

FIFTH AMENDMENT

BILL NO. 90-38

Ordinance No. 3517

AN ORDINANCE RELATING TO ETHICS; AMENDING TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS CHAPTER 51, ENTITLED "CODE OF ETHICS FOR PUBLIC OFFICIALS"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by:

Councilman Steve Miller
Councilman Bob Nolen

Summary: An ordinance amending Title 2, by adding thereto a new section which enacts a code of ethics for public officials to which public officials must adhere.

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

SECTION 1: Title 2, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, Chapter 51, which shall read as follows:
2.51.010: Purpose and intent. The City Council hereby finds and declares as follows:

- (A) The people have a right to expect from their elected and appointed representatives at all levels of government assurances of the utmost in integrity, honesty and fairness in their dealings;
- (B) The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates for those offices, present no conflict of interest between the public trust and private gain; and
- (C) The representative form of government is founded

1 upon a belief that those entrusted with the offices
2 of government have nothing to fear from full public
3 disclosure of their business holdings as they per-
4 tain to the business before the Las Vegas City
5 Council.

6 To these ends, the City Council hereby enacts this
7 chapter. The City Council hereby intends to sustain, to
8 the extent necessary, public confidence in government at
9 all levels, by assuring the people of the impartiality
10 and honesty of their officials in all governmental tran-
11 sactions and decisions.

12 The provisions of this chapter are to be construed
13 liberally, to the end that the public interests be fully
14 protected.

15 2.51.020: Definitions: For the purpose of this chapter certain
16 words and phrases are defined and certain provisions
17 shall be construed as hereinafter set forth unless it is
18 apparent from the context that a different meaning is
19 intended. Whenever any words and phrases used in this
20 chapter are not defined in this section but are defined
21 in the state laws regulating such matters, any such
22 definition therein is deemed to apply to such words and
23 phrases used in this chapter.

24 (A) Business entity: Any organization or enterprise
25 operated for economic gain, including but not
26 limited to, a proprietorship, partnership, firm,
27 business trust, joint venture, syndicate, corpor-
28 tion or association.

29 (B) Campaign contribution: All donations of money,
30 subscriptions, services in kind, pledges, loans,
31 conveyances, deposits, payments, transfers, distri-
32 bution of money or anything of economic value from

1 all sources. "Service in kind" means any donation
2 of materials or professional service which would
3 otherwise require payment and the name of any indi-
4 vidual who solicits funds on behalf of a candidate.

5 (C) Campaign Expenditure: All expenditures whether
6 paid for directly, provided as an in-kind service
7 or gift, contracted for, or made for advertising on
8 television, radio, billboards, posters and in
9 newspapers, and all other expenditures contracted
10 for or made to further directly the campaign of the
11 candidate.

12 (D) Candidate: For the purpose of this chapter,
13 "candidate" includes any individual seeking elec-
14 tion or appointment as a public official as defined
15 below in this section:

16 (1) Who files an affidavit of candidacy;

17 (2) Who files to fill a vacancy on the city
18 council.

19 (E) Decision: The making of a "decision" is the
20 exercise of governmental power to adopt laws, regu-
21 lations or standards, render quasi-judicial deci-
22 sions, establish executive policy or determine
23 questions involving substantial discretion. The
24 term does not include the functions of the judi-
25 ciary.

26 (F) Direct financial interest: A relationship to any
27 business entity conducting business with the City
28 of Las Vegas, County of Clark, in which a public
29 official, public appointee, candidate and/or
30 immediate family member is involved as a trustee,
31 beneficiary of a trust, director, officer, owner in
32 whole or in part, limited or general partner, a

holder of stock or stocks or securities of any class or classes representing one percent or more of the total outstanding stock.

(G) Gift: Anything of economic value in excess of one hundred dollars (\$100.00) but not including campaign contributions or gifts from a relative or gifts of personal hospitality of an individual. "Personal hospitality of an individual" means hospitality extended for a nonbusiness purpose by an individual, not a corporation or organization, at the personal residence of that individual or his family or on property or facilities owned by that individual or his family.

(H) Household: means an association of persons who live in the same home or dwelling, sharing its expenses, and who are related by blood, adoption or marriage.

(I) Immediate family: The spouse and any dependent child or children under the age of eighteen (18) years of any public official, public appointee or candidate.

(J) Public official: Mayor, and city council members.

(K) Public Appointee: means a person appointed to the position of City Engineer, City Treasurer and Deputy Director or above which is established by the constitution of the State of Nevada, a statute of this state, the Las Vegas City Charter or a City ordinance which involves the exercise of a public power, trust or duty. As used in this section, "the exercise of a public power, trust or duty" includes:

(1) Actions taken in an official capacity which involve a substantial and material exercise of

administrative discretion in the formulation
of public policy;

(2) The expenditure of public money; and

(3) The enforcement of laws and rules of the
state, a county or a city.

Public appointee also means any person appointed by
a public official to serve on the City Planning
Commission, the Board of Zoning Adjustment, the Las
Vegas Housing Authority Board, the Board of Civil
Service Trustees, the Las Vegas-Clark County
Library District Board of Trustees and the Solici-
tations Review Board.

(L) Real property: Any interest in or option to
purchase any interest in any real property in the
City of Las Vegas, County of Clark, but not
including the home in which the public official,
public appointee or candidate resides.

(M) Trust: A legal title of property held by one
party, the trustee, for the benefit of another, the
beneficiary.

2.51.030: Form of statement; duty of city clerk.

The city clerk shall prepare forms for statements and
other information required by this chapter and furnish
such forms and information free of charge for use by
persons subject to the requirement of this chapter and
shall notify each person required to file under this
chapter. The city clerk shall notify the city attorney,
public official, public appointee or candidate when
anyone required to file a statement fails to do so
within the prescribed time.

2.51.040: Financial Disclosure: Filing by public official.

All public officials shall file with the City Clerk for

review by the Council and the public by request, no later than the fifteenth day of April of each year, under penalty of perjury, a disclosure statement for the immediately preceding calendar year (January first to December thirty-first). Such disclosure statement shall contain the information set forth in section 2.51.070 of this chapter.

2.51.050: Filing by candidate.

Each candidate for any city elective office shall file with the City Clerk for review by the Council and the public by request, under penalty of perjury, at the time of his/her filing papers of nomination, or a declaration of candidacy, a disclosure statement containing the information set forth in section 2.51.070 of this chapter.

2.51.060: (A) Every public appointee shall file with the City Clerk a statement of financial disclosure at the time of their initial appointment and thereafter no later than the 15th day of April of each year. All public appointees shall file under penalty of perjury a disclosure statement for the immediately preceding calendar year (January 1st to December 31st). Such disclosure statement shall contain the information set forth in section 2.51.070 of this Chapter.

(B) The City Clerk shall place the financial disclosure statement in the public appointee's personnel file. The City Manager shall annually review these financial disclosure statements and report his findings and concerns thereafter to the Council.

2.51.070: Information required. (The following information is required:)

- 1 (A) Name, address and phone number, if any, of the
2 public official, public appointee or candidate
3 (B) The length of residence in the state and the length
4 of residence in the city;
5 (C) The precinct in which the public official, public
6 appointee or candidate is registered to vote;
7 (D) The name of all partners or associates who hold
8 more than a 10% interest in the business, the prin-
9 cipal address and the general description of the
10 business activity of any business entity conducting
11 business with the City of Las Vegas or within the
12 County of Clark, in which the public official,
13 public appointee or candidate has or had a direct
14 financial interest at any time during the immediate
15 preceding twelve (12) months of the calendar year.
16 (E) In the case of a gift, the source of the gift and
17 the date on which the gift was received if the
18 donor does business with the city by appearing
19 before the city council or appears on cash disbur-
20 sement lists presented to the city council. Excep-
21 tions: Candidates need not comply with this
22 requirement.
23 (F) The source or sources of each loan exceeding five
24 thousand dollars (5,000.00). Exceptions: The
25 mortgage on the residence of the public official,
26 public appointee or candidate, a loan for purchase
27 of an automobile for private use, a debt secured
28 by mortgage or deed of trust for land located out-
29 side the City of Las Vegas, or a revolving balance,
30
31
32

1 the source of which is a credit or debit card.

