

ORDINANCE NO. 1276

AN ORDINANCE TO AMEND TITLE II, CHAPTER 7, SECTION 1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY FURTHER DEFINING THE TERM "SOLICITATION"; TO AMEND SECTION 3 OF SAID TITLE AND CHAPTER BY ADDING THERETO A NEW PARAGRAPH UNDER SUBSECTION (L) PROVIDING FOR THE INSPECTION AND AUDIT OF RECORDS OF ANY ORGANIZATION APPLYING FOR A PERMIT UNDER THIS ORDINANCE; TO AMEND SECTION 4 OF SAID TITLE AND CHAPTER BY PROVIDING THAT NO PERSON SHALL MAKE ANY SOLICITATION FOR CHARITABLE PURPOSES THROUGH THE USE OF A TELEPHONE; TO ADD TO SAID TITLE AND CHAPTER TWO SECTIONS, DESIGNATED SECTION 14 AND SECTION 15, REQUIRING THE FILING OF FINANCIAL REPORTS WITHIN THIRTY DAYS FOLLOWING THE TERMINATION OF ANY SOLICITATION PERMIT AND DEFINING UNLAWFUL ACTS IN CONNECTION WITH A SOLICITATION FOR CHARITABLE OR WELFARE PURPOSES; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title II, Chapter 7 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

2-7-1: DEFINITIONS:

(A) "Solicit" or "solicitation" means and includes the request directly or indirectly for money, credit, property, financial assistance, or other thing of value on the plea or representation that such will be used for charitable or welfare purposes, and also means and includes, but shall not be limited to, the sale of, offer or attempt to sell any advertisement, advertising space, book, card, coupon, device, magazine, membership including sustaining membership, but not continuing or new memberships in a recognized service, veteran's or civic organization, merchandise, subscription, tag, ticket or other thing in connection with which any appeal is made for any charitable or welfare purpose, or where the name of any organization for charitable or welfare purpose is used or referred to in any such appeal as an inducement or reason for making any such sale, or when any part of the proceeds from any such sale will go or be donated to any charitable or welfare purpose.

"Solicitation" as defined herein shall be deemed completed when communicated to any person then located within the corporate limits of the City of Las Vegas, whether or not the person making the solicitation is located within the corporate limits of the City, and whether or not the person making such solicitation receives any contribution or makes any sale referred to herein.

(B) "Charitable or welfare purposes" means and includes the use, actual or represented, of money or property for the benefit in any manner of poor, impoverished, destitute, underprivileged, needy, sick, refugee or crippled persons; the use,

actual or represented, of money or property for the benefit of any church, congregation, or any religious sect, group or order; the use, actual or represented, of money or property for patriotic purposes, such as the teaching of patriotism or the relief or assistance of any veteran, or the benefit of any veteran's organization or association, or any purpose purporting to aid defense or general welfare of the United States of America or the State of Nevada, or any state or nation, or for the relief of any race or group of people; the use, actual or represented, of money or property for civic purposes, such as social or cultural functions or the improvement or beautification of any state, city, or community; the use, actual or represented, of money or property for the benefit of any fraternal or social organization or association; the use, actual or represented, of money or property for the benefit of existing educational institutions or for the establishment or endowment of educational institutions or in aid and assistance for the education of any person or group of persons.

(C) "Person" means and includes any natural person, firm, partnership, corporation, association, or organization.

(D) "Principal" means the organization or person upon whose behalf or under whose sponsorship a solicitation is made or proposed to be made.

(E) "Agent" shall mean any individual who receives any commission or remuneration of any kind either directly or indirectly for making any solicitation or collection under the sponsorship or in behalf of any other person.

(F) "Funds" shall mean money, credit, property, financial assistance, or other thing of value.

2-7-2: EXEMPTION: The following shall be exempt from the provisions of this Ordinance:

(A) Any solicitation made upon premises owned or occupied by the association upon whose behalf such solicitation is made.

(B) Any solicitation for the relief of any individual specified by name at the time of the solicitation where the solicitor represents in each case that the entire amount collected, without any deduction whatever, shall be turned over to the named beneficiary.

(C) Any association soliciting contributions solely from persons who are members thereof at the time of such solicitation.

