

ASSEMBLY BILL NO. 389—ASSEMBLYMAN LEAVITT

MARCH 21, 2019

JOINT SPONSOR: SENATOR HARDY

Referred to Committee on Government Affairs

SUMMARY—Provides for the incorporation of the City of Laughlin. (BDR S-972)

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

CONTAINS UNFUNDED MANDATE (§§ 3, 6, 8, 11, 12)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring an election to be held on the question of incorporation of the City; making the incorporation of the City contingent upon approval of the incorporation by the qualified electors of the area to be included in the City; setting forth certain powers and duties of the City Council and the Board of County Commissioners of Clark County if incorporation is approved by the qualified electors; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

The Nevada Constitution authorizes the Legislature to provide for the incorporation of a city by a special act. (Nev. Const. Art. 8, § 8) **Section 1** of this bill provides a charter for the City of Laughlin in Clark County, Nevada. Article I of the Charter sets forth the boundaries of the City and provides that the City Council appoints the City Manager. Article II of the Charter: (1) provides that the City Council consists of four members and a Mayor; and (2) sets forth the powers of the City Council. Article III of the Charter sets forth the qualifications, powers and duties of the City Manager. Article IV of the Charter sets forth the administrative organization of the City and the powers and duties of the City Clerk, City Attorney, Director of Finance and the heads of departments, offices and agencies. Article V of the Charter provides that the City’s municipal court must be



presided over by a Justice of the Peace appointed by the City Council. Article VI of the Charter requires the City's budget to be prepared in accordance with the general laws of the State pertaining to city budgets. Article VII of the Charter authorizes public improvements and repairs to be paid from the City's General or Street Funds, as applicable. Article VIII of the Charter provides that the: (1) Clark County Assessor is the ex officio City Assessor; and (2) Clark County Treasurer is the ex officio City Tax Receiver. Article IX of the Charter: (1) authorizes the City Council to create by ordinance appointive boards or commissioners; and (2) establishes and sets forth the powers and duties of the Personnel Board and Charter Committee. Article X of the Charter: (1) requires that city elections be nonpartisan and held at the same time as statewide elections; (2) provides that the terms of office for the Council members and Mayor are 4 years; and (3) requires that the Council members and Mayor be elected at large. Article XI of the Charter authorizes the registered voters of the City to: (1) propose ordinances by initiative petition; (2) require reconsideration of adopted ordinances by referendum; and (3) recall a Council member. Article XII of the Charter authorizes the City to grant a franchise for furnishing a public utility service. Article XIII of the Charter: (1) authorizes the City Manager to suspend or dismiss a municipal employee; (2) gives the City Manager and other municipal officers the right to take part in the discussion of all matters coming before the Council; and (3) prohibits an elective or appointive officer from taking official action on any contract or other matter in which he or she has any financial interest.

Sections 3 and 15 of this bill make the incorporation of the City of Laughlin contingent upon the approval of the incorporation by the qualified electors of the City at the 2020 primary election. If the incorporation of the City is so approved: (1) **section 8** of this bill provides for the election of the Mayor and City Council; (2) **section 9** of this bill sets forth the terms of office for the first-elected Mayor and City Council members; (3) **sections 10 and 12** of this bill require the City Council to perform certain preparatory tasks; (4) **section 11** of this bill requires Clark County to provide services within the boundaries of the City through June 30, 2021; and (5) **section 8** of this bill requires property located within the City to continue to be assessed and taxed by the County to pay for indebtedness incurred by the County before the City was incorporated.

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

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

ARTICLE I

**INCORPORATION OF CITY; GENERAL POWERS;
BOUNDARIES; ANNEXATIONS; CITY OFFICES**

Section 1.010 Preamble: Legislative intent; powers.

1. In order to provide for the orderly government of the City of Laughlin and the general welfare of its residents, the Legislature hereby establishes this Charter for the government of



1 the City of Laughlin. It is expressly declared as the intent of the
2 Legislature that all provisions of this Charter be liberally
3 construed to carry out the express purposes of the Charter and
4 that the specific mention of particular powers shall not be
5 construed as limiting in any way the general powers necessary to
6 carry out the purposes of the Charter.

7 2. Any powers expressly granted by this Charter are in
8 addition to any powers granted to a city by the general law of this
9 State. All provisions of the Nevada Revised Statutes which are
10 applicable generally to cities, unless otherwise expressly
11 mentioned in this Charter or chapter 265, 266 or 267 of NRS, and
12 which are not in conflict with the provisions of this Charter apply
13 to the City of Laughlin.

14 Sec. 1.020 Incorporation of City.

15 1. All persons who are inhabitants of that portion of the State
16 of Nevada embraced within the limits set forth in section 1.030
17 shall constitute a political and corporate body by the name of
18 "City of Laughlin," and by that name they and their successors
19 shall be known in law, have perpetual succession and may sue and
20 be sued in all courts.