2 (G) In the case of real property, a listing of all real
3 property or interest therein, including options to
4 purchase, located in the City of Las Vegas,
5 together with the location and name, if any, by
6 which such property is commonly known, whether said
7 real property was owned outright or held in whole
8 or in part under a corporation or partnership.
9 Exception: City residence of public official,
10 public appointee or candidate.

11 (H) Each source of his income, or that of any member of
12 his household, which constitutes 10 percent or more
13 of the person's gross income for the preceeding
14 taxable year. No listing of individual clients or
15 customers is required, but if that is the case, a
16 general source as "professional services" must be
17 disclosed.

18 (I) If public official, public appointee or candidate
19 has ever been convicted of a felony. If yes,
20 explain the circumstances.

21 (J) If public official, public appointee or candidate
22 has filed for bankruptcy within the last seven (7)
23 years.

24
25 2.51.080 No public official or public appointee may use his/her
26 position in government to secure or grant privileges,
27 preferences, exemptions or advantages for himself/
28 herself, any immediate family member, or any other per-
29 son, business entity or trust.

30 (A) No public official, any public appointee, or city
31 employee may approve, disapprove, vote or otherwise
32 act upon any matter in which he/she has a direct

1 financial interest. Such disclosure shall be made
2 with that performance to the council members during
3 the public meeting dealing with the matter when the
4 conflict involves an elected public official. When
5 an appointee of a public official is involved,
6 such disclosure shall be made at any public meeting
7 in which the appointee is a participant. City
8 employees, other than the city manager, shall make
9 disclosure to the city manager; the city manager
10 shall make disclosure to the council members prior
11 to taking any action on a matter in which he has a
12 direct financial interest, then again at the public
13 meeting. Any action taken by the council in which
14 a public official has failed to disclose his/her
15 direct interest shall be reconsidered at the next
16 regular council meeting after discovering such
17 disclosure was not made unless such vote would not
18 have made any difference in the final decision.

19 (B) It shall be unlawful for any public official or
20 public appointee to vote if he/she has a conflict
21 of interest and shall be punished as provided by
22 this Code.

23 (C) No public official, public appointee or candidate,
24 or immediate family member or a business with which
25 he/she is associated other than salaried employee
26 relationship shall enter into any contract valued
27 at five hundred dollars (\$500.00) or more with the
28 city unless the contract has been awarded through
29 an open and public process, including prior public
30 notice and subsequent public disclosure of all pro-
31 posals considered. Any contract made in violation
32 of this subsection shall be voidable by a court of

1 competent jurisdiction if the suit is commenced
2 within ninety (90) days of making of the contract.

3 2.51.090: Campaign contributions and expenditures; reports
4 required.

5 (A) Every candidate for city office at a recall, spe-
6 cial, primary or general election shall report the
7 total amount of all his/her campaign contributions
8 and expenditures on forms to be designed and pro-
9 vided by the city clerk, not later than:

10 (1) Fifteen (15) days before the primary election
11 covering all campaign contributions collected
12 up to twenty (20) days before the primary
13 election, whether in the same calendar year or
14 before.

15 (2) Fifteen (15) days before the general election,
16 whether or not the candidate won the primary
17 election, for the period from twenty (20) days
18 before the primary election up to twenty (20)
19 days before the general election.

20 (3) Thirty (30) days after the general election,
21 for the remaining period up to the general
22 election.

23 The report shall contain all information set forth
24 in subsection (B) below.

25 (B) Information required:

26 (1) Name, address and phone number, if any, of the
27 candidate.

28 (2) Each campaign contribution in excess of one
29 hundred dollars (\$100.00), whether from a
30 natural person, firm, association, union,
31 business, political action or other committee,
32 or any other source must be separately iden-

1 tified with the name and address of the
2 contributor and the date of the contribution,
3 tabulated and reported on the form provided by
4 the city clerk.

5 (3) Each campaign expenditure whether paid
6 directly, provided as an in-kind service or
7 gift, contracted for, or made for advertising
8 on television, radio, billboards, posters and
9 in newspapers, and all other expenditures
10 contracted for or made to further directly the
11 campaign of the candidate.

12 (C) Reports of campaign contributions and expenditures
13 shall be notarized and filed with the city clerk.
14 A candidate may mail his report to the city clerk
15 by certified mail. If certified mail is used, the
16 date of the mailing shall be deemed the date of
17 filing.

18 2.51.100: Violations and penalties.

19 (A) When a public official, public appointee or can-
20 didate violates a provision of this chapter or
21 fails to file any statement required under this
22 chapter, or when such statement appears to be a
23 violation of any provision of this chapter, the
24 city clerk shall send written notice to such public
25 official, public appointee or candidate for the
26 purpose of obtaining compliance herewith, or a
27 correction or completion of such statement.

28 (1) If the city clerk is unable, within ten (10)
29 days following such notification, to obtain
30 compliance, the clerk shall file a complaint
31 with the city attorney.

32 (2) Any public official, public appointee or can-

1 didate who fails to file the statements
2 required under this chapter or refuses to
3 correct or complete such statements is guilty
4 of a misdemeanor.

5 (3) Any public official, public appointee or can-
6 didate who willfully and knowingly violates
7 this chapter shall also be subject to removal
8 from office pursuant to chapter 2.50 of the
9 Las Vegas Municipal Code.

10 (4) Any public official, public appointee or can-
11 didate who willfully or knowingly falsifies
12 any statement required under the provisions of
13 this chapter signs such statement under
14 penalty of perjury as provided for by the
15 Nevada Revised Statutes.

16 SECTION 2: If any section, subsection, subdivision
17 paragraph, sentence, clause or phrase in this ordinance or any
18 part thereof, is for any reason held to be unconstitutional or
19 invalid or ineffective by any court of competent jurisdiction,
20 such decision shall not affect the validity or effectiveness of
21 the remaining portions of this ordinance or any part thereof.
22 The City Council of the City of Las Vegas, Nevada, hereby
23 declares that it would have passed each section, subsection, sub-
24 division, paragraph, sentence, clause or phrase thereof,
25 irrespective of the fact that any one or more sections, subsec-
26 tions, subdivisions, paragraphs, sentences, clauses or phrases be
27 declared unconstitutional, invalid or ineffective.

28 SECTION 3: Whenever in this ordinance any act is prohi-
29 bited or is made or declared to be unlawful or an offense or a
30 misdemeanor, or whenever in this ordinance the doing of any act
31 is required or the failure to do any act is made or declared to
32 be unlawful or an offense or a misdemeanor, the doing of any such

1 prohibited act or the failure to do any such required act shall
2 constitute a misdemeanor and upon conviction thereof, shall be
3 punished by a fine of not more than \$1,000.00 or by imprisonment
4 for a term of not more than six months, or by any combination of
5 such fine and imprisonment. Any day of any violation of this
6 ordinance shall constitute a separate offense.

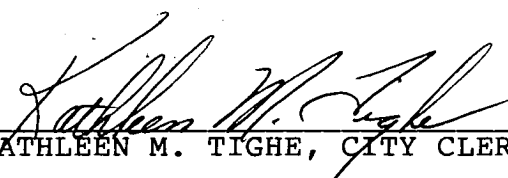
7 SECTION 4: All ordinances or parts of ordinances, sec-
8 tions, subsections, phrases, sentences, clauses or paragraphs
9 contained in the Municipal Code of the City of Las Vegas, Nevada,
10 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED and APPROVED this 18th day of July,
12 1990.

13 APPROVED:

14
15 By 
16 RON LURIE, MAYOR

17 ATTEST:

18
19 
KATHLEEN M. TIGHE, CITY CLERK

Approved
VS
7-24-90

1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the 6th day of June,
3 1990, and referred to the following committee composed of
4 Entire Council with Councilmen Nolen and
5 Miller as Co-Chairmen for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the 18th
7 day of July, 1990, which was a regular meeting of
8 said Council; that at said regular meeting, the proposed
9 ordinance was read by title to the City Council as amended and
10 adopted by the following vote:

11 VOTING "AYE" : Councilmen Adamsen, Higginson, Miller, Nolen and Mayor Lurie

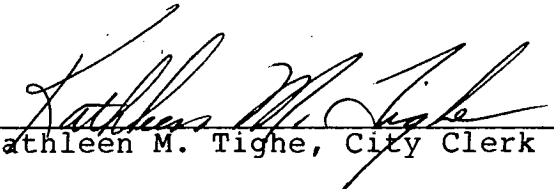
12 VOTING "NAY" : NONE

13 ABSENT: NONE

14
15 APPROVED:

16
17 By 
18 RON LURIE, MAYOR

19 ATTEST:

20 
21 Kathleen M. Tighe, City Clerk

22
23
24
25
26
27
28
29
30
31
32
*Approved
vs
7-24-90*

SEE FIFTH AMENDMENT

FOURTH AMENDMENT

BILL NO. 90-38

Ordinance No. _____

AN ORDINANCE RELATING TO ETHICS; AMENDING TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS CHAPTER 51, ENTITLED "CODE OF ETHICS FOR PUBLIC OFFICIALS"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:	Summary: An ordinance amending
Councilman Steve Miller	Title 2, by adding thereto a new
Councilman Bob Nolen	section which enacts a code of
	ethics for public officials to which
	public officials must adhere.