2-7-3: APPLICATION: Any person desiring to solicit funds for charitable or welfare purposes in the City of Las Vegas, as principal or agent, shall file an application with the Director of License and Revenue at least twenty (20) days prior to the time at which the permit applied for shall become effective; provided, however, that the Director may for good cause shown allow the filing of an application less than twenty (20) days prior to the effective date. The application herein required shall contain the following information:

(A) The name of the applicant.

(B) The nature of the applicant, whether a natural person, partnership, corporation or association; and,

1. If a natural person, his address.

2. If a partnership, the names and both business and residence addresses of all partners.

(C) If a corporation, the laws under which such corporation was organized; the address of the Las Vegas office of such corporation, and the names and addresses of all officers and directors or trustees of said corporation.

(D) If an association, the principal office and place of business of the association, and the names and addresses of all members of the association, unless they exceed twenty (20) in number, in which case the application shall so state, and the names and addresses of the officers of the association shall be given.

(E) The charitable or welfare purpose for which the funds are to be solicited together with a detailed account of their intended use. No general terms shall be employed and the applicant shall state the purpose and use in detail.

(F) The name or names of the person or officers or trustees authorized to disburse the proceeds of the solicitation.

(G) The name or names of the person or officers or trustees who will be in direct charge or control of the solicitation of funds.

(H) The period within which the solicitation of funds is to be made, giving the date of beginning and ending.

(I) A complete outline of the methods and means by which the solicitation of funds is to be accomplished.

(J) The total amount of funds proposed to be raised.

(K) A detailed schedule of salaries, wages, fees, commissions, expenses and costs to be expended and paid in connection with the solicitation and collection of funds, showing the manner of payment, the maximum percentage of funds collected which are to be used to pay such expenses of solicitation and collection.

(L) A detailed and complete financial statement of the person applying for the permit and a statement showing all receipts from solicitation of funds and disbursements thereof for one (1) year immediately preceding the date of filing of the application, or from the last previous solicitation, if none took place within the year next preceding such filing.

The Director of License and Revenue and any other officer designated by him shall have the power and authority to inspect and/or audit any organization's books applying for, or after receipt of, a charitable solicitations permit under this Ordinance.

(M) The names and addresses of all individuals who will act as agents for the applicant and the names and addresses of any organization or company employed by the applicant to participate in such solicitation.

(N) A statement to the effect that if a permit is granted, such permit will not be used as or represented to be an endorsement by the City or any of its officers or employees.

(O) A statement that the applicant (including all partners, officers, directors, or trustees of applicant) has not been convicted of violating this Code or any criminal law amounting to a felony or any misdemeanor involving moral turpitude in this or any other state within a period of seven (7) years next preceding the filing of the application.

The application shall be subscribed and sworn to, before an officer authorized to administer oaths, by the applicant; if a partnership, by a member of the firm; if a corporation, trust or association, by one (1) of the officers or trustees. Immediately above his signature, the individual signing shall write out the following statement in his or her own handwriting:

"I have carefully read the foregoing application and swear that every statement therein is true and correct."

If the applicant is an agent, his principal or a duly authorized member, officer or trustee of his principal, shall certify by endorsement on the application that the agent has been employed for the purposes outlined therein.

The application herein required shall be filed with the Director of License and Revenue for public inspection.

2-7-4: STANDARDS FOR PERMITS: The Director of License and Revenue shall issue a permit as provided in this Ordinance only after certification by the Solicitations Review Board that the following facts exist:

- (A) That all of the statements made in the application are true.
- (B) That the applicant has good character and a reputation for honesty and integrity, or if the applicant is not an individual person, that every official and managing agent of the applicant has good character and a reputation for honesty and integrity.
- (C) That the control and supervision of the solicitation and distribution of the proceeds will be under responsible and reliable persons.
- (D) That applicant is not engaged in any fraudulent transaction or enterprise.
- (E) That the solicitation will not be a fraud upon the public.
- (F) That the exact purpose for which the solicitation is to be made is in fact a charitable or welfare purpose; the solicitation is primarily intended to finance the exact purpose described in the application, and will not be conducted primarily for private profit.
- (G) That the solicitation is prompted solely by a desire to finance the charitable cause described in the application.
- (H) That the solicitation and its related activities will not be detrimental to health, life, or property of the citizens of the City of Las Vegas.
- (I) That the cost of raising funds will be reasonable. Any such cost in excess of twenty-five (25%) per cent of the amount collected shall be considered to be unreasonable, unless special facts are presented showing that peculiar reasons make a cost higher than twenty-five (25%) per cent reasonable in the particular case.
- (J) That no person shall conduct or make any solicitation by telephone for or on behalf of any actual or purported charitable use, purpose, association,

corporation or institution.

