

1 **BILL NO. 2013-22**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO AMEND LVMC CHAPTER 2.34 TO MAKE THE CITY'S PERCENT FOR  
4 THE ARTS PROGRAM OPTIONAL RATHER THAN MANDATORY, AND TO PROVIDE FOR  
OTHER RELATED MATTERS.

5 Sponsored by: Councilman Bob Beers

Summary: Amends LVMC Chapter 2.34 to  
6 make the City's Percent for the Arts Program  
optional rather than mandatory.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
8 AS FOLLOWS:

9 SECTION 1: Title 2, Chapter 34, Section 140, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **2.34.140:** (A) There is hereby established a program for funding works of art in conjunction  
12 with City capital improvement projects, to be known as "Percent for the Arts."

13 (B) Under the Percent for the Arts program the City Council [shall] may appropriate  
14 [not less than one percent of] funds from the City's annual capital improvements budget to the  
15 Municipal Arts Fund[.], expressed as a percentage of that budget.

16 (C) For the purposes of this Section, "capital improvements budget" means only  
17 those funds budgeted for transfer to capital project funds from the general fund and proceeds from the  
18 sale of bonds whose debt service is paid solely from general fund revenues.

19 (D) In addition to the annual Percent for the Arts appropriations, the City Council  
20 may make additional annual appropriations to the Municipal Arts Fund which shall be subject to the  
21 same terms and conditions applying to expenditure of Percent for the Arts funds.

22 SECTION 2: Title 2, Chapter 34, Section 180, of the Municipal Code of the City of  
23 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **2.34.180:** (A) A special account shall be established for the purpose of receiving funds, if any,  
25 that are appropriated by the City Council pursuant to the Percent for the Arts program. The fund shall  
26 be known as the Municipal Arts Fund.

27 (B) All funds deposited to the Municipal Arts Funds shall be used exclusively for  
28 the purpose or function for which they are appropriated.

1 (C) Except as otherwise provided in this Section, funds remaining in the Municipal  
2 Arts Fund at the end of each fiscal year shall carry over in such fund for the next fiscal year.

3 (D) Funds in excess of one million dollars remaining in the Municipal Arts Fund  
4 at the end of each fiscal year that are not committed to works of art approved in the Municipal Arts  
5 Plan for that year or previous years shall revert to the City general fund.

6 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or  
7 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
8 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
9 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
10 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
11 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
12 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
13 invalid or ineffective.

14 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,  
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
16 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

18 APPROVED:

19  
20 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

21 ATTEST:

22 \_\_\_\_\_  
23 BEVERLY K. BRIDGES, MMC  
City Clerk

24 APPROVED AS TO FORM:

25 Val Steed 4-3-13  
26 \_\_\_\_\_  
Date

27  
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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 \_\_\_\_\_, 2013, and referred to a committee for recommendation, the  
3 committee being composed of the following members \_\_\_\_\_  
4 \_\_\_\_\_; thereafter the said committee reported favorably on said ordinance on the  
5 \_\_\_\_\_ day of \_\_\_\_\_, 2013, which was a \_\_\_\_\_ meeting of said  
6 Council; that at said \_\_\_\_\_ meeting, the proposed ordinance was read by title  
7 to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, MMC  
City Clerk