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

SECTION 1: Title 2, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, Chapter 51, which shall read as follows:

2.51.010: Purpose and intent. The City Council hereby finds and declares as follows:

- (A) The people have a right to expect from their elected and appointed representatives at all levels of government assurances of the utmost in integrity, honesty and fairness in their dealings;
- (B) The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates for those offices, present no conflict of interest between the public trust and private gain; and
- (C) The representative form of government is founded

1 upon a belief that those entrusted with the offices
2 of government have nothing to fear from full public
3 disclosure of their business holdings as they per-
4 tain to the business before the Las Vegas City
5 Council.

6 To these ends, the City Council hereby enacts this
7 chapter. The City Council hereby intends to sustain, to
8 the extent necessary, public confidence in government at
9 all levels, by assuring the people of the impartiality
10 and honesty of their officials in all governmental tran-
11 sactions and decisions.

12 The provisions of this chapter are to be construed
13 liberally, to the end that the public interests be fully
14 protected.

15 2.51.020: Definitions: For the purpose of this chapter certain
16 words and phrases are defined and certain provisions
17 shall be construed as hereinafter set forth unless it is
18 apparent from the context that a different meaning is
19 intended. Whenever any words and phrases used in this
20 chapter are not defined in this section but are defined
21 in the state laws regulating such matters, any such
22 definition therein is deemed to apply to such words and
23 phrases used in this chapter.

24 (A) Business entity: Any organization or enterprise
25 operated for economic gain, including but not
26 limited to, a proprietorship, partnership, firm,
27 business trust, joint venture, syndicate, corpor-
28 tion or association.

29 (B) Campaign contribution: All donations of money,
30 subscriptions, services in kind, pledges, loans,
31 conveyances, deposits, payments, transfers, distri-
32 bution of money or anything of economic value from

1 all sources. "Service in kind" means any donation
2 of materials or professional service which would
3 otherwise require payment, the name of any indivi-
4 dual who solicits funds on behalf of a candidate,
5 and the name of any individual who volunteers more
6 than ten (10) hours of their time to the can-
7 didate's campaign.

8 (C) Campaign Expenditure: All expenditures whether
9 paid for directly, provided as an in-kind service
10 or gift, contracted for, or made for advertising on
11 television, radio, billboards, posters and in
12 newspapers, and all other expenditures contracted
13 for or made to further directly the campaign of the
14 candidate.

15 (D) Candidate: For the purpose of this chapter,
16 "candidate" includes any individual seeking elec-
17 tion or appointment as a public official as defined
18 below in this section:

- 19 (1) Who files an affidavit of candidacy;
20 (2) Who files to fill a vacancy on the city
21 council.

22 (E) Decision: The making of a "decision" is the
23 exercise of governmental power to adopt laws, regu-
24 lations or standards, render quasi-judicial deci-
25 sions, establish executive policy or determine
26 questions involving substantial discretion. The
27 term does not include the functions of the judi-
28 ciary.

29 (F) Direct financial interest: A relationship to any
30 business entity conducting business with the City
31 of Las Vegas, County of Clark, in which a public
32 official, public appointee, candidate and/or

1 immediate family member is involved as a trustee,
2 beneficiary of a trust, director, officer, owner in
3 whole or in part, limited or general partner, a
4 holder of stock or stocks or securities of any
5 class or classes representing one percent or more
6 of the total outstanding stock.

7 (G) Gift: Anything of economic value in excess of one
8 hundred dollars (\$100.00) but not including cam-
9 paign contributions or gifts from a relative or
10 gifts of personal hospitality of an individual.
11 "Personal hospitality of an individual" means
12 hospitality extended for a nonbusiness purpose by
13 an individual, not a corporation or organization,
14 at the personal residence of that individual or his
15 family or on property or facilities owned by that
16 individual or his family.

17 (H) Household: means an association of persons who live
18 in the same home or dwelling, sharing its expenses,
19 and who are related by blood, adoption or marriage.

20 (I) Immediate family: The spouse and any dependent
21 child or children under the age of eighteen (18)
22 years of any public official, public appointee or
23 candidate.

24 (J) Public official: Mayor, and city council members.

25 (K) Public Appointee: means a person appointed to the
26 position of City Engineer, City Treasurer and
27 Deputy Director or above which is established by
28 the constitution of the State of Nevada, a statute
29 of this state, the Las Vegas City Charter or a City
30 ordinance which involves the exercise of a public
31 power, trust or duty. As used in this section,
32 "the exercise of a public power, trust or duty"

1 includes:

- 2 (1) Actions taken in an official capacity which
3 involve a substantial and material exercise of
4 administrative discretion in the formulation
5 of public policy;
6 (2) The expenditure of public money; and
7 (3) The enforcement of laws and rules of the
8 state, a county or a city.

9 Public appointee also means any person appointed by
10 a public official to serve on the City Planning
11 Commission, the Board of Zoning Adjustment, the Las
12 Vegas Housing Authority Board, the Board of Civil
13 Service Trustees, the Las Vegas-Clark County
14 Library District Board of Trustees and the Solici-
15 tations Review Board.

16 (L) Real property: Any interest in or option to
17 purchase any interest in any real property in the
18 City of Las Vegas, County of Clark, but not
19 including the home in which the public official,
20 public appointee or candidate resides.

21 (M) Trust: A legal title of property held by one
22 party, the trustee, for the benefit of another, the
23 beneficiary.

24 2.51.030: Form of statement; duty of city clerk.

25 The city clerk shall prepare forms for statements and
26 other information required by this chapter and furnish
27 such forms and information free of charge for use by
28 persons subject to the requirement of this chapter and
29 shall notify each person required to file under this
30 chapter. The city clerk shall notify the city attorney,
31 public official, public appointee or candidate when
32 anyone required to file a statement fails to do so

1 within the prescribed time.

2 2.51.040: Financial Disclosure: Filing by public official.

3 All public officials shall file with the City Clerk for
4 review by the Council and the public by request, no
5 later than the fifteenth day of April of each year,
6 under penalty of perjury, a disclosure statement for the
7 immediately preceding calendar year (January first to
8 December thirty-first). Such disclosure statement shall
9 contain the information set forth in section 2.51.070 of
10 this chapter.

11 2.51.050: Filing by candidate.

12 Each candidate for any city elective office shall file
13 with the City Clerk for review by the Council and the
14 public by request, under penalty of perjury, at the
15 time of his/her filing papers of nomination, or a
16 declaration of candidacy, a disclosure statement con-
17 taining the information set forth in section 2.51.070 of
18 this chapter.

19 2.51.060: (A) Every public appointee shall file with the City
20 Clerk a statement of financial disclosure at the
21 time of their initial appointment and thereafter no
22 later than the 15th day of April of each year. All
23 public appointees shall file under penalty of per-
24 jury a disclosure statement for the immediately
25 preceeding calendar year (January 1st to December
26 31st). Such disclosure statement shall contain the
27 information set forth in section 2.51.070 of this
28 Chapter.

29 (B) The City Clerk shall place the financial disclosure
30 statement in the public appointee's personnel file.
31 The City Manager shall annually review these finan-
32 cial disclosure statements and report his findings

1 and concerns thereafter to the Council.