The provisions of Subsection (J) hereof shall not apply to any communication by telephone between persons personally known to each other.

(K) That said applicant is maintaining a system of complete accounting.

(L) That no provision of this Ordinance will be violated, if the solicitation is conducted as set forth in the application.

2-7-5: SOLICITATIONS REVIEW BOARD: A Solicitations Review Board, composed of five (5) members, shall be appointed by the Board of Commissioners of the City, and such Board is hereby created. The members of such Board shall hold office for a period of two (2) years. Those persons already members of said Board shall continue to serve out the term of their appointment. The person appointed by virtue of the provisions of this Ordinance shall have a two (2) year appointment. Appointments shall be made so that as near as possible the terms shall be staggered. Vacancies on the said Board shall be filled by appointment made by the Board of Commissioners.

2-7-6: APPLICATIONS TO BE SUBMITTED TO BOARD: The Director of License and Revenue shall submit all applications to the Solicitations Review Board for its recommendations.

2-7-7: DUTY OF BOARD: It shall be the duty of the Solicitations Review Board to meet regularly or on call by the Director of License and Revenue, to review such applications and recommend to the Board of Commissioners the issuance of a permit for each application concerning which it has been found that the provisions of this Ordinance have been complied with.

2-7-8: RECOMMENDATIONS OF BOARD: The Solicitations Review Board shall recommend the denial of permits for all other applications, or the withholding of permits until such time as the standards set forth in the Ordinance shall be fully met.

2-7-9: ISSUANCE OF PERMITS: The Director of License and Revenue shall issue a permit to an applicant if and when he receives from the Board of Commissioners its recommendation that such permit be issued and receives payment for the permit

fee hereinafter provided for. He shall deny a permit in each instance where the Board of Commissioners so recommends. He shall revoke a permit if and when he finds that any of the provisions of this Ordinance are being violated.

2-7-10: APPEAL: Any applicant who is denied a permit or whose application has been neither granted nor denied within thirty (30) days or whose permit has been revoked, may appeal in writing to the Board of Commissioners by filing an appeal with the City Clerk. The Board of Commissioners, after a hearing at a time and place to be set by the Commissioners within thirty (30) days from the date of filing of such appeal, shall either grant, deny, reinstate, or refuse to reinstate such permit.

2-7-11: PERMIT; TIME LIMIT: Permits issued under this Section shall bear the name and address of the person by whom the solicitation is to be made, the number of the permit, the date issued, the dates within which the permit holder may solicit, and a statement that the permit does not constitute an endorsement by the City.

(A) Every permit granted under authority of this Ordinance shall expire at the termination of the solicitation period specified on the permit, not to exceed ninety (90) days from date of issuance.

(B) A separate permit is required for each program of solicitation.

2-7-12: PERMIT FEE: Before a permit is issued, there shall be paid to the Director of License and Revenue the fees prescribed as follows:

(A) Where the solicitation is for an amount of four hundred ninety-nine dollars (\$499.00) or less, a fee of one dollar (\$1.00).

(B) Where the solicitation is for an amount of five hundred dollars (\$500.00) or more, a fee of ten dollars (\$10.00).

(C) If the amount actually raised is more than five hundred dollars (\$500.00), regardless of the original fee paid, the provisions of Subsection (B) herein shall apply, and the permittee shall pay the additional fee.

No fee shall be charged an organization soliciting solely for evangelical, missionary or religious purposes, and provided further that the Solicitations Review Board may waive any other requirements of this Ordinance when such solicitation is for evangelical, missionary or religious purposes according to

the commonly accepted definitions of such purposes.

