

BILL NO. 87-71

Ordinance No. 3333

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4 AN ORDINANCE RELATING TO CHARITABLE SOLICITATIONS; AMENDING TITLE
5 6, CHAPTER 22 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS,
6 NEVADA, 1983 EDITION, BY ADDING A DEFINITION FOR THE WORD "CONTRI-
7 BUTIONS" TO SECTION 10; AMENDING PRESENT DEFINITIONS LISTED IN
8 SECTION 10; AMENDING SECTION 30, SUBSECTION (J) BY REQUIRING
9 FINANCIAL STATEMENTS FROM APPLICANTS; AMENDING SECTION 50 BY
10 ADDING ADDITIONAL GROUNDS FOR DENIAL OF AN APPLICATION; AMENDING
11 SECTION 70 BY REQUIRING THAT THE DISPOSITION OF THE CONTRIBUTIONS
12 OBTAINED BY SOLICITATION BE REPORTED; ADDING THERETO A NEW
13 SECTION TO REQUIRE THE DISPLAY OF VALID CHARITABLE SOLICITATIONS
14 PERMIT; ADDING THERETO A NEW SECTION TO PROVIDE AUTHORITY TO THE
15 SOLICITATIONS REVIEW BOARD TO SET CONDITIONS ON A PERMIT; PRO-
16 VIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING
17 ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

12 Sponsored by:

13 Councilman Bob Nolen
14 Councilman Steve Miller

Summary: Amends LVMC Chapter
6.22 by providing regulations
for the acquisition and disposi-
tion of contributions obtained
by soliciting.

15 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
16 ORDAIN AS FOLLOWS:

17 SECTION 1: Title 6, Chapter 22, Section 10 of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 6.22.010: As used in this Chapter, unless the context otherwise
21 requires, the following words shall have the meaning
22 ascribed to them:

23 (A) "Charitable" means and includes the words patriotic,
24 philanthropic, religious, social service, welfare,
25 benevolent, educational, civic or fraternal, either
26 actual or purported.

27 (B) "Contributions" means and includes the words alms,
28 food, clothing, money, subscription, property, the
29 loan of money or property, financial assistance or
30 items of personal property.

31 [(B)] (C) "Cost of solicitation" means all costs of
32 whatever nature which are incurred by [the] any

1 person conducting a solicitation [and in raising
2 the funds solicited,], including the wages, fees,
3 commissions and expenses paid to any person in con-
4 nection with such solicitation. This shall also
5 include all costs incurred in managing and/or
6 selling contributions obtained by soliciting.

7 [(C)] (D) "Professional promoter" means a person who,
8 for compensation, plans, promotes, conducts, mana-
9 ges or carries on or attempts to plan, promote,
10 conduct, manage or carry on any drive or campaign
11 for the purpose of soliciting contributions for or
12 on behalf of any charitable person or engages in
13 the business of soliciting contributions for chari-
14 table purposes. A bona fide officer or regular
15 employee of a charitable person shall not be deemed
16 a professional promoter by reason of his par-
17 ticipation in charitable solicitations made by or
18 on behalf of his employer.

19 [(D)] (E) "Solicit" and "solicitations" means the request
20 either directly or indirectly, for [money, finan-
21 cial assistance or items of personal property] con-
22 tributions on the plea or representation that such
23 [money, financial assistance or items of personal
24 property] contributions or any proceeds to be
25 derived therefrom will be used for a charitable
26 purpose. Without limiting the generality of the
27 above, said words shall include the following
28 methods of securing [money or financial assistance]
29 contributions on the plea or representation that it
30 will be used for a charitable purpose:

- 31 (1) Any oral or written request;
32 (2) The distribution, circulation, mailing, post-

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ing or publishing of any handbills, written advertisement or publication;

(3) The making of any announcement through the press, radio, television, or by telephone or telegraph concerning an appeal, assembly, athletic or sporting event, bazaar, benefit, campaign, contest, dance, dinner, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, or similar events, which the general public is requested to patronize or to which the general public is requested to contribute;

(4) The sale of or the offer or attempt to sell any advertisement, advertising space, book, coupon, magazine, merchandise, subscription, ticket or other thing.