2 2.51.070: Information required. (The following information is
3 required:)

- 4 (A) Name, address and phone number, if any, of the
5 public official, public appointee or candidate
6 (B) The length of residence in the state and the length
7 of residence in the city;
8 (C) The precinct in which the public official, public
9 appointee or candidate is registered to vote;
10 (D) The name of all partners or associates who hold
11 more than a 10% interest in the business, the prin-
12 cipal address and the general description of the
13 business activity of any business entity conducting
14 business with the City of Las Vegas or within the
15 County of Clark, in which the public official,
16 public appointee or candidate has or had a direct
17 financial interest at any time during the immediate
18 preceding twelve (12) months of the calendar year.
19 (E) In the case of a gift, the source of the gift and
20 the date on which the gift was received if the
21 donor does business with the city by appearing
22 before the city council or appears on cash disbur-
23 sement lists presented to the city council. Excep-
24 tions: Candidates need not comply with this
25 requirement.
26 (F) The source or sources of each loan exceeding five
27 thousand dollars (5,000.00). Exceptions: The
28 mortgage on the residence of the public official,
29 public appointee or candidate, a loan for purchase
30 of an automobile for private use, a debt secured
31 by mortgage or deed of trust for land located out-
32 side the City of Las Vegas, or a revolving balance,

- 1 the source of which is a credit or debit card.
- 2 (G) In the case of real property, a listing of all real
- 3 property or interest therein, including options to
- 4 purchase, located in the City of Las Vegas,
- 5 together with the location and name, if any, by
- 6 which such property is commonly known, whether said
- 7 real property was owned outright or held in whole
- 8 or in part under a corporation or partnership.
- 9 Exception: City residence of public official,
- 10 public appointee or candidate.
- 11 (H) Each source of his income, or that of any member of
- 12 his household, which constitutes 10 percent or more
- 13 of the person's gross income for the preceeding
- 14 taxable year. No listing of individual clients or
- 15 customers is required, but if that is the case, a
- 16 general source as "professional services" must be
- 17 disclosed.
- 18 (I) If public official, public appointee or candidate
- 19 has ever been convicted of a felony. If yes,
- 20 explain the circumstances.
- 21 (J) If public official, public appointee or candidate
- 22 has filed for bankruptcy within the last seven (7)
- 23 years.
- 24 2.51.080 No public official or public appointee may use his/her
- 25 position in government to secure or grant privileges,
- 26 preferences, exemptions or advantages for himself/
- 27 herself, any immediate family member, or any other per-
- 28 son, business entity or trust.
- 29 (A) No public official, any public appointee, or city
- 30 employee may approve, disapprove, vote or otherwise
- 31 act upon any matter in which he/she has a direct
- 32

1 financial interest. Such disclosure shall be made
2 with that performance to the council members during
3 the public meeting dealing with the matter when the
4 conflict involves an elected public official. When
5 an appointee of a public official is involved,
6 such disclosure shall be made at any public meeting
7 in which the appointee is a participant. City
8 employees, other than the city manager, shall make
9 disclosure to the city manager; the city manager
10 shall make disclosure to the council members prior
11 to taking any action on a matter in which he has a
12 direct financial interest, then again at the public
13 meeting. Any action taken by the council in which
14 a public official has failed to disclose his/her
15 direct interest shall be reconsidered at the next
16 regular council meeting after discovering such
17 disclosure was not made unless such vote would not
18 have made any difference in the final decision.

19 (B) It shall be unlawful for any public official or
20 public appointee to vote if he/she has a conflict
21 of interest and shall be punished as provided by
22 this Code.

23 (C) No public official, public appointee or candidate,
24 or immediate family member or a business with which
25 he/she is associated other than salaried employee
26 relationship shall enter into any contract valued
27 at five hundred dollars (\$500.00) or more with the
28 city unless the contract has been awarded through
29 an open and public process, including prior public
30 notice and subsequent public disclosure of all pro-
31 posals considered. Any contract made in violation
32 of this subsection shall be voidable by a court of

competent jurisdiction if the suit is commenced within ninety (90) days of making of the contract.

2.51.090: Campaign contributions and expenditures; reports required.

(A) Every candidate for city office at a recall, special, primary or general election shall report the total amount of all his/her campaign contributions and expenditures on forms to be designed and provided by the city clerk, not later than:

(1) Fifteen (15) days before the primary election covering all campaign contributions collected up to twenty (20) days before the primary election, whether in the same calendar year or before.

(2) Fifteen (15) days before the general election, whether or not the candidate won the primary election, for the period from twenty (20) days before the primary election up to twenty (20) days before the general election.

(3) Thirty (30) days after the general election, for the remaining period up to the general election.

The report shall contain all information set forth in subsection (B) below.

(B) Information required:

(1) Name, address and phone number, if any, of the candidate.

(2) Each campaign contribution in excess of one hundred dollars (\$100.00), whether from a natural person, firm, association, union, business, political action or other committee, or any other source must be separately iden-

1 tified with the name and address of the
2 contributor and the date of the contribution,
3 tabulated and reported on the form provided by
4 the city clerk.

5 (3) Each campaign expenditure whether paid
6 directly, provided as an in-kind service or
7 gift, contracted for, or made for advertising
8 on television, radio, billboards, posters and
9 in newspapers, and all other expenditures
10 contracted for or made to further directly the
11 campaign of the candidate.

12 (C) Reports of campaign contributions and expenditures
13 shall be notarized and filed with the city clerk.
14 A candidate may mail his report to the city clerk
15 by certified mail. If certified mail is used, the
16 date of the mailing shall be deemed the date of
17 filing.

18 2.51.100: Violations and penalties.

19 (A) When a public official, public appointee or can-
20 didate violates a provision of this chapter or
21 fails to file any statement required under this
22 chapter, or when such statement appears to be a
23 violation of any provision of this chapter, the
24 city clerk shall send written notice to such public
25 official, public appointee or candidate for the
26 purpose of obtaining compliance herewith, or a
27 correction or completion of such statement.

28 (1) If the city clerk is unable, within ten (10)
29 days following such notification, to obtain
30 compliance, the clerk shall file a complaint
31 with the city attorney.

32 (2) Any public official, public appointee or can-

1 didate who fails to file the statements
2 required under this chapter or refuses to
3 correct or complete such statements is guilty
4 of a misdemeanor.

5 (3) Any public official, public appointee or can-
6 didate who willfully and knowingly violates
7 this chapter shall also be subject to removal
8 from office pursuant to chapter 2.50 of the
9 Las Vegas Municipal Code.

10 (4) Any public official, public appointee or can-
11 didate who willfully or knowingly falsifies
12 any statement required under the provisions of
13 this chapter signs such statement under
14 penalty of perjury as provided for by the
15 Nevada Revised Statutes.

16 SECTION 2: If any section, subsection, subdivision
17 paragraph, sentence, clause or phrase in this ordinance or any
18 part thereof, is for any reason held to be unconstitutional or
19 invalid or ineffective by any court of competent jurisdiction,
20 such decision shall not affect the validity or effectiveness of
21 the remaining portions of this ordinance or any part thereof.
22 The City Council of the City of Las Vegas, Nevada, hereby
23 declares that it would have passed each section, subsection, sub-
24 division, paragraph, sentence, clause or phrase thereof,
25 irrespective of the fact that any one or more sections, subsec-
26 tions, subdivisions, paragraphs, sentences, clauses or phrases be
27 declared unconstitutional, invalid or ineffective.

28 SECTION 3: Whenever in this ordinance any act is prohi-
29 bited or is made or declared to be unlawful or an offense or a
30 misdemeanor, or whenever in this ordinance the doing of any act
31 is required or the failure to do any act is made or declared to
32 be unlawful or an offense or a misdemeanor, the doing of any such

1 prohibited act or the failure to do any such required act shall
2 constitute a misdemeanor and upon conviction thereof, shall be
3 punished by a fine of not more than \$1,000.00 or by imprisonment
4 for a term of not more than six months, or by any combination of
5 such fine and imprisonment. Any day of any violation of this

6 SECTION 4: All ordinances or parts of ordinances, sec-
7 tions, subsections, phrases, sentences, clauses or paragraphs
8 contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED and APPROVED this ____ day of ____
11 1990.