2-7-13: BOND: At the time of filing an application for a permit, the applicant shall file and thereafter maintain if said permit is granted, a good and sufficient bond as follows:

- (A) Where the solicitation is for an amount of four hundred ninety-nine dollars (\$499.00) or less, a bond of five hundred dollars (\$500.00).
- (B) Where the solicitation is for an amount of five hundred dollars (\$500.00) or more, a bond of one thousand dollars (\$1,000.00).

Said bond shall run to the City for the use and benefit of interested persons and parties, executed by the applicant and by two (2) or more responsible sureties, or a surety company authorized to do business in the State of Nevada. Said bond shall be conditioned upon the strict compliance of the principal with the provisions of this Ordinance and the payment of any pecuniary loss sustained, through any act, fraud or theft on the part of the principal, by any donor, or by any person on whose behalf the funds or personal property were solicited or received by the principal.

2-7-14: FINANCIAL REPORTS: Not later than thirty (30) days from the termination of such solicitation permit, each principal shall file with the Director of License and Revenue a sworn financial statement, on a form furnished by the Director of License and Revenue, prepared by a Certified Public Accountant, or a certified statement made by two (2) local officers of the principal showing all receipts from the solicitation of funds, to whom and in what amounts such funds were disbursed, and in what amounts and to whom are due all unpaid obligations incurred in connection with such solicitation, and the amount of undisbursed funds still on hand.

This financial statement must be filed before additional permits can be issued by the Solicitations Review Board.

2-7-15: UNLAWFUL ACTS: It shall be unlawful for any person to solicit funds for charitable or welfare purposes within the corporate limits of the City of Las Vegas:

- (A) As a principal, unless such person shall have first obtained a permit as herein provided; or
- (B) As an agent, unless his principal shall have first obtained a permit as

herein provided; or

(C) As an agent, unless such person shall have first obtained a permit as herein provided; or

(D) After the expiration, termination or cancellation of the permit issued therefor; or

(E) After making any false, fraudulent or untrue statement in the application for permit herein provided for; or

(F) For any purpose other than the purpose set out in the permit under which he is acting; or

(G) If such person has been convicted of violating this Ordinance or any criminal law amounting to a felony, or any misdemeanor involving moral turpitude in this or any other state within a period of seven (7) years next preceding the date of solicitation; or

(H) If such person shall represent in connection with such solicitation that the issuance of the permit by the City of Las Vegas constitutes an endorsement or approval of the purposes of such solicitation by the City of Las Vegas, or any officer or employee thereof.

It shall be unlawful for any person:

(A) To use or disburse the funds collected under any permit for any purpose other than the purposes set out in the application for such permit; or

(B) Issued a permit hereunder to fail to file with the Director of License and Revenue any sworn financial statement required by Section 14 of this Ordinance; or

(C) To make any fraudulent or misleading representation to anyone being solicited respecting the purpose for which such funds are being solicited; or

(D) To fail to disclose, upon request, to any person being solicited exactly what percentage of the funds to be given, paid, or contributed by the person being solicited will go or be donated to the charitable or welfare purpose described on the permit; or

(E) To do any act forbidden by this Ordinance, or to fail to do any act required by this Ordinance.

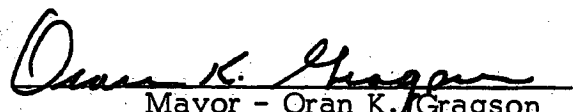
2-7-16: PENALTIES: Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and may be punished by a fine of not more than five hundred dollars (\$500.00) and/or six (6) months in the City Jail, or both, and every occurrence of the doing of any act or thing prohibited, or the neglect or refusal to do any act or thing required by this Ordinance shall constitute a separate offense. It shall not be necessary for the complaint to allege or for proof to be made, that the act was knowingly done; nor shall it be necessary for the complaint to allege the absence of any exception contained in this Ordinance concerning any prohibited act, but such exception made herein may be urged as a defense by any person charged by such complaint.

2-7-17: SAVING CLAUSE: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

SECTION 2. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 3. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 19th day of April, 1967.