21 2. Whenever used throughout this Charter, "City" means the
22 City of Laughlin.

23 Sec. 1.030 Description of territory. The territory embraced
24 in the City is hereby defined and established as follows:

25 1. All those portions of Township 32 South, Range 64 East;
26 Township 32 South, Range 65 East; Township 32 South, Range
27 66 East; Township 33 South, Range 65 East; Township 33 South,
28 Range 66 East; Township 34 South, Range 66 East, M.D.B. & M.,
29 which are located in the County of Clark, State of Nevada.

30 2. Excepting therefrom the following described land:

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

38 (b) Township 34 South, Range 66 East, M.D.B. & M., Clark
39 County, Nevada.

40 (c) The following described parcels of land referred to as the
41 "Hotel Corridor":

42 (1) Parcel 1. The South Half (S 1/2) of the South Half of
43 Section 12 of Township 32 South, Range 66 East, M.D.M., Clark
44 County, Nevada, excepting therefrom State Route 163 recorded in
45 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 feet wide); thence departing said Southerly right-of-way line and along the Easterly line of said Parcel 1, South $01^{\circ}08'21''$ West, 100 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 two courses: North $89^{\circ}59'51''$ West, 75 feet; North $01^{\circ}08'21''$ East, 100 feet to said Southerly right-of-way and said Northerly line of Parcel 1; thence along said Southerly right-of-way line and along said Northerly line of Parcel 1, South $89^{\circ}59'51''$ East, 75 feet to the Point of Beginning.

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

Sec. 1.040 Limitation on future annexation. Notwithstanding any provision of law to the contrary, no area may be annexed into the boundaries of the City unless a majority of the owners of the real property that make up the area petition the City Council for annexation into the City.

Sec. 1.050 Form of government.

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

(a) Enact local legislation;

(b) Adopt budgets;

(c) Determine policies; and



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

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

Sec. 1.060 Construction of Charter. This Charter, except where the context by clear implication otherwise requires, must be construed as follows:

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

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

3. The present tense includes the future tense.

ARTICLE II

CITY COUNCIL

Sec. 2.010 Number; selection and term; recall. The Council shall have four Council members and a Mayor elected from the City at large in the manner provided in Article X, for terms of 4 years and until their successors have been elected and have taken office as provided in section 2.100, subject to recall as provided in Article XI. No Council member shall represent any particular constituency or district of the City, and each Council member shall represent the entire City.

Sec. 2.020 Qualifications.

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

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

Sec. 2.030 Salaries.



1 1. For the first 2 years after election of the first members of
2 the Council after adoption of this Charter, each member of the
3 Council shall receive as compensation for his or her services as
4 such a monthly salary of \$125, and the member elected to fill the
5 Office of Mayor shall receive the additional amount of \$25 for
6 each month said member shall fill the Office of Mayor.

7 2. After the period specified in subsection 1 and upon
8 recommendation from the Charter Committee established
9 pursuant to section 9.100 of Article IX, the Council may determine
10 the annual salaries of the Mayor and Council members by
11 ordinance. The Council shall not adopt an ordinance which
12 increases or decreases the salary of the Mayor or the Council
13 members during the term for which they have been elected or
14 appointed.

15 3. Absence of a member of the Council from all regular and
16 special meetings of the Council during any calendar month shall
17 render him or her ineligible to receive the monthly salary for such
18 a calendar month unless by permission of the Council expressed
19 in its official minutes.

20 4. The Mayor and Council members shall be reimbursed for
21 their personal expenses when conducting or traveling on city
22 business as authorized by the Council. Reimbursement for use of
23 their personal automobiles will be at the rate per mile established
24 by the rules of the Internal Revenue Service of the United States.

25 5. The Mayor and Council members shall receive no
26 additional compensation or benefit other than that mandated by
27 state or federal law.

28 Sec. 2.040 Mayor; Mayor Pro Tem; duties.

29 1. The Mayor shall:

30 (a) Serve as a member of the Council and preside over its
31 meetings;

32 (b) Have no administrative duties; and

33 (c) Be recognized as the head of the city government for all
34 ceremonial purposes and for the purposes of dealing with
35 emergencies if martial law has been imposed on the City by the
36 State or Federal Government.

37 2. The Council shall elect one of its members to be Mayor
38 Pro Tem, who shall:

39 (a) Hold such office and title, without additional
40 compensation, for the period of 1 year;

41 (b) Perform the duties of the Mayor during the absence or
42 disability of the Mayor; and

43 (c) Assume the position of Mayor, if that office becomes
44 vacant, until the next regular election.