12 APPROVED:

13
14 By _____
15 RON LURIE, MAYOR

16 ATTEST:

17
18 _____
19 KATHLEEN M. TIGHE, CITY CLERK
20
21
22
23
24
25
26
27
28
29
30
31
32

1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the _____ day of _____
3 1990, and referred to the following committee composed of
4 _____ and
5 _____ for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the _____
7 day of _____, 1990, which was a _____ meeting of
8 said Council; that at said _____ meeting, the proposed
9 ordinance was read by title to the City Council as amended and
10 adopted by the following vote:

11 VOTING "AYE" : _____
12 VOTING "NAY" : _____
13 ABSENT: _____

14
15 APPROVED:
16
17 By _____
18 RON LURIE, MAYOR

18 ATTEST:
19
20
21 _____
22 Kathleen M. Tighe, City Clerk
23
24
25
26
27
28
29
30
31
32

SEE FOURTH AMENDMENT

THIRD AMENDMENT

BILL NO. 90-38

Ordinance No. _____

AN ORDINANCE RELATING TO ETHICS; AMENDING TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS CHAPTER 51, ENTITLED "CODE OF ETHICS FOR PUBLIC OFFICIALS"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:	Summary: An ordinance amending
Councilman Steve Miller	Title 2, by adding thereto a new
Councilman Bob Nolen	section which enacts a code of
	ethics for public officials to which
	public officials must adhere.

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

SECTION 1: Title 2, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, Chapter 51, which shall read as follows:

2.51.010: Purpose and intent. The City Council hereby finds and declares as follows:

- (A) The people have a right to expect from their elected and appointed representatives at all levels of government assurances of the utmost in integrity, honesty and fairness in their dealings;
- (B) The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates for those offices, present no conflict of interest between the public trust and private gain; and
- (C) The representative form of government is founded

1 upon a belief that those entrusted with the offices
2 of government have nothing to fear from full public
3 disclosure of their business holdings as they per-
4 tain to the business before the Las Vegas City
5 Council.

6 To these ends, the City Council hereby enacts this
7 chapter. The City Council hereby intends to sustain, to
8 the extent necessary, public confidence in government at
9 all levels, by assuring the people of the impartiality
10 and honesty of their officials in all governmental tran-
11 sactions and decisions.

12 The provisions of this chapter are to be construed
13 liberally, to the end that the public interests be fully
14 protected.

15 2.51.020: Definitions: For the purpose of this chapter certain
16 words and phrases are defined and certain provisions
17 shall be construed as hereinafter set forth unless it is
18 apparent from the context that a different meaning is
19 intended. Whenever any words and phrases used in this
20 chapter are not defined in this section but are defined
21 in the state laws regulating such matters, any such
22 definition therein is deemed to apply to such words and
23 phrases used in this chapter.

24 (A) Business entity: Any organization or enterprise
25 operated for economic gain, including but not
26 limited to, a proprietorship, partnership (names of
27 all partners or associates who have more than 10%
28 interest in the business), firm, business trust,
29 joint venture, syndicate, corporation or associa-
30 tion.

31 (B) Campaign contribution: All donations of money,
32 subscriptions, services in kind, pledges, loans,

1 conveyances, deposits, payments, transfers, distri-
2 bution of money or anything of economic value from
3 all sources. "Service in kind" means any donation
4 of materials or professional service which would
5 otherwise require payment, the name of any indivi-
6 dual who solicits funds on behalf of a candidate,
7 and the name of any individual who volunteers more
8 than ten (10) hours of their time to the can-
9 didate's campaign.

10 (C) Campaign Expenditure: All expenditures whether
11 paid for directly, provided as an in-kind service
12 or gift, contracted for, or made for advertising on
13 television, radio, billboards, posters and in
14 newspapers, and all other expenditures contracted
15 for or made to further directly the campaign of the
16 candidate.

17 (D) Candidate: For the purpose of this chapter,
18 "candidate" includes any individual seeking elec-
19 tion or appointment as a public official as defined
20 below in this section:

21 (1) Who files an affidavit of candidacy;

22 (2) Who files to fill a vacancy on the city
23 council.

24 (E) Decision: The making of a "decision" is the
25 exercise of governmental power to adopt laws, regu-
26 lations or standards, render quasi-judicial deci-
27 sions, establish executive policy or determine
28 questions involving substantial discretion. The
29 term does not include the functions of the judi-
30 ciary.

31 (F) Direct financial interest: A relationship to any
32 business entity conducting business with the City

1 of Las Vegas or the City of Las Vegas, County of
2 Clark, in which a public official, candidate and/or
3 immediate family member is involved as a trustee,
4 beneficiary of a trust, director, officer, owner in
5 whole or in part, limited or general partner, a
6 holder of stock or stocks or securities of any
7 class or classes representing one percent or more
8 of the total outstanding stock.

9 (G) Gift: Anything of economic value in excess of one
10 hundred dollars (\$100.00) but not including cam-
11 paign contributions or gifts from a relative or
12 gifts of personal hospitality of an individual.
13 "Personal hospitality of an individual" means
14 hospitality extended for a nonbusiness purpose by
15 an individual, not a corporation or organization,
16 at the personal residence of that individual or his
17 family or on property or facilities owned by that
18 individual or his family.

19 (H) Household: means an association of persons who live
20 in the same home or dwelling; sharing its expenses,
21 and who are related by blood, adoption or marriage.

22 (I) Immediate family: The spouse and any dependent
23 child or children under the age of eighteen (18)
24 years of any public official or candidate.

25 (J) Public official: Mayor, city council members and
26 municipal court judges.

27 (K) Public Appointee: means a person appointed to a
28 position of Deputy Director or above which is
29 established by the constitution of the State of
30 Nevada, a statute of this state, an ordinance of
31 any of its counties or incorporated cities, or the
32 Las Vegas City Charter which involves the exercise

1 of a public power, trust or duty. As used in this
2 section, "the exercise of a public power, trust or
3 duty" includes:

- 4 (1) Actions taken in an official capacity which
5 involve a substantial and material exercise of
6 administrative discretion in the formulation
7 of public policy;
8 (2) The expenditure of public money; and
9 (3) The enforcement of laws and rules of the
10 state, a county or a city.

11 Public appointee also means any person appointed by
12 a public official to serve on the City Planning
13 Commission, the Board of Zoning Adjustment, the Las
14 Vegas Housing Authority Board, the Board of Civil
15 Service Trustees, the Las Vegas-Clark County
16 Library District Board of Trustees and the Solici-
17 tations Review Board.

18 (L) Real property: Any interest in or option to
19 purchase any interest in any real property in the
20 City of Las Vegas, County of Clark, but not
21 including the home in which the public official
22 resides.

23 (M) City of Las Vegas and City of Las Vegas' sphere of
24 influence: That area which falls within the incor-
25 porated area of the City of Las Vegas and County of
26 Clark.

27 (N) Trust: A legal title of property held by one
28 party, the trustee, for the benefit of another, the
29 beneficiary.

30 2.51.030: Form of statement; duty of city clerk.

31 The city clerk shall prepare forms for statements and
32 other information required by this chapter and furnish

1 such forms and information free of charge for use by
2 persons subject to the requirement of this chapter and
3 shall notify each person required to file under this
4 chapter. The city clerk shall notify the city attorney,
5 the candidate or the public official when anyone
6 required to file a statement fails to do so within the
7 prescribed time.

8 2.51.040: Financial Disclosure: Filing by public official.

9 No later than the fifteenth day of April of each year,
10 all public officials shall file under penalty of perjury
11 a disclosure statement for the immediately preceding
12 calendar year (January first to December thirty-first).
13 Such disclosure statement shall contain the information
14 set forth in section 2.51.070 of this chapter.

15 2.51.050: Filing by candidate.

16 Each candidate for any city elective office shall file
17 with the City Clerk under penalty of perjury, at the
18 time of his/her filing papers of nomination, or a
19 declaration of candidacy, a disclosure statement con-
20 taining the information set forth in section 2.51.070 of
21 this chapter.

22 2.51.060: Filing by Public Appointee: Every public appointee

23 shall file with the City Clerk, for review by the
24 Council and the public by request, a statement of finan-
25 cial disclosure, as follows:

26 (A) A public appointee shall file with the City Clerk a
27 statement of financial disclosure at the time of
28 their initial appointment and thereafter no later
29 than the 15th day of April of each year; all public
30 appointees shall file under penalty of perjury a
31 disclosure statement for the immediately preceding
32 calendar year (January 1st to December 31st). Such

1 disclosure statement shall contain the information
2 set forth in section 2.51.070 of this Chapter.