Mayor - Oran K. Gragson

ATTEST:


Assistant City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 15th day of March, 1967, and referred to the following committee composed of Commissioners Whipple and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 19th day of April, 1967, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners Stewart, Mirabelli, Fountain, Whipple and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:

ATTEST:

Oran K. Gragson
Mayor - Oran K. Gragson

Mleta E. Watson
Assistant City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Albert Pieretti

, being first duly sworn,

deposes and says: That he is Foreman of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of

2 times

from **April 22, 1967** to **April 29, 1967**

inclusive, being the issues of said newspaper for the following dates, to-wit:

April 22, 29, 1967

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

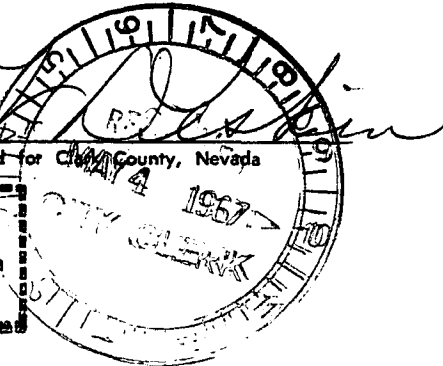
Albert Pieretti

Subscribed and sworn to before me this **2nd.**
day of **May, 1967**

Ruthe V. Deskin
Notary Public in and for Clark County, Nevada



RUTHE V. DESKIN
Notary Public — State of Nevada
My Commission Expires April 14, 1969



Legal Notices

ORDINANCE No. 1276

AN ORDINANCE TO AMEND TITLE II, CHAPTER 7, SECTION 1 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY FURTHER DEFINING THE TERM "SOLICITATION"; TO AMEND SECTION 8 OF SAID TITLE AND CHAPTER BY ADDING THERETO A NEW PARAGRAPH UNDER SUBSECTION (L) PROVIDING FOR THE INSPECTION AND AUDIT OF RECORDS OF ANY ORGANIZATION APPLYING FOR A PERMIT UNDER THIS ORDINANCE; TO AMEND SECTION 4 OF SAID TITLE AND CHAPTER BY PROVIDING THAT NO PERSON SHALL MAKE ANY SOLICITATION FOR CHARITABLE PURPOSES THROUGH THE USE OF A TELEPHONE; TO ADD TO SAID TITLE AND CHAPTER TWO SECTIONS, DESIGNATED SECTION 14 AND SECTION 15, REQUIRING THE FILING OF FINANCIAL REPORTS WITHIN THIRTY DAYS FOLLOWING THE TERMINATION OF ANY SOLICITATION PERMIT AND DEFINING UNLAWFUL ACTS IN CONNECTION WITH A SOLICITATION FOR CHARITABLE OR WELFARE PURPOSES; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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SECTION 1. Title II, Chapter 7 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

2-7-1: DEFINITIONS:

(A) "Solicit" or "solicitation" means and includes the request directly or indirectly for money, credit, property, financial assistance, or other thing of value on the plea or representation that such will be used for charitable or welfare purposes, and also means and includes, but shall not be limited to, the sale of, offer or attempt to sell any advertisement, advertising space, book, card, coupon, device, magazine, membership including sustaining membership, but not continuing or new memberships in a recognized service, veteran's or civic organization, merchandise, subscription, tag, ticket or other thing in connection with which any appeal is made for any charitable or welfare purpose, or where the name of any organization for charitable or welfare purpose is used or referred to in any such appeal as an inducement or reason for making any such sale, or when any part of the proceeds from any such sale will go or be donated to any charitable or welfare purpose.

"Solicitation" as defined herein shall be deemed completed when communicated to any person then located within the corporate limits of the City of Las Vegas, whether or not the person making the solicitation is located within the corporate limits of the City, and whether or not the person making such solicitation receives any contribution or makes any sale referred to herein.

(B) "Charitable or welfare purposes" means and includes the use, actual or represented, of money or property for the benefit in any manner of poor, impoverished, destitute, underprivileged, needy, sick, refugee or crippled persons; the use, actual or represented, of money or property for the benefit of any church, congregation, or any religious sect, group or order; the use, actual or represented, of money or property for patriotic purposes, such as the

teaching of patriotism or the relief or assistance of any veteran, or the benefit of any veteran's organization or association, or any purpose purporting to aid defense or general welfare of the United States of America or the State of Nevada, or any state or nation, or for the relief of any race or group of people; the use, actual or represented, of money or property for civic purposes, such as social or cultural functions or the improvement or beautification of any state, city, or community; the use, actual or represented, of money or property for the benefit of any fraternal or social organization or association; the use, actual or represented, of money or property for the benefit of existing educational institutions or for the establishment or endowment of educational institutions or in aid and assistance for the education of any person or group of persons.