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

5 1. *Establish other administrative departments and distribute*
6 *the work of divisions.*

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

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

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

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

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

18 *Sec. 2.060 Powers: Zoning and Planning. The Council*
19 *may:*

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

23 2. *Establish and adopt ordinances and regulations relating to*
24 *the subdivision of land.*

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

26 1. *Neither the Council nor any of its members shall direct or*
27 *request the removal of any person from office by the City*
28 *Manager or by any of his or her subordinates, or in any manner*
29 *take part in the removal of officers and employees in the*
30 *administrative service of the City. Except for the purpose of*
31 *inquiry and as otherwise provided in this Charter, the Council and*
32 *its members shall deal with the administrative service solely*
33 *through the City Manager and neither the Council nor any*
34 *member thereof shall give orders to any subordinates of the City*
35 *Manager, either publicly or privately.*

36 2. *Any Council member violating the provisions of this*
37 *section, or voting for a resolution or ordinance in violation of this*
38 *section, is guilty of a misdemeanor and upon conviction thereof*
39 *shall cease to be a Council member.*

40 *Sec. 2.080 Vacancies in Council. Except as otherwise*
41 *provided in NRS 268.325, a vacancy on the Council must be filled*
42 *by appointment by a majority of the remaining members of the*
43 *Council within 30 days or after three regular or special meetings,*
44 *whichever is the shorter period of time. In the event of a tie vote*
45 *among the remaining members of the Council, selection must be*



1 made by lot. No such appointment extends beyond the next
2 municipal election.

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

5 1. Create, change and abolish offices, departments or
6 agencies, other than offices, departments and agencies established
7 by this Charter.

8 2. Assign additional functions or duties to offices,
9 departments or agencies established by this Charter, but may not
10 discontinue or assign to any other office, department or agency
11 any function or duty assigned by this Charter to a particular
12 office, department or agency.

13 Sec. 2.100 Induction of Council into office; meetings of
14 Council.

15 1. The Council shall meet within 10 days after each primary
16 municipal election and each general municipal election specified
17 in Article X to canvass the returns and to declare the results. All
18 newly elected or reelected Mayor or Council members shall be
19 inducted into office at the next regular Council meeting following
20 certification of the applicable general municipal election results.
21 Immediately following such induction, the Mayor Pro Tem shall
22 be designated as provided in section 2.040. Thereafter, the Council
23 shall meet regularly at such times as it shall set by resolution from
24 time to time, but not less frequently than once each month.

25 2. Special meetings may be held on a call of the Mayor or by
26 a majority of the Council. Reasonable effort must be made to give
27 notice of the special meeting to each Council member, the Mayor,
28 City Clerk, City Attorney and City Manager. Only that business
29 which was stated in the call of the special meeting may be
30 discussed.

31 3. Except as otherwise provided in NRS 241.0355, a majority
32 of all Council members constitutes a quorum to do business, but a
33 lesser number may meet and recess from time to time, and compel
34 the attendance of the absent Council members.

35 4. No meeting of the Council may be held for the purpose of
36 conducting or discussing City business except as provided in this
37 section.

38 Sec. 2.110 Rules of procedure.

39 1. The Council shall establish rules by ordinance for the
40 conduct of its proceedings and to preserve order at its meetings. It
41 shall, through the City Clerk, maintain a journal record of its
42 proceedings which shall be open to public inspection. Any member
43 of the Council may place items on the Council agenda to be
44 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. 2.120 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. 2.130 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.

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

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



1 *Sec. 2.140 Voting on ordinances and resolutions.*

2 1. No ordinance or resolution shall be passed without
3 receiving the affirmative votes of at least three members of the
4 Council.

5 2. The ayes and noes shall be taken upon the passage of all
6 ordinances and resolutions and entered upon the journal of the
7 proceedings of the Council. Upon the request of any member of
8 the Council, the ayes and noes shall be taken and recorded upon
9 any vote. All members of the Council present at any meeting shall
10 vote, except:

11 (a) Upon matters in which they have a financial interest;

12 (b) When they are reviewing an appeal from a decision of a
13 city commission, before which they have appeared as an advocate
14 for or an adversary against the decision being appealed; or

15 (c) When they are required to abstain from voting pursuant to
16 the provisions of NRS 281A.420.

17 *Sec. 2.150 Enactment of ordinances; subject matter, titles.*

18 1. No ordinance shall be passed except by bill, and when any
19 ordinance is amended, the section or sections thereof must be
20 reenacted as amended, and no ordinance shall be revised or
21 amended by reference only to its title.

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

28 *Sec. 2.160 Introduction of ordinances; notice; final action;
29 publication.*

30 1. The style of ordinances must be as follows: "The Council
31 of the City of Laughlin does ordain." All proposed ordinances,
32 when first proposed, must be read by title to the Council, after
33 which an adequate number of copies of the ordinance must be
34 deposited with the City Clerk for public examination and
35 distribution upon request. Notice of the deposit of the copies,
36 together with an adequate summary of the ordinance, must be
37 published once in a newspaper published in the City, if any,
38 otherwise in some newspaper published in the County which has a
39 general circulation in the City, at least 10 days before the adoption
40 of the ordinance. At any meeting at which final action on the
41 ordinance is considered, at least one copy of the ordinance must
42 be available for public examination. The Council shall adopt or
43 reject the ordinance, or the ordinance as amended, within 30 days
44 after the date of publication, except that in cases of emergency, by



1 unanimous consent of the whole Council, final action may be
2 taken immediately or at a special meeting called for that purpose.