3 2.51.070: Information required. (The following information is
4 required:)

- 5 (A) Name, address and phone number, if any, of the
6 public official or candidate;
- 7 (B) The length of residence in the state and the length
8 of residence in the city;
- 9 (C) The precinct in which the public official is
10 registered to vote;
- 11 (D) The name of all partners or associates who hold
12 more than a 10% interest in the business, the prin-
13 cipal address and the general description of the
14 business activity of any business entity conducting
15 business with the City of Las Vegas or within the
16 County of Clark, in which the public official has
17 or had a direct financial interest at any time
18 during the immediate preceding twelve (12) months
19 of the calendar year.
- 20 (E) In the case of a gift, the source of the gift and
21 the date on which the gift was received if the
22 donor does business with the city by appearing
23 before the city council or appears on cash disbur-
24 sement lists presented to the city council. Excep-
25 tions: Candidates need not comply with this
26 requirement.
- 27 (F) The source or sources of each loan exceeding two
28 thousand five hundred dollars (\$2,500.00). Excep-
29 tions: The mortgage on the residence of the public
30 official, a loan for purchase of an automobile for
31 private use; or a debt secured by mortgage or deed
32 of trust for land located outside the City of Las

Vegas or City of Las Vegas' sphere of influence.

(G) In the case of real property, a listing of all real property or interest therein, including options to purchase, located in the City of Las Vegas or City of Las Vegas's sphere of influence, together with the location and name, if any, by which such property is commonly known, whether said real property was owned outright or held in whole or in part under a corporation or partnership. Exception: City residence of public official.

(H) Each source of his income, or that of any member of his household, which constitutes 10 percent or more of the person's gross income for the preceeding taxable year. No listing of individual clients or customers is required, but if that is the case, a general source as "professional services" must be disclosed.

(I) If public official or public appointee has ever been convicted of a felony. If yes, explain the circumstances.

(J) If public official or public appointee has filed for bankruptcy within the last seven (7) years.

2.5.080 No public official or public appointee may use his/her position in government to secure or grant privileges, preferences, exemptions or advantages for himself/herself, any immediate family member, or any other person, business entity or trust.

(A) No public official, any public appointee, or city employee may approve, disapprove, vote or otherwise act upon any matter in which he/she has a direct financial interest. Such disclosure shall be made with that performance to the council members during

1 the public meeting dealing with the matter when the
2 conflict involves an elected public official. When
3 an appointee of a public official is involved,
4 such disclosure shall be made at any public meeting
5 in which the appointee is a participant. City
6 employees, other than the city manager, shall make
7 disclosure to the city manager; the city manager
8 shall make disclosure to the council members prior
9 to taking any action on a matter in which he has a
10 direct financial interest, then again at the public
11 meeting. Any action taken by the council in which
12 a public official has failed to disclose his/her
13 direct interest shall be reconsidered at the next
14 regular council meeting after discovering such
15 disclosure was not made unless such vote would not
16 have made any difference in the final decision.

17 (B) It shall be unlawful for any public official or
18 public appointee to vote if he/she has a conflict
19 of interest and shall be punished as provided by
20 this Code.

21 (C) No public official or immediate family member or a
22 business with which he/she is associated other than
23 salaried employee relationship shall enter into any
24 contract valued at five hundred dollars (\$500.00)
25 or more with the city unless the contract has been
26 awarded through an open and public process, includ-
27 ing prior public notice and subsequent public
28 disclosure of all proposals considered. Any
29 contract made in violation of this subsection shall
30 be voidable by a court of competent jurisdiction if
31 the suit is commenced within ninety (90) days of
32 making of the contract.

2.51.090: Campaign contributions and expenditures; reports

1 required.

2 (A) Every candidate for city office at a recall, spe-
3 cial, primary or general election shall report the
4 total amount of all his/her campaign contributions
5 and expenditures on forms to be designed and pro-
6 vided by the city clerk, not later than:

7 (1) Fifteen (15) days before the primary election
8 covering all campaign contributions collected
9 up to twenty (20) days before the primary
10 election, whether in the same calendar year or
11 before.

12 (2) Fifteen (15) days before the general election,
13 whether or not the candidate won the primary
14 election, for the period from twenty (20) days
15 before the primary election up to twenty (20)
16 days before the general election.

17 (3) Thirty (30) days after the general election,
18 for the remaining period up to the general
19 election.

20 The report shall contain all information set forth
21 in subsection (B) below.

22 (B) Information required:

23 (1) Name, address and phone number, if any, of the
24 candidate.

25 (2) Each campaign contribution in excess of one
26 hundred dollars (\$100.00), whether from a
27 natural person, firm, association, union,
28 business, political action or other committee,
29 or any other source must be separately iden-
30 tified with the name and address of the
31 contributor and the date of the contribution,
32 tabulated and reported on the form provided by
the city clerk.

1 (3) Each campaign expenditure whether paid
2 directly, provided as an in-kind service or
3 gift, contracted for, or made for advertising
4 on television, radio, billboards, posters and
5 in newspapers, and all other expenditures
6 contracted for or made to further directly the
7 campaign of the candidate.

8 (C) Reports of campaign contributions and expenditures
9 shall be notarized and filed with the city clerk.
10 A candidate may mail his report to the city clerk
11 by certified mail. If certified mail is used, the
12 date of the mailing shall be deemed the date of
13 filing.

14 2.51.100: Violations and penalties.

15 (A) When a candidate or public official violates a pro-
16 vision of this chapter or fails to file any state-
17 ment required under this chapter, or when such sta-
18 tement appears to be a violation of any provision
19 of this chapter, the city clerk shall send written
20 notice to such candidate or public official for the
21 purpose of obtaining compliance herewith, or a
22 correction or completion of such statement.

23 (1) If the city clerk is unable, within ten (10)
24 days following such notification, to obtain
25 compliance, the clerk shall file a complaint
26 with the city attorney.

27 (2) Any candidate or public official who fails to
28 file the statements required under this
29 chapter or refuses to correct or complete such
30 statements is guilty of a misdemeanor.

31 (3) Any public official who willfully and know-
32 ingly violates this chapter shall also be sub-

1 ject to removal from office pursuant to
2 chapter 2.50 of the Las Vegas Municipal Code.
3 (4) Any candidate or public official who willfully
4 or knowingly falsifies any statement required
5 under the provisions of this chapter signs
6 such statement under penalty of perjury as
7 provided for by the Nevada Revised Statutes.
8 SECTION 2: If any section, subsection, subdivision
9 paragraph, sentence, clause or phrase in this ordinance or any
10 part thereof, is for any reason held to be unconstitutional or
11 invalid or ineffective by any court of competent jurisdiction,
12 such decision shall not affect the validity or effectiveness of
13 the remaining portions of this ordinance or any part thereof.
14 The City Council of the City of Las Vegas, Nevada, hereby
15 declares that it would have passed each section, subsection, sub-
16 division, paragraph, sentence, clause or phrase thereof,
17 irrespective of the fact that any one or more sections, subsec-
18 tions, subdivisions, paragraphs, sentences, clauses or phrases be
19 declared unconstitutional, invalid or ineffective.
20 SECTION 3: Whenever in this ordinance any act is prohi-
21 bited or is made or declared to be unlawful or an offense or a
22 misdemeanor, or whenever in this ordinance the doing of any act
23 is required or the failure to do any act is made or declared to
24 be unlawful or an offense or a misdemeanor, the doing of any such
25 prohibited act or the failure to do any such required act shall
26 constitute a misdemeanor and upon conviction thereof, shall be
27 punished by a fine of not more than \$1,000.00 or by imprisonment
28 for a term of not more than six months, or by any combination of
29 ...
30 ...
31 ...
32 ...

1 such fine and imprisonment. Any day of any violation of this
2 SECTION 4: All ordinances or parts of ordinances, sec-
3 tions, subsections, phrases, sentences, clauses or paragraphs
4 contained in the Municipal Code of the City of Las Vegas, Nevada,
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this ____ day of ____
7 1990.