(C) "Person" means and includes any natural person, firm, partnership, corporation, association, or organization.

(D) "Principal" means the organization or person upon whose behalf or under whose sponsorship a solicitation is made or proposed to be made.

(E) "Agent" shall mean any individual who receives any commission or remuneration of any kind either directly or indirectly for making any solicitation or collection under the sponsorship or in behalf of any other person.

(F) "Funds" shall mean money, credit, property, financial assistance, or other thing of value.

2-7-2: EXEMPTION: The following shall be exempt from the provisions of this Ordinance:

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(C) Any association soliciting contributions solely from persons who are members thereof at the time of such solicitation.

2-7-3: APPLICATION: Any person desiring to solicit funds for charitable or welfare purposes in the City of Las Vegas, as principal or agent, shall file an application with the Director of License and Revenue at least twenty (20) days prior to the time at which the permit applied for shall become effective; provided, however, that the Director may for good cause shown allow the filing of an application less than twenty (20) days prior to the effective date. The application herein required shall contain the following information:

(A) The name of the applicant.
(B) The nature of the applicant, whether a natural person, partnership, corporation or association; and,
1. If a natural person, his address.
2. If a partnership, the names and both business and residence addresses of all partners.

(C) If a corporation, the laws under which such corporation was organized; the address of the Las Vegas office of such corporation, and the names and addresses of all officers and directors or trustees of said corporation.

(D) If an association, the principal office and place of business of the association, and the names and addresses of all members of the association, unless they exceed twenty (20) in number, in which case the application shall so state, and the names and addresses of the officers of the association shall be given.

(E) The charitable or welfare purpose for which the funds are to be solicited together with a detailed account of their intended use. No general terms shall be employed and the applicant shall state the purpose and use in detail.

(F) The name or names of the person or officers or trustees authorized to disburse the proceeds of the solicitation.

(G) The name or names of the person or officers or trustees who will be in direct charge or control of the solicitation of funds.

(H) The period within which the solicitation of funds is to be made, given the date of beginning and ending.

(I) A complete outline of the methods and means by which the solicitation of funds is to be accomplished.

(J) The total amount of funds proposed to be raised.

(K) A detailed schedule of salaries, wages, fees, commissions, expenses and costs to be expended and paid in connection with the solicitation and collection of funds, showing the manner of payment, the maximum percentage of funds collected which are to be used to pay such expenses of solicitation and collection.

(L) A detailed and complete financial statement of the person applying for the permit and a statement showing all receipts from solicitation of funds and disbursements thereof for one (1) year immediately preceding the date of filing of the application, or from the last previous solicitation, if none took place within the year next preceding such filing.

The Director of License and Revenue and any other officer designated by him shall have the power and authority to inspect and/or audit any organization's books applying for, or after receipt of, a charitable solicitations permit under this Ordinance.

Legal Notices

(M) The names and addresses of all individuals who will act as agents for the applicant and the names and addresses of any organization or company employed by the applicant to participate in such solicitation.

(N) A statement to the effect that if a permit is granted, such permit will not be used as or represented to be an endorsement by the City or any of its officers or employees.

(O) A statement that the applicant (including all partners, officers, directors, or trustees of applicant) has not been convicted of violating this Code or any criminal law amounting to a felony or any misdemeanor involving moral turpitude in this or any other state within a period of seven (7) years next preceding the filing of the application.

The application shall be subscribed and sworn to, before an officer authorized to administer oaths, by the applicant; if a partnership, by a member of the firm; if a corporation, trust or association, by one (1) of the officers or trustees. Immediately above his signature, the individual signing shall write out the following statement in his or her own handwriting:

"I have carefully read the foregoing application and swear that every statement therein is true and correct."

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(B) That the applicant has good character and a reputation for honesty and integrity, or if the applicant is not an individual person, that every official and managing agent of the applicant has good character and a reputation for honesty and integrity.

(C) That the control and supervision of the solicitation and distribution of the proceeds will be under responsible and reliable persons.

(D) That applicant is not engaged in any fraudulent transaction or enterprise.