A "solicitation," as defined herein, shall be deemed completed when made, whether or not the person making the same receives any contribution or makes any sale.

SECTION 2: Title 6, Chapter 22, Section 30, subsection (J) of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition is hereby amended to read as follows:

6.22.030: (J) An itemized statement showing all receipts [from charitable solicitations] and the disbursements thereof for one year immediately preceding the date of filing on the application[, or from the last previous solicitation, if none took place within the year next preceding such filing;].

SECTION 3: Title 6, Chapter 22, Section 50 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 6.22.050: Upon receipt of the application the Director of Business
2 Activity shall refer the matter to the Solicitations
3 Review Board for a recommendation. The Solicitations
4 Review Board shall recommend approval of the application
5 unless one or more of the following facts exist:

- 6 (A) That one or more of the statements made in the
7 application is not true;
- 8 (B) That the application is not complete;
- 9 (C) That the applicant or any agent or representative
10 of the applicant who will participate under the
11 permit is or has engaged in a fraudulent transac-
12 tion or enterprise within the past five years;
- 13 (D) That a solicitation on behalf of the applicant
14 would be a fraud upon the public;
- 15 (E) That the applicant has violated a provision of this
16 Chapter within five years prior to the date of the
17 application;
- 18 (F) That the cost of raising funds is unreasonable.
19 Any cost in excess of twenty-five percent of the
20 amount collected shall be considered to be unreason-
21 able, unless special facts are presented showing
22 that peculiar reasons make a cost higher than
23 twenty-five percent reasonable in the particular
24 case.
- 25 (G) That the applicant has violated any of the grounds
26 provided in Section 6.02.330 et seq.

27 SECTION 4: Title 6, Chapter 22, Section 70 of the
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
29 hereby amended to read as follows:

30 6.22.070: Each permittee conducting a solicitation shall furnish
31 to the Director of Business Activity within thirty days
32 after the conclusion of the solicitation, a report

1 showing the gross amount raised by the solicitation and
2 showing an itemization of the costs of solicitation,
3 including what was paid to each professional promoter
4 and professional solicitor employed in such sollicita-
5 tion[.] and the disposition of the balance of the
6 contributions collected by the solicitation.

7 SECTION 5: Title 6, Chapter 22 of the Municipal Code of
8 the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
9 adding thereto the provisions set forth in Sections 6 and 7 of
10 this ordinance.

11 SECTION 6: Each permittee shall conspicuously display a
12 currently valid permit in a prominent place at special events and
13 locations where the solicitation for contributions is being con-
14 ducted.

15 SECTION 7: The Solicitations Review Board shall have
16 the authority to set conditions on a permit which may include,
17 but is not limited to:

18 (A) The permittee, its principals, agents, employees,
19 promoters and solicitors be required to disclose to
20 the person solicited, prior to accepting any con-
21 tribution, the amount, stated as a percentage, of
22 the contribution that will be used for charitable
23 purposes.

24 (B) The permittee be required to furnish each princi-
25 pal, agent, employee, promoter and solicitor a copy
26 of a valid charitable solicitation permit stating
27 the name of the organization conducting the sollici-
28 tation, the type of solicitation, the purpose for
29 which the contribution is to be used and the time
30 when such solicitations are to be made, giving the
31 dates for beginning and ending of such sollicita-
32 tion. A copy of the charitable solicitation permit

1 shall be exhibited to every person solicited.

2 (C) The permittee be required to disclose any addi-
3 tional information which, in the opinion of the
4 Solicitations Review Board, may be of assistance to
5 the public in determining the nature and purpose of
6 the solicitation.

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

19 SECTION 9: Whenever in this ordinance any act is prohi-
20 bited or is made or declared to be unlawful or an offense or a
21 misdemeanor, or whenever in this ordinance the doing of any act
22 is required or the failure to do any act is made or declared to
23 be unlawful or an offense or a misdemeanor, the doing of any such
24 prohibited act or the failure to do any such required act shall
25 constitute a misdemeanor and upon conviction thereof, shall be
26 punished by a fine of not more than \$1,000.00 or by imprisonment
27 for a term of not more than six months, or by any combination of
28 such fine and imprisonment. Any day of any violation of this
29 ordinance shall constitute a separate offense.