8 APPROVED:

9
10 By _____
11 RON LURIE, MAYOR

12 ATTEST:

13
14 _____
KATHLEEN M. TIGHE, CITY CLERK

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the ____ day of ____
3 1990, and referred to the following committee composed of
4 _____ and
5 _____ for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the ____
7 day of _____, 1990, which was a _____ meeting of
8 said Council; that at said _____ meeting, the proposed
9 ordinance was read by title to the City Council as amended and
10 adopted by the following vote:

11 VOTING "AYE" : _____
12 VOTING "NAY" : _____
13 ABSENT: _____

14
15 APPROVED:

16
17 By _____
 RON LURIE, MAYOR

18 ATTEST:
19
20 _____
21 Kathleen M. Tighe, City Clerk
22
23
24
25
26
27
28
29
30
31
32

SEE THIRD AMENDMENT

SECOND AMENDMENT

BILL NO. 90-38

Ordinance No. _____

AN ORDINANCE RELATING TO ETHICS; AMENDING TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS CHAPTER 51, ENTITLED "CODE OF ETHICS FOR PUBLIC OFFICIALS"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:	Summary: An ordinance amending
Councilman Steve Miller	Title 2, by adding thereto a new
Councilman Bob Nolen	section which enacts a code of
	ethics for public officials to which
	public officials must adhere.

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

SECTION 1: Title 2, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, Chapter 51, which shall read as follows:

2.51.010: Purpose and intent. The City Council hereby finds and declares as follows:

- (A) The people have a right to expect from their elected and appointed representatives at all levels of government assurances of the utmost in integrity, honesty and fairness in their dealings;
- (B) The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates for those offices, present no conflict of interest between the public trust and private gain; and
- (C) The representative form of government is founded

1 upon a belief that those entrusted with the offices
2 of government have nothing to fear from full public
3 disclosure of their business holdings as they per-
4 tain to the business before the Las Vegas City
5 Council.

6 To these ends, the City Council hereby enacts this
7 chapter. The City Council hereby intends to sustain, to
8 the extent necessary, public confidence in government at
9 all levels, by assuring the people of the impartiality
10 and honesty of their officials in all governmental tran-
11 sactions and decisions.

12 The provisions of this chapter are to be construed
13 liberally, to the end that the public interests be fully
14 protected.

15 2.51.020: Definitions: For the purpose of this chapter certain
16 words and phrases are defined and certain provisions
17 shall be construed as hereinafter set forth unless it is
18 apparent from the context that a different meaning is
19 intended. Whenever any words and phrases used in this
20 chapter are not defined in this section but are defined
21 in the state laws regulating such matters, any such
22 definition therein is deemed to apply to such words and
23 phrases used in this chapter.

24 (A) Business entity: Any organization or enterprise
25 operated for economic gain, including but not
26 limited to, a proprietorship, partnership, firm,
27 business trust, joint venture, syndicate, corpor-
28 tion or association.

29 (B) Campaign contribution: All donations of money,
30 subscriptions, services in kind, pledges, loans,
31 conveyances, deposits, payments, transfers, distri-
32 bution of money or anything of economic value from

1 all sources. "Service in kind" means any donation
2 of materials or professional service which would
3 otherwise require payment, the name of any indivi-
4 dual who solicits funds on behalf of a candidate,
5 and the name of any individual who volunteers more
6 than ten (10) hours of their time to the can-
7 didate's campaign.

8 (C) Campaign Expenditure: All expenditures whether
9 paid for directly, provided as an in-kind service
10 or gift, contracted for, or made for advertising on
11 television, radio, billboards, posters and in
12 newspapers, and all other expenditures contracted
13 for or made to further directly the campaign of the
14 candidate.

15 (D) Candidate: For the purpose of this chapter,
16 "candidate" includes any individual seeking elec-
17 tion or appointment as a public official as defined
18 below in this section:

- 19 (1) Who files an affidavit of candidacy;
20 (2) Who files to fill a vacancy on the city
21 council.

22 (E) Decision: The making of a "decision" is the
23 exercise of governmental power to adopt laws, regu-
24 lations or standards, render quasi-judicial deci-
25 sions, establish executive policy or determine
26 questions involving substantial discretion. The
27 term does not include the functions of the judi-
28 ciary.

29 (F) Direct financial interest: A relationship to any
30 business entity conducting business with the City
31 of Las Vegas or the City of Las Vegas' sphere of
32 influence, in which a public official, candidate

1 and/or immediate family member is involved as a
2 trustee, beneficiary of a trust, director, officer,
3 owner in whole or in part, limited or general
4 partner, a holder of stock or stocks or securities
5 of any class or classes representing one percent or
6 more of the total outstanding stock.

7 (G) Gift: Anything of economic value in excess of one
8 hundred dollars (\$100.00) but not including cam-
9 paign contributions or gifts from a relative or
10 gifts of personal hospitality of an individual.
11 "Personal hospitality of an individual" means
12 hospitality extended for a nonbusiness purpose by
13 an individual, not a corporation or organization,
14 at the personal residence of that individual or his
15 family or on property or facilities owned by that
16 individual or his family.

17 (H) Household: means an association of persons who live
18 in the same home or dwelling, sharing its expenses,
19 and who are related by blood, adoption or marriage.

20 (I) Immediate family: The spouse and any dependent
21 child or children under the age of eighteen (18)
22 years of any public official or candidate.

23 (J) Public official: Mayor and city council members.

24 (K) Public Appointee: means a person appointed to a
25 position of Deputy Director or above which is
26 established by the constitution of the State of
27 Nevada, a statute of this state or an ordinance of
28 any of its counties or incorporated cities and
29 which involves the exercise of a public power,
30 trust or duty. As used in this section, "the exer-
31 cise of a public power, trust or duty" includes:
32 (1) Actions taken in an official capacity which

1 involve a substantial and material exercise of
2 administrative discretion in the formulation
3 of public policy;

4 (2) The expenditure of public money; and

5 (3) The enforcement of laws and rules of the
6 state, a county or a city.

7 Public appointee also means any person appointed by
8 a public official to serve on the City Planning
9 Commission, the Board of Zoning Adjustment, the Las
10 Vegas Housing Authority Board, the Board of Civil
11 Service Trustees, the Las Vegas-Clark County
12 Library District Board of Trustees and the Solici-
13 tations Review Board.

14 (L) Real property: Any interest in or option to
15 purchase any interest in any real property in the
16 City of Las Vegas or the City of Las Vegas' sphere
17 of influence, but not including the home in which
18 the public official resides.

19 (M) City of Las Vegas and City of Las Vegas' sphere of
20 influence: That area which falls within the incor-
21 porated area of the City of Las Vegas.

22 (N) Trust: A legal title of property held by one
23 party, the trustee, for the benefit of another, the
24 beneficiary.

25 2.51.030: Form of statement; duty of city clerk.

26 The city clerk shall prepare forms for statements and
27 other information required by this chapter and furnish
28 such forms and information free of charge for use by
29 persons subject to the requirement of this chapter and
30 shall notify each person required to file under this
31 chapter. The city clerk shall notify the city attorney,
32 the candidate or the public official when anyone

1 required to file a statement fails to do so within the
2 prescribed time.

3 2.51.040: Financial Disclosure: Filing by public official.

4 No later than the fifteenth day of April of each year,
5 all public officials shall file under penalty of perjury
6 a disclosure statement for the immediately preceding
7 calendar year (January first to December thirty-first).
8 Such disclosure statement shall contain the information
9 set forth in section 2.51.070 of this chapter. No
10 public official currently serving on the city council
11 shall be required to file a disclosure statement during
12 his/her current term of office at the time of adoption
13 of this chapter.

14 2.51.050: Filing by candidate.

15 Each candidate for any city elective office shall file
16 with the City Clerk under penalty of perjury, at the
17 time of his/her filing papers of nomination, or a
18 declaration of candidacy, a disclosure statement con-
19 taining the information set forth in section 2.51.070 of
20 this chapter.

21 2.51.060: Filing by Public Appointee: Every public appointee
22 shall file with the City Clerk, for review by the
23 Council, a statement of financial disclosure, as
24 follows:

25 (A) A public appointee shall file with the City Clerk a
26 statement of financial disclosure at the time of
27 their initial appointment and thereafter no later
28 than the 15th day of April of each year; all public
29 appointees shall file under penalty of perjury a
30 disclosure statement for the immediately preceeding
31 calendar year (January 1st to December 31st). Such
32 disclosure statement shall contain the information

1 set forth in section 2.51.070 of this Chapter.