(E) That the solicitation will not be a fraud upon the public.

(F) That the exact purpose for which the solicitation is to be made is in fact a charitable or welfare purpose; the solicitation is primarily intended to finance the exact purpose described in the application, and will not be conducted primarily for private profit.

(G) That the solicitation is prompted solely by a desire to finance a charitable cause described in the application.

(H) That the solicitation and related activities will not be detrimental to health, life, or property of the citizens of the City of Las Vegas.

(I) That the cost of raising funds will be reasonable. Any such cost excess of twenty-five (25%) per cent of the amount collected shall be considered to be unreasonable, unless special facts are presented showing that peculiar reasons make a higher than twenty-five (25%) percent reasonable in the particular case.

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(K) That said applicant is maintaining a system of complete accounting.

(L) That no provision of this Ordinance will be violated, if the solicitation is conducted as set forth in the application.

2-7-5: SOLICITATIONS REVIEW BOARD: A Solicitations Review Board, composed of five (5) members, shall be appointed by the Board of Commissioners of the City, and such Board is hereby created. The members of such Board shall hold office for a period of two (2) years. Those persons already members of said Board shall continue to serve out the term of their appointment. The person appointed by virtue of the provisions of this Ordinance shall have a two (2) year appointment. Appointments shall be made as near as possible the term shall be staggered. Vacancies on the said Board shall be filled by appointment made by the Board of Commissioners.

2-7-6: APPLICATIONS TO BE SUBMITTED TO BOARD: The Director of License and Revenue shall submit all applications to the Solicitations Review Board for its recommendations.

2-7-7: DUTY OF BOARD: It shall be the duty of the Solicitations Review Board to meet regularly or on call by the Director of License and Revenue, to review such applications and recommend to the Board of Commissioners the issuance of a permit for each application concerning which it has been found that the provisions of this Ordinance have been complied with.

2-7-8: RECOMMENDATIONS OF BOARD: The Solicitations Review Board shall recommend the denial of permits for all other applications, or the withholding of permits such time as the standards set forth in the Ordinance shall be fully met.

2-7-9: ISSUANCE OF PERMITS: The Director of License and Revenue shall issue a permit to an applicant if and when he receives from the Board of Commissioners its recommendation that such permit be issued and receives payment for the permit fee hereinafter provided for. He shall deny a permit in each instance where the Board of Commissioners so recommends. He shall revoke a permit if and when he finds that any of the provisions of this Ordinance are being violated.

2-7-10: APPEAL: Any applicant who is denied a permit or whose application has been neither granted nor denied within thirty (30) days or whose permit has been revoked, may appeal in writing to the Board of Commissioners by filing an appeal with the City Clerk. The Board of Commissioners, after a hearing at a time and place to be set by the Commissioners within thirty (30) days from the date of filing of such appeal, shall either grant, deny, reinstate, or refuse to reinstate such permit.

2-7-11: PERMIT; TIME LIMIT: Permits issued under this Section shall bear the name and address of the person by whom the solicitation is to be made, the number of the permit, the date issued, the dates within which the permit holder may solicit, and a statement that the permit does not constitute an endorsement by the City.

(A) Every permit granted under authority of this Ordinance shall expire at the termination of the solicitation period specified on the permit, not to exceed ninety (90) days from date of issuance.

(B) A separate permit is required for each program of solicitation.

2-7-12: PERMIT FEE: Before a permit is issued, there shall be paid to the Director of License and Revenue the fees prescribed as follows:

(A) Where the solicitation is for an amount of four hundred ninety-nine dollars (\$499.00) or less, a fee of one dollar (\$1.00).

(B) Where the solicitation is for an amount of five hundred dollars (\$500.00) or more, a fee of ten dollars (\$10.00).

(C) If the amount actually raised is more than five hundred dollars (\$500.00), regardless of the original fee paid, the provisions of Subsection (B) herein shall apply, and the permittee shall pay the additional fee.

No fee shall be charged an organization soliciting solely for evangelical, missionary or religious purposes, and provided further that the Solicitations Review Board may waive any other requirements of this Ordinance when such solicitation is for evangelical, missionary or religious purpose according to the commonly accepted definitions of such purposes.