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

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

9 (b) Posted in full in the city hall.

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

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

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

22 Sec. 2.170 Adoption of specialized, uniform codes. An
23 ordinance adopting any specialized or uniform building, plumbing
24 or electrical code or codes, printed in book or pamphlet form or
25 any other specialized or uniform code or codes of any nature
26 whatsoever so printed, may adopt such code, or any portion
27 thereof, with such changes as may be necessary to make the same
28 applicable to conditions in the City, and with such other changes
29 as may be desirable, by reference thereto, without the necessity of
30 reading the same at length. Such code, upon adoption, need not be
31 published if an adequate number of copies of such code, either
32 typewritten or printed, with such changes, if any, have been filed
33 for use and examination by the public in the Office of the City
34 Clerk at least 1 week before the passage of the ordinance adopting
35 the code, or any amendment thereto. Notice of such filing shall be
36 given in accordance with the provisions of subsection 2 of
37 section 2.160.

38 Sec. 2.180 Codification of ordinances; publication of Code.

39 1. The Council shall have the power to codify and publish a
40 code of its municipal ordinances in the form of a Municipal Code,
41 which Code may, at the election of the Council, have incorporated
42 therein a copy of this Charter and such additional data as the
43 Council may prescribe.



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

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

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

Sec. 2.190 Independent annual audit. Before the end of each fiscal year, the Council shall designate qualified accountants who, as of the end of the fiscal year, shall make a complete and independent audit of accounts and other evidences of financial transactions of the city government and shall submit their report to the Council and to the City Manager. Such accountants shall have no personal interest, direct or indirect, in the fiscal affairs of the city government or of any of its officers. They shall not maintain any accounts or records of the city business, but, within specifications approved by the Council, shall postaudit the books and documents kept by the Department of Finance and any separate or subordinate accounts kept by any other office, department or agency of the city government.

ARTICLE III

CITY MANAGER

Sec. 3.010 Appointment and qualifications.

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

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

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

Sec. 3.020 Removal.



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

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

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

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

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

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

37 4. Prepare and submit to the Council at the end of the fiscal
38 year a complete report of the finances and administrative activities
39 of the City for the preceding fiscal year;

40 5. Keep the Council advised of the financial condition and
41 future needs of the City and make such recommendations as may
42 seem to him or her desirable;

43 6. Keep himself or herself informed of the activities of the
44 several agencies, offices and departments of the City and see to the



proper administration of their affairs and the efficient conduct of their business;

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

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

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

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

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

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

ARTICLE IV

OFFICERS AND EMPLOYEES

Sec. 4.010 City administrative organization.

1. The Council may provide by ordinance not inconsistent with this Charter for the organization, conduct and operation of the several offices, departments and other agencies of the City as established by this Charter, for the creation of additional departments, divisions, offices and agencies and for their alteration or abolition, for their assignment and reassignment to



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1 departments and for the number, titles, qualifications, powers,
2 duties and compensation of all officers and employees.

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

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

22 4. Subject to the civil service rules and regulations adopted by
23 the Council and section 3.020 of Article III, all officers and
24 department heads of the City, except the City Attorney, Municipal
25 Judge and the City Clerk, shall be appointed by the City Manager
26 and shall thereafter serve at the pleasure of the City Manager.

27 5. Officers of the City appointed by the Council shall be
28 required to reside within the city limits within 3 months of
29 appointment. Employees of the City shall be required to live within
30 a 50-mile radius of the City within 6 months of employment.

31 Sec. 4.020 Officers appointed by the Council.

32 1. In addition to the City Manager, the Council shall appoint
33 the City Attorney and the Municipal Judge, if required pursuant
34 to section 5.020 of Article V, who shall serve at the pleasure of the
35 Council and may be removed by motion of the Council adopted by
36 the affirmative votes of at least four members of the Council.

37 2. Subject to the provisions of this Charter and rules and
38 regulations adopted by the Council, the Council shall appoint the
39 City Clerk who shall serve at the pleasure of the Council and may
40 be removed by motion of the Council adopted by the affirmative
41 votes of three members of the Council.

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



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

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

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

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

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

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

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

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

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

4. Maintain separate books in which shall be recorded respectively all ordinances and resolutions, with the certificate of the City Clerk annexed to each thereof stating the same to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter, and maintain all such books properly indexed and available for public inspection when not in actual use.



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

6. Maintain custody of the City seal.

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

8. Conduct all City elections.

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

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

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

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

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

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

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

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

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

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

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

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



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

4 2. The Director of Finance shall have the power and be
5 required to:

6 (a) Have charge of the administration of the financial affairs
7 of the City under the direction of the City Manager.

