this Charter, appoint, and when he



1 or she deems it necessary for the good of the service,
2 discharge or suspend all City employees and appointed
3 administrative officers provided for by this Charter. He or she
4 may authorize any administrative officer who is subject to his
5 or her direction and supervision to exercise the powers
6 enumerated in this paragraph with respect to subordinates in
7 that officer's department, office or agency.

8 (b) Direct and supervise the administration of all
9 departments, offices and agencies of the City, except:

10 (1) As otherwise provided by law; and

11 (2) For any department, office or agency whose head
12 is not appointed by the City Manager.

13 (c) Attend all City Council meetings and have the right to
14 take part in all discussions. The City Manager may not vote.

15 (d) Be responsible for the enforcement of all laws,
16 provisions of this Charter and acts of the City Council subject
17 to enforcement by the City Manager or by his or her officers
18 subject to his or her direction and supervision.

19 (e) Prepare and submit the annual budget and capital
20 program to the City Council.

21 (f) Submit to the City Council and make available to the
22 public a complete report on the finances and administrative
23 activities of the City as of the end of each fiscal year.

24 (g) Make such other reports as the City Council may
25 require concerning the operations of City departments, offices
26 and agencies subject to his or her direction and supervision.

27 (h) Keep the City Council fully advised as to the financial
28 condition and future needs of the City and make such
29 recommendations to the City Council concerning the affairs
30 as he or she deems desirable.

31 (i) Perform such other duties as are specified in this
32 Charter or which may be required by the City Council.

33 **Sec. 11.** This act becomes effective on July 1, 2013.