30 SECTION 10: All ordinances or parts of ordinances, sec-
31 tions, subsections, phrases, sentences, clauses or paragraphs
32 contained in the Municipal Code of the City of Las Vegas, Nevada,

1 1983 Edition, in conflict herewith are hereby repealed.

2 PASSED, ADOPTED AND APPROVED this 20th day of January,
3 1988.

4 APPROVED:

5
6 By *RL*
RON LURIE, MAYOR

7 ATTEST:

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9 *Kathleen M. Tighe*
10 KATHLEEN M. TIGHE, CITY CLERK

Approved
1-22-88

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 17th day of December, 1987, and referred to the following committee composed of Councilmen Nolen and Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of January, 1988, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" : Councilmen Adamsen, Bunker, Miller, Nolen and Mayor Lurie
VOTING "NAY" : NONE
ABSENT: NONE

APPROVED:

By R. Lurie
RON LURIE, MAYOR

ATTEST:

Kathleen M. Tighe
Kathleen M. Tighe, City Clerk

RECEIVED

AFFIDAVIT OF PUBLICATION

JAN 4 2 1988

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

CITY CLERK

Susan Laas _____, being first duly sworn,

deposes and says: That he is Legal Clerk 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 1 time

from December 31, 1987 to December 31, 1987

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

December 31, 1987

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

Signed Susan Laas

Subscribed and sworn to before me this 31st
day of December, 1987

Ruthe V. Deskin
Notary Public - State of Nevada

BILL NO. 87-71
AN ORDINANCE RELATING TO
CHARITABLE SOLICITATIONS;
AMENDING TITLE 6, CHAPTER 22,
OF THE MUNICIPAL CODE OF THE
CITY OF LAS VEGAS, NEVADA,
1983 EDITION, BY ADDING A DEFINI-
TION FOR THE WORD "CONTRI-
BUTIONS" TO SECTION 10;
AMENDING PRESENT DEFINI-
TIONS LISTED IN SECTION 10;
AMENDING SECTION 30, SUBSEC-
TION (J) BY REQUIRING FINANCIAL

STATEMENTS FROM APPLI-
CANTS; AMENDING SECTION 50
BY ADDING ADDITIONAL
GROUNDS FOR DENIAL OF AN AP-
PLICATION; AMENDING SECTION
70 BY REQUIRING THAT THE DIS-
POSITION OF THE CONTRI-
BUTIONS OBTAINED BY SOLICITAION
BE REPORTED; ADING THERETO
A NEW SECTION TO REQUIRE THE
DISPLAY OF VALID CHARITABLE
SOLICITATIONS PERMIT; ADING
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PROVIDE AUTHORITY TO THE SO-
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SET CONOITIONS ON A PERMIT;
PROOVING FOR OTHER MATTERS
PROPERLY RELATING THERETO;
AND REPEALING ALL ORDI-
NANCES AND PARTS OF OROL-
NANCES IN CONFLICT HEREWITH.

Sponsored by:
Councilman Bob Nolen
Councilman Steve Miller
Summary: Amends LVMC Chapter
6.22 by providing regulations for the
acquisition and disposition of con-
tributions obtained by soliciting.
At a City Council meeting
December 17, 1987

BILL NO. 87-71 WAS READ BY
TITLE AND REFERRED TO
RECOMMENDING COMMITTEE:
Councilman Nolen and Miller
COPIES OF THE COMPLETE OR-
DINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE OF-
FICE OF THE CITY CLERK, 10TH
FLOOR, CITY HALL, 400 EAST
STEWART AVENUE, LAS VEGAS,
NEVADA.