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

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

17 (d) With the advice of the City Attorney, settle claims, demands
18 or other charges, including without limitation, the issuing of
19 warrants therefor.

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

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

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

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

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

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

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

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

44 (3) Depositing all funds coming into his or her hands in
45 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, and 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, and 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 office, commission, board, department or any division thereof shall be made in conformance with the Nevada Revised Statutes, as amended from time to time.



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

Sec. 8.050 When contracts and expenditures prohibited.

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

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

ARTICLE IX

APPOINTIVE BOARDS AND COMMISSIONS

Sec. 9.010 *Established; enumerated.*

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

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

Sec. 9.020 Appointments, removals, vacancies, terms.

1. Except as otherwise specified in this Charter, the members of each of the appointive boards and commissions shall be appointed, and may be removed, by the Council, subject in both appointment and removal by the affirmative votes of a majority of the Council. For the purposes of this subsection, residency is only required at the time of nomination.



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2. If a member of a board or commission:

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

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

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

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

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

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

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

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

Sec. 9.050 Meetings; chair.

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

2. Each board or commission, other than the Personnel Board, shall hold a regular meeting at least once a month with reasonable provision for attendance by the public. The City Manager shall designate a secretary for the recording of minutes for each such board and commission, who shall keep a record of its proceedings and transactions. Each board and commission shall prescribe rules and regulations governing its operations which shall be consistent with this Charter and shall be filed with the City Clerk for public inspection. The Personnel Board shall



1 *meet monthly, provided there is business on the agenda to come*
2 *before it. In the event no business is placed on the agenda of the*
3 *Personnel Board 5 days preceding the tentative meeting date, no*
4 *meeting need be held, provided that in no event shall more than 3*
5 *months intervene between meetings of the Personnel Board.*

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

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

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

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

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

40 *2. Consider matters that may be referred to it by the Council*
41 *or the City Manager and render such counsel and advice in*
42 *regard thereto as may be requested by the referring authorities;*

43 *3. By its own motion, make such studies and investigations as*
44 *it may deem necessary for the review of civil service rules and*
45 *regulations, or to determine the wisdom and efficacy of the rules,*



1 regulations, policies, plans and procedures dealing with civil
2 service matters and report its findings and recommendations to
3 the City Manager or the Council, or to both such authorities, as it
4 may see fit; and

5 4. Conduct public hearings on proposed revisions of civil
6 service rules and regulations in the manner as prescribed by
7 ordinance and advise the Council of its findings in such matters
8 within 60 days.

9 Sec. 9.100 Charter Committee: Appointment; terms;
10 qualifications; compensation.

11 1. The Charter Committee must be appointed as follows:

12 (a) One member by each member of the Council.

13 (b) One member by the Mayor.

14 (c) One member by each member of the Senate and Assembly
15 delegation representing the residents of the City.

16 2. Each member shall:

17 (a) Serve during the term of the person by whom he or she was
18 appointed;

19 (b) Be a registered voter of the City; and

20 (c) Reside in the City during his or her term of office.

21 3. Members of the Committee are entitled to receive
22 compensation, in an amount set by ordinance of the Council, for
23 each full meeting of the Committee they attend.

24 Sec. 9.110 Charter Committee: Meetings; duties.

25 The Charter Committee shall:

26 1. Meet at least once every 2 years immediately before the
27 beginning of each regular session of the Legislature and when
28 requested by the Council or the Chair of the Committee.

29 2. Prepare recommendations to be presented to the
30 Legislature on behalf of the City concerning all necessary
31 amendments to this Charter.

32 3. Recommend to the Council the salary to be paid all elective
33 officers for the ensuing term.

34 4. Perform all functions and do all things necessary to
35 accomplish the purposes for which it is established, including
36 without limitation, holding meetings and public hearings, and
37 obtaining assistance from city officers.

38 Sec. 9.120 Charter Committee members: Removal; grounds.

39 1. Any member of the Charter Committee may be removed by
40 a majority of the remaining members of the Committee for cause,
41 including without limitation, the failure or refusal to perform the
42 duties of office, the absence from three successive regular
43 meetings or ceasing to meet any qualification for appointment to
44 the Committee.



2. In case of removal, a replacement must be appointed by the officer who appointed the removed member.

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 of a federal presidential election, and two full-term Council members are to be elected 2 years 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 10.040, 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 Municipal elections. Except as otherwise provided in this Charter, a primary municipal election and a general municipal election must be held on the dates fixed by the election laws of this State for statewide elections.

Sec. 10.050 Primary not required. A primary municipal election must not be held if not more than double the number of Council members to be elected file as candidates. A primary municipal election must not be held for the Office of Mayor if not more than two candidates file for that position. The primary municipal election must be held for the purpose of eliminating candidates in excess of a figure double the number of Council members to be elected.