2-7-13: BOND: At the time of filing an application for a permit, the applicant shall file and thereafter maintain if said permit is granted, a good and sufficient bond as follows:

(A) Where the solicitation is for an amount of four hundred ninety-nine dollars (\$499.00) or less, a bond of five hundred dollars (\$500.00).

(B) Where the solicitation is for an amount of five hundred dollars (\$500.00) or more, a bond of one thousand dollars (\$1,000.00).

Said bond shall run to the City for the use and benefit of interested persons and parties, executed by the applicant and by two (2) or more responsible sureties, or a surety company authorized to do business in

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the State of Nevada shall be considered in compliance of the principal with the provisions of this Ordinance and the payment of any pecuniary loss sustained through any act, fraud or theft on the part of the principal, by any donor, or any person on whose behalf funds or personal property were solicited or received by the principal.

2-7-14: FINANCIAL REPORTS: Not later than thirty (30) days from the termination of such solicitation permit, the principal shall file with the Director of License and Revenue a sworn financial statement, on a form furnished by the Director of License and Revenue, prepared by a Certified Public Accountant, or a certified statement made by two (2) local officers of the principal showing all receipts from the solicitation of funds, to whom and in what amounts such funds were disbursed, and in what amounts and to whom are due all unpaid obligations incurred in connection with such solicitation, and the amount of undisbursed funds still on hand.

This financial statement must be filed before additional permits can be issued by the Solicitations Review Board.

2-7-15: UNLAWFUL ACTS: It shall be unlawful for any persons to solicit funds for charitable or welfare purposes within the corporate limits of the City of Las Vegas:

(A) As principal, unless such person shall have first obtained a permit as herein provided; or

(B) As an agent, unless his principal shall have first obtained a permit as herein provided; or

(C) As an agent, unless such person shall have first obtained a permit as herein provided; or

(D) After the expiration, termination or cancellation of the permit issued therefor; or

(E) In making any false, fraudulent or untrue statement in the application for a permit as herein provided for; or

(F) For any purpose other than the purpose set out in the permit under which he is acting; or

(G) If such person has been convicted of violating this Ordinance or any criminal law amounting to a felony, or any misdemeanor involving moral turpitude in this or any other state within a period of seven (7) years next preceding the date of solicitation; or

(H) If such person shall represent in connection with such solicitation that the issuance of the permit by the City of Las Vegas constitutes an endorsement or approval of the purposes of such solicitation by the City of Las Vegas, or any officer or employee thereof.

It shall be unlawful for any person:

(A) To use or disburse the funds collected under any permit for any purpose other than the purposes set out in the application for such permit; or

(B) Issued a permit hereunder to fail to file with the Director of License and Revenue any sworn financial statement required by Section 14 of this Ordinance; or

(C) To make any fraudulent or misleading representation to anyone being solicited respecting the purpose for which such funds are being solicited; or

(D) To fail to disclose, upon request, to any person being solicited exactly what percentage of the funds to be given, paid, or contributed by the person being solicited will go or be donated to the charitable or welfare purpose described on the permit; or

(E) To do any act forbidden by this Ordinance, or to fail to do any act required by this Ordinance.

2-7-16: PENALTIES: Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and may be punished by a fine of not more than five hundred dollars (\$500.00) and/or six (6) months in the City Jail, or both, and every occurrence of the doing of any act or thing prohibited, or the neglect or refusal to do any act or thing required by this Ordinance shall constitute a separate offense. It shall not be necessary for the complaint to allege or for proof to be made that the act was knowingly done; nor shall it be necessary for the complaint to allege the absence of any exception contained in this Ordinance concerning any prohibited act, but such exception made herein may be urged as a defense by any person charged by such complaint.

2-7-17: SAVING CLAUSE: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

SECTION 2. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than \$50.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 3. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 19th day of April, 1967.

/s/ Oran K. Gragson
Mayor—Oran K. Gragson

ATTEST:
/s/ Aletha E. Watson
Asst. City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 15th day of March, 1967, and referred to the following committee composed of Commissioners Whipple and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 19th day of April, 1967, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners Stewart, Mirabelli, Fountain, Whipple and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:
/s/ Oran K. Gragson
Mayor—Oran K. Gragson

ATTEST:
/s/ Aletha E. Watson
Asst. City Clerk