PUB: December 31, 1987
Las Vegas SUN

My Commission Expires



RUTHE V. DESKIN
Notary Public - State of Nevada,
CLARK COUNTY

My Appointment Expires Apr. 14, 1989

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OFFICE OF THE
COMPTROLLER
OF THE TREASURY

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AFFIDAVIT OF PUBLICATION

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JAN 28 12 04 PM '88
CITY CLERK

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 One insertions from period of January 23, 1988 to January 23, 1988 inclusive, being the issue of said newspaper for the following dates, to wit:

January 23, 1988

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

BILL NO. 87-71
Ordinance No. 3333
AN ORDINANCE RELATING TO CHARITABLE SOLICITATIONS; AMENDING TITLE 6, CHAPTER 22 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING A DEFINITION FOR THE WORD "CONTRIBUTIONS" TO SECTION 10; AMENDING PRESENT DEFINITIONS LISTED IN SECTION 10; AMENDING SECTION 30, SUBSECTION (J) BY REQUIRING FINANCIAL STATEMENTS FROM APPLICANTS; AMENDING SECTION 50 BY ADDING ADDITIONAL GROUNDS FOR DENIAL OF AN APPLICATION; AMENDING SECTION 70 BY REQUIRING THAT THE DISPOSITION OF THE CONTRIBUTIONS OBTAINED BY SOLICITATION BE REPORTED; ADDING THERETO A NEW SECTION TO REQUIRE THE DISPLAY OF VALID CHARITABLE SOLICITATIONS PERMIT; ADDING THERETO A NEW SECTION TO PROVIDE AUTHORITY TO THE SOLICITATIONS REVIEW BOARD TO SET CONDITIONS ON A PERMIT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.
SPONSORED BY:
Councilman Bob Nolen
Councilman Steve Miller
SUMMARY:
Amends LVMC Chapter 6.22 by providing regulations for the acquisition and disposition of contributions obtained by soliciting.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 17th day of December, 1987, and referred to the following committee composed of Councilmen Nolen and Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of January, 1988, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:
VOTING "AYE" Councilmen:
Adamsen, Bunker, Miller, Nolen and Mayor Lurie
VOTING "NAY" Councilmen: NONE
ABSENT: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 23, 1988

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me this 25 day of Jan, 1988

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



MARJORIE E. OUELLETTE

Notary Public - State of Nevada
CLARK COUNTY

My Appointment Expires Dec. 2, 1989

BILL NO. 87-71
AN ORDINANCE RELATING TO CHARITABLE SOLICITATIONS; AMENDING TITLE 6, CHAPTER 22, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING A DEFINITION FOR THE WORD "CONTRIBUTIONS" TO SECTION 10; AMENDING PRESENT DEFINITIONS LISTED IN SECTION 10; AMENDING SECTION 30, SUBSECTION (J) BY REQUIRING FINANCIAL

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Sponsored by:
Councilman Bob Nolen
Councilman Steve Miller
Summary: Amends LVMC Chapter 6.22 by providing regulations for the acquisition and disposition of contributions obtained by soliciting.
At a City Council meeting December 17, 1987
BILL NO. 87-71 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilman Nolen and Miller
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: December 31, 1987
Las Vegas SUN

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JAN 4 2 01 PM '88

AFFIDAVIT OF PUBLICATION

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COUNTY OF CLARK

CITY CLERK

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

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

Signed Susan Laas

Subscribed and sworn to before me this 31st day of December, 1987

Ruth V. Deskin



Notary Public in and for Clark County, Nevada
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Apr. 14, 1989

My Commission Expires



AFFIDAVIT OF PUBLICATION

RECEIVED
JAN 28 2 05 PM '88
CITY CLERK

STATE OF NEVADA) SS
COUNTY OF CLARK)

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SPONSORED BY:
Councilman Bob Nolen
Councilman Steve Miller
SUMMARY:
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 17th day of December, 1987, and referred to the following committee composed of Councilmen Nolen and Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of January, 1988, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:
VOTING "AYE" Councilmen: Adamsen, Bunker, Miller, Nolen and Mayor Lurie.
VOTING "NAY" Councilmen: NONE
ABSENT: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 23, 1988

SIGNED George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me
this 20 day of Jan, 1988

Marjorie E. Ouellette
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



MARJORIE E. OUELLETTE
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Dec. 2, 1989



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