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



1 *Sec. 10.070 Voters entitled to vote for each seat on ballot.*
2 *In each primary municipal election and general municipal*
3 *election, voters shall be entitled to cast ballots for candidates in a*
4 *number equal to the number of seats to be filled in the city*
5 *elections.*

6 *Sec. 10.080 Council to control elections. The conduct of all*
7 *municipal elections shall be under the control of the Council,*
8 *which shall adopt by ordinance all regulations which it considers*
9 *desirable and consistent with law and this Charter. Nothing in this*
10 *Charter shall be construed as to deny or abridge the power of the*
11 *Council to provide for supplemental regulations for the prevention*
12 *of fraud in such elections and for the recount of ballots in cases of*
13 *doubt or fraud.*

14 15 ARTICLE XI

16 17 INITIATIVE, REFERENDUM AND RECALL

18
19 *Sec. 11.010 Registered voters' power of initiative and*
20 *referendum concerning city ordinances. The registered voters of*
21 *a city may:*

22 1. *Propose ordinances to the Council and, if the Council fails*
23 *to adopt an ordinance so proposed without change in substance,*
24 *adopt or reject it at a primary or general municipal election or*
25 *primary or general state election; and*

26 2. *Require reconsideration by the Council of any adopted*
27 *ordinance, and if the Council fails to repeal an ordinance so*
28 *considered, approve or reject it at a primary or general municipal*
29 *election or primary or general state election.*

30 *Sec. 11.020 Initiative and referendum proceedings. All*
31 *initiative and referendum proceedings shall be conducted in*
32 *conformance with the provisions of the Nevada Revised Statutes,*
33 *as amended from time to time.*

34 *Sec. 11.030 Results of election.*

35 1. *If a majority of the registered voters voting on a proposed*
36 *initiative ordinance vote in its favor, it shall be considered adopted*
37 *upon certification of the results of the election and must be treated*
38 *in all respects in the same manner as ordinances of the same kind*
39 *adopted by the Council. If conflicting ordinances are approved at*
40 *the same election, the one receiving the greatest number of*
41 *affirmative votes prevails to the extent of the conflict.*

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



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

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

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

ARTICLE XII

PUBLIC UTILITIES

Sec. 12.010 Granting of franchises.

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

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

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

Sec. 12.020 Conditions and transfer of franchises.

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

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

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



2. No franchise shall be transferred hereafter by any utility to another without the approval of the Council and, as a condition to such approval, the successor in interest to the said franchise shall execute a written agreement containing a covenant that it will comply with all the terms and conditions of the franchise then in existence.

Sec. 12.030 Condemnation. The City, by initiative ordinance, shall have the right to condemn the property of any public utility subject to the provisions of chapter 37 of NRS. The public utility shall receive just compensation for the taking of its property. Such an initiative petition must be voted on by the people and cannot be passed by simple acceptance of the Council.

Sec. 12.040 Establishment of municipally owned and operated utilities.

1. The City shall have power to own and operate any public utility, to construct and install all facilities that are reasonably needed and to lease or purchase any existing utility properties used and useful in public service.

2. The Council may provide by ordinance for the establishment of such a utility, but an ordinance providing for a newly owned and operated utility shall be enacted only after such hearings and procedure as required herein for the granting of a franchise, and shall also be submitted to and approved at a popular referendum provided that an ordinance providing for any extension, enlargement or improvement of an existing utility may be enacted as a matter of general municipal administration.

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

Sec. 12.050 Municipal utility organizations.

1. The Council may provide for the establishment of a separate department to administer the utility function, including without limitation, the regulation of privately owned and operated utilities and the operation of municipally owned utilities. Such a department shall keep separate financial and accounting records for each municipally owned and operated utility and before February 1 of each fiscal year, shall prepare for the City Manager, in accordance with his or her specifications, a comprehensive report of each such utility. The responsible departments or officer shall endeavor to make each such utility financially self-sustaining, unless the Council shall by ordinance adopt a different policy. All net profits derived from municipally



1 *owned and operated utilities may be expended in the discretion of*
2 *the Council for general municipal purposes.*

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

7 *Sec. 12.060 Financial provisions.*

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

12 2. *Appropriate provisions shall be made for the amortization*
13 *and retirement of all bonds within a maximum period of 40 years.*
14 *Such amortization and retirement may be effected through the use*
15 *of depreciation funds or other financial resources provided*
16 *through the earnings of the utility.*

17 *Sec. 12.070 Sale of public utilities; proviso.*

18 1. *No public utility of any kind, after having been acquired by*
19 *the City, may thereafter be sold or leased by the City, unless the*
20 *proposition for the sale or lease has been submitted to the electors*
21 *of the City at a special election or primary or general municipal*
22 *election or primary or general state election. After a majority vote*
23 *of those electors in favor of the sale, the sale may not be made*
24 *except after 30 days' published notice thereof, except that the*
25 *provisions of this section do not apply to a sale by the Council of*
26 *parts, equipment, trucks, engines and tools which have become*
27 *obsolete or worn out, any of which equipment may be sold by the*
28 *Council in the regular course of business.*

