

1 **BILL NO. 2008-15**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO SET FORTH THE AUTHORITY AND STANDARDS BY WHICH THE
4 CITY REQUIRES AND PROCESSES CERTAIN FINGERPRINT CHECKS CONCERNING
5 PROSPECTIVE CITY EMPLOYEES, AND CONCERNING APPLICANTS FOR WORK CARDS
UNDER CERTAIN BUSINESS LICENSE CATEGORIES; AND TO PROVIDE FOR OTHER
RELATED MATTERS.

6 Proposed by: Bradford R. Jerbic, City Attorney Summary: Sets forth the authority and standards
7 by which the City requires and processes certain
8 fingerprint checks concerning prospective
9 employees of the City and concerning applicants
for work cards under certain business license
categories.

10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
11 AS FOLLOWS:

12 SECTION 1: Title 3 of the Municipal Code of the City of Las Vegas, Nevada, 1983
13 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 24, consisting of
14 Section 10 thereof, reading as follows:

15 **3.24.010:** (A) The City is authorized to require all applicants for employment with the City
16 to submit to a background investigation that will include the receipt of information from the Federal
17 Bureau of Investigation regarding the background and personal history of such applicants. In each
18 such case:

- 19 (1) The applicant is required to submit to fingerprinting.
20 (2) A complete set of fingerprints will be taken and will be forwarded to
21 the Central Repository for Nevada Records of Criminal History.
22 (3) The Central Repository for Nevada Records of Criminal History is
23 authorized to submit the fingerprints to the Federal Bureau of Investigation (FBI) for its report and to
24 exchange fingerprint data with the FBI.
25 (4) The purpose for the submission of fingerprints is to allow for a State
26 and Federal criminal records investigation regarding the applicant to determine suitability for
27 employment.

28 (B) This Section is adopted under the authority of, and consistent with, NRS

1 239B.010 and Public Law 92-544, and should be read and interpreted in connection therewith.

2 SECTION 2: Title 6, Chapter 86, of the Municipal Code of the City of Las Vegas,
3 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Chapter 50,
4 reading as follows:

5 **6.86.050:** Applicants for a work card for the following are subject to the provisions of Section
6 6.86.060:

7 (A) Employees of child care facilities licensed under Chapter 6.24;

8 (B) Employees of adult nightclub establishments licensed under Chapter 6.06B; and

9 (C) Employees of erotic dance establishments licensed under Chapter 6.35.

10 SECTION 3: Title 6, Chapter 86, of the Municipal Code of the City of Las Vegas,
11 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Chapter 60,
12 reading as follows:

13 **6.86.060:** (A) In the case of work card applications listed in Section 6.86.050, applicants are
14 required to submit to fingerprinting for purposes of a fingerprint check through the Federal Bureau
15 of Investigation. In each such case:

16 (1) A complete set of fingerprints will be taken and will be forwarded to
17 the Central Repository for Nevada Records of Criminal History.

18 (2) The Central Repository for Nevada Records of Criminal History is
19 authorized to submit the fingerprints to the Federal Bureau of Investigation (FBI) for its report and
20 to exchange fingerprint data with the FBI.

21 (3) The purpose for the submission of fingerprints is to allow for a State
22 and Federal criminal records investigation regarding the applicant to determine suitability for a
23 work card for employment within the specified type of business.

24 (B) This Section is adopted under the authority of, and consistent with, NRS
25 239B.010 and Public Law 92-544, and should be read and interpreted in connection therewith.

26 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
27 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
28 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

1 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
2 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
3 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
4 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
5 invalid or ineffective.

6 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
7 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
8 1983 Edition, in conflict herewith are hereby repealed.

9 PASSED, ADOPTED and APPROVED this ____ day of _____, 2008.

10 APPROVED:
11
12 By _____
OSCAR B. GOODMAN, Mayor

13 ATTEST:
14 _____
15 BEVERLY K. BRIDGES, CMC
City Clerk

16 APPROVED AS TO FORM:
17 Val Steed 2-20-08
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2008, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2008, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, CMC
City Clerk