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

41
42 **ARTICLE XIII**

43 **MISCELLANEOUS PROVISIONS**
44



1 *Sec. 13.010 Removal of officers and employees. Subject to*
2 *the provisions of this Charter not inconsistent herewith, any*
3 *employee of the City may be suspended or dismissed from*
4 *employment at any time by the City Manager or by any applicable*
5 *person appointed by the City Manager pursuant to this Charter.*
6 *Unless otherwise provided in this Charter, any such action shall*
7 *be considered final and conclusive and shall not be subject to*
8 *appeal to any city governmental entity.*

9 *Sec. 13.020 Right of City Manager and other officers of*
10 *Council. The City Manager shall have the right to take part in*
11 *the discussion of all matters coming before the Council, and the*
12 *directors and other officers of the City shall be entitled to take part*
13 *in all discussions of the Council relating to their respective offices,*
14 *departments or agencies.*

15 *Sec. 13.030 Personal interest.*

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

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

23 *Sec. 13.040 Official bonds. Officers or employees, as the*
24 *Council may by general ordinance require so to do, including*
25 *without limitation, a municipal court judge appointed pursuant to*
26 *section 5.020 of Article V, if any, shall give bond in such amount*
27 *and with such surety as may be approved by the Council. The*
28 *premiums on such bonds shall be paid by the City.*

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

32
33 *"I,, do solemnly swear (or affirm) that I will*
34 *support, protect and defend the Constitution and*
35 *Government of the United States and the Constitution and*
36 *Government of the State of Nevada, against all enemies,*
37 *whether domestic or foreign, and that I will bear true faith,*
38 *allegiance and loyalty to the same, any Ordinance,*
39 *Resolution or Law of any State notwithstanding, and I will*
40 *well and faithfully perform all the duties of the Office of*
41 *..... on which I am about to enter; (if any oath) so*
42 *help me God; (if any affirmation) under the pains and*
43 *penalties of perjury."*



Sec. 13.060 Short title; citation of City of Laughlin Act of 2021. This Charter shall be known and may be cited as the City of Laughlin Charter.

Sec. 13.070 Construction of Charter; separability of provisions.

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

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

Sec. 2. As used in sections 2 to 15, inclusive, of this act:

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

2. "City" means the City of Laughlin.

3. "City Council" means the City Council elected pursuant to section 8 of this act.

4. "County" means Clark County, Nevada.

5. "County Clerk" means the County Clerk of Clark County.

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

Sec. 3. 1. An election on the question of incorporation of the City of Laughlin must be held on the date of the primary election held in the County in 2020. The election will also be a primary election for the offices of Mayor and members of the City Council.

2. The County Clerk shall cause notice of the election held pursuant to this section to be published pursuant to NRS 293.203.

3. The notice of the election held pursuant to this section must contain:

- (a) The date of the election;
- (b) The hours during the day in which the polls will be open;
- (c) The locations of the polling places;
- (d) A statement of the question of incorporation in substantially the same form as it will appear on the ballot; and
- (e) The names of the candidates for the offices of Mayor and members of the City Council.

Sec. 4. The incorporation question on the ballots used for the election held pursuant to section 3 of this act must be in substantially the following form:



1 Shall the area described as (describe area) be
2 incorporated as the City of Laughlin?

3 Yes ☐ No ☐

4 The voter shall mark the ballot by placing a cross (x) next to the
5 word "yes" or "no."

6 **Sec. 5.** 1. A person who wishes to become a candidate for
7 Mayor or City Council member at the election held pursuant to
8 section 3 of this act must:

9 (a) Reside within the boundaries of the City;

10 (b) File a declaration of candidacy pursuant to NRS 293.177
11 with the County Clerk; and

12 (c) Pay a filing fee of \$30.

13 2. A candidate may withdraw his or her candidacy pursuant to
14 the provisions of NRS 293.202.

15 3. If there are less than three candidates for any office to be
16 filled at the primary election, their names must not be placed on the
17 ballot for the primary election but must be placed on the ballot for
18 the general election held in the County in 2020 if the question of
19 incorporation is approved by the voters.

20 4. Except as otherwise provided in subsection 3, if the question
21 of incorporation is approved by the voters, the names of the two
22 candidates for Mayor and for each seat on the City Council who
23 receive the highest number of votes in the primary election must be
24 placed on the ballot for the general election. A candidate for Mayor
25 or a seat on the City Council may not withdraw from the general
26 election.

27 5. Only qualified electors may cast a ballot at the primary and
28 general elections for the offices of Mayor and City Council member.

29 **Sec. 6.** 1. At least 10 days before the primary election held
30 in the County in 2020, the County Clerk shall cause to be delivered
31 to each qualified elector a sample ballot for his or her precinct with
32 a notice informing the elector of the location of his or her polling
33 place.

34 2. The sample ballot must:

35 (a) Include, without limitation, the question of incorporation as
36 set forth in section 4 of this act;

37 (b) Describe the area proposed to be incorporated by assessor's
38 parcel maps, existing boundaries of subdivision or parcel maps,
39 identifying visible ground features, extensions of the visible ground
40 features, or by any boundary that coincides with the official
41 boundary of the State, a county, a city, a township, a section or any
42 combination of these; and

43 (c) Include the names of the candidates for the office of Mayor
44 and for each seat on the City Council.



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Sec. 7. The costs incurred by the Board of County Commissioners in carrying out the provisions of this act are a charge against the County if the incorporation is disapproved by the voters and a charge against the City if the incorporation is approved by the voters.

Sec. 8. 1. If the incorporation is approved by the voters at the election held pursuant to section 3 of this act, a general election must be held to elect the Mayor and members of the City Council on the date of the general election held in the County in 2020. Such election must be conducted in accordance with the provisions of law relating to general elections as set forth in chapter 293 of NRS.

2. Except as otherwise provided in subsection 3 of section 5 of this act, the names of the two candidates for Mayor and for each particular seat on the City Council who receive the highest number of votes in the primary election must be placed on the ballot for the general election.

Sec. 9. 1. The term of the Mayor elected at the general election held pursuant to section 8 of this act expires upon the election and qualifications of the person elected Mayor in the general municipal election held in 2024 pursuant to section 10.040 of the City of Laughlin Charter.

2. The members of the City Council elected at the general election held pursuant to section 8 of this act shall, at the first meeting of the City Council after their election and qualification, draw lots to determine the length of their respective terms.

3. The terms of two members of the City Council elected at the general election held pursuant to section 8 of this act expire upon the election and qualification of the persons elected to the City Council in the general municipal election held in 2022 pursuant to section 10.040 of the City of Laughlin Charter. The terms of the two other members of the City Council elected at the general election held pursuant to section 8 of this act expire upon the election and qualification of the persons elected to the City Council in the general municipal election held in 2024 pursuant to section 10.040 of the City of Laughlin Charter.

Sec. 10. If the question of incorporation is approved by the voters, the City Council may before July 1, 2021:

1. Prepare and adopt a budget;

2. Prepare and adopt ordinances;

3. Prepare to levy an ad valorem tax on property within the area of the City, at the time and in the amount prescribed by law for cities, for the fiscal year beginning July 1, 2021;

4. Negotiate and prepare an equitable apportionment of the fixed assets of the County pursuant to section 7 of this act;



5. Negotiate and prepare contracts for the employment of personnel;

6. Negotiate and prepare contracts to provide services for the City, including, without limitation, those services provided for in chapter 277 of NRS;

7. Negotiate and prepare contracts for the purchase of equipment, materials and supplies;

8. Negotiate and prepare contracts or memorandums of understanding with the County for the City to provide services to unincorporated areas of the City that are contiguous to the City;

9. Negotiate and prepare a cooperative agreement pursuant to NRS 360.730; and

10. Communicate with and provide information to the Department of Taxation to effectuate the allocation of tax revenues on July 1, 2021.

Sec. 11. 1. The County shall continue to provide services to the City and is entitled to receive the taxes and other revenue from the City through June 30, 2021.

2. All special districts, except fire protection districts, located within the boundaries of the City continue to exist within the City on and after July 1, 2021.

Sec. 12. 1. The City Council and the Board of County Commissioners shall, not later than September 30, 2021, equitably apportion those fixed assets of the County which are located within the boundaries of the City. The City Council and the Board of County Commissioners shall consider the location, use and types of assets in determining an equitable apportionment between the County and the City.

2. Any real property and its appurtenances located within the City and not required for the efficient operation of the duties of the County must first be applied toward the share of the assets of the County belonging to the City. Any real property which is required by the County for the efficient operation of its duties must not be transferred to the City.

3. If an agreement to apportion the assets of the County is not reached before October 1, 2021, the matter may be submitted to arbitration upon the motion of either party.

4. Any appeal of the arbitration award must be filed with the district court not later than 30 days after the award is granted.

Sec. 13. Any property located within the City which was assessed and taxed by the County before incorporation must continue to be assessed and taxed to pay for the indebtedness incurred by the County before incorporation.



1 **Sec. 14.** The provisions of NRS 354.599 do not apply to any
2 additional expenses of a local government that are related to the
3 provisions of this act.

4 **Sec. 15.** 1. This section and sections 2 to 14, inclusive, of
5 this act become effective upon passage and approval.

6 2. Section 1 of this act becomes effective on July 1, 2021, if the
7 incorporation of the City is approved by the qualified electors at the
8 election held pursuant to section 3 of this act.

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