2 2.51.070: Information required. (The following information is
3 required:)

4 (A) Name, address and phone number, if any, of the
5 public official or candidate;

6 (B) The length of residence in the state and the length
7 of residence in the city;

8 (C) The precinct in which the public official is
9 registered to vote;

10 (D) The name, principal address and the general
11 description of the business activity of any busi-
12 ness entity conducting business with the City of
13 Las Vegas or within the City of Las Vegas sphere of
14 influence, in which the public official has or had
15 a direct financial interest at any time during the
16 immediate preceding twelve (12) months of the
17 calendar year.

18 (E) In the case of a gift, the source of the gift and
19 the date on which the gift was received if the
20 donor does business with the city by appearing
21 before the city council or appears on cash disbur-
22 sement lists presented to the city council. Excep-
23 tions: Candidates need not comply with this
24 requirement.

25 (F) The source or sources of each loan exceeding two
26 thousand five hundred dollars (\$2,500.00). Excep-
27 tions: The mortgage on the residence of the public
28 official, a loan for purchase of an automobile for
29 private use; or a debt secured by mortgage or deed
30 of trust for land located outside the City of Las
31 Vegas or City of Las Vegas' sphere of influence.

32 (G) In the case of real property, a listing of all real

1 property or interest therein, including options to
2 purchase, located in the City of Las Vegas or City
3 of Las Vega's sphere of influence, together with
4 the location and name, if any, by which such pro-
5 perty is commonly known, whether said real property
6 was owned outright or held in whole or in part
7 under a corporation or partnership. Exception:
8 City residence of public official.

9 (H) Each source of his income, or that of any member of
10 his household, which constitutes 10 percent or more
11 of the person's gross income for the preceeding
12 taxable year. No listing of individual clients or
13 customers is required, but if that is the case, a
14 general source as "professional services" must be
15 disclosed.

16 (I) If public official or public appointee has ever
17 been convicted of a felony. If yes, explain the
18 circumstances.

19 (J) If public official or public appointee has filed
20 for bankruptcy within the last seven (7) years.

21 2.5.080 No public official or public appointee may use his/her
22 position in government to secure or grant privileges,
23 preferences, exemptions or advantages for himself/
24 herself, any immediate family member, or any other per-
25 son, business entity or trust.

26 (A) No public official, any public appointee, or city
27 employee may approve, disapprove, vote or otherwise
28 act upon any matter in which he/she has a direct
29 financial interest. Such disclosure shall be made
30 with that performance to the council members during
31 the public meeting dealing with the matter when the
32 conflict involves an elected public official. When

1 an appointee of a public official is involved,
2 such disclosure shall be made at any public meeting
3 in which the appointee is a participant. City
4 employees, other than the city manager, shall make
5 disclosure to the city manager; the city manager
6 shall make disclosure to the council members prior
7 to taking any action on a matter in which he has a
8 direct financial interest, then again at the public
9 meeting. Any action taken by the council in which
10 a public official has failed to disclose his/her
11 direct interest shall be reconsidered at the next
12 regular council meeting after discovering such
13 disclosure was not made unless such vote would not
14 have made any difference in the final decision.

15 (B) It shall be unlawful for any public official or
16 public appointee to vote if he/she has a conflict
17 of interest and shall be punished as provided by
18 this Code.

19 (C) No public official or immediate family member or a
20 business with which he/she is associated other than
21 salaried employee relationship shall enter into any
22 contract valued at five hundred dollars (\$500.00)
23 or more with the city unless the contract has been
24 awarded through an open and public process, includ-
25 ing prior public notice and subsequent public
26 disclosure of all proposals considered. Any
27 contract made in violation of this subsection shall
28 be voidable by a court of competent jurisdiction if
29 the suit is commenced within ninety (90) days of
30 making of the contract.

31 2.51.090: Campaign contributions and expenditures; reports
32 required.

- 1 (A) Every candidate for city office at a recall, spe-
2 cial, primary or general election shall report the
3 total amount of all his/her campaign contributions
4 and expenditures on forms to be designed and pro-
5 vided by the city clerk, not later than:
- 6 (1) Fifteen (15) days before the primary election
7 covering all campaign contributions collected
8 up to twenty (20) days before the primary
9 election, whether in the same calendar year or
10 before.
- 11 (2) Fifteen (15) days before the general election,
12 whether or not the candidate won the primary
13 election, for the period from twenty (20) days
14 before the primary election up to twenty (20)
15 days before the general election.
- 16 (3) Thirty (30) days after the general election,
17 for the remaining period up to the general
18 election.

19 The report shall contain all information set forth
20 in subsection (B) below.

21 (B) Information required:

- 22 (1) Name, address and phone number, if any, of the
23 candidate.
- 24 (2) Each campaign contribution, whether from a
25 natural person, firm, association, union,
26 business, political action or other committee,
27 or any other source must be separately iden-
28 tified with the name and address of the
29 contributor and the date of the contribution,
30 tabulated and reported on the form provided by
31 the city clerk.
- 32 (3) Each campaign expenditure whether paid

1 directly, provided as an in-kind service or
2 gift, contracted for, or made for advertising
3 on television, radio, billboards, posters and
4 in newspapers, and all other expenditures
5 contracted for or made to further directly the
6 campaign of the candidate.

- 7 (C) Reports of campaign contributions and expenditures
8 shall be notarized and filed with the city clerk.
9 A candidate may mail his report to the city clerk
10 by certified mail. If certified mail is used, the
11 date of the mailing shall be deemed the date of
12 filing.

13 2.51.100: Violations and penalties.

- 14 (A) When a candidate or public official violates a pro-
15 vision of this chapter or fails to file any state-
16 ment required under this chapter, or when such sta-
17 tement appears to be a violation of any provision
18 of this chapter, the city clerk shall send written
19 notice to such candidate or public official for the
20 purpose of obtaining compliance herewith, or a
21 correction or completion of such statement.

22 (1) If the city clerk is unable, within ten (10)
23 days following such notification, to obtain
24 compliance, the clerk shall file a complaint
25 with the city attorney.

26 (2) Any candidate or public official who fails to
27 file the statements required under this
28 chapter or refuses to correct or complete such
29 statements is guilty of a misdemeanor.

30 (3) Any public official who willfully and know-
31 ingly violates this chapter shall also be sub-
32 ject to removal from office pursuant to

1 chapter 2.50 of the Las Vegas Municipal Code.
2 (4) Any candidate or public official who willfully
3 or knowingly falsifies any statement required
4 under the provisions of this chapter signs
5 such statement under penalty of perjury as
6 provided for by the Nevada Revised Statutes.

7 SECTION 2: 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 3: 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 SECTION 4: All ordinances or parts of ordinances, sec-
30 tions, subsections, phrases, sentences, clauses or paragraphs
31 ...
32 ...

1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of ____
4 1990.

5 APPROVED:

6
7 By _____
8 RON LURIE, MAYOR

9 ATTEST:

10
11 _____
12 KATHLEEN M. TIGHE, CITY CLERK

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the ____ day of _____
3 1990, and referred to the following committee composed of
4 _____ and
5 _____ for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the ____
7 day of _____, 1990, which was a _____ meeting of
8 said Council; that at said _____ meeting, the proposed
9 ordinance was read by title to the City Council as amended and
10 adopted by the following vote:

11 VOTING "AYE" : _____
12 VOTING "NAY" : _____
13 ABSENT: _____

14
15 APPROVED:

16
17 By _____
 RON LURIE, MAYOR

18 ATTEST:
19
20
21 _____
 Kathleen M. Tighe, City Clerk

SEE SECOND AMDENMENT

FIRST AMENDMENT

BILL NO. 90-38

Ordinance No. _____

AN ORDINANCE RELATING TO ETHICS; AMENDING TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS CHAPTER 51, ENTITLED "CODE OF ETHICS FOR PUBLIC OFFICIALS"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Councilman Steve Miller
Councilman Bob Nolen

Summary: An ordinance amending Title 2, by adding thereto a new section which enacts a code of ethics for public officials to which public officials must adhere.

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

SECTION 1: Title 2, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, Chapter 51, which shall read as follows:

2.51.010: Purpose and intent. The City Council hereby finds and declares as follows:

- (A) The people have a right to expect from their elected and appointed representatives at all levels of government assurances of the utmost in integrity, honesty and fairness in their dealings;
- (B) The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates for those offices, present no conflict of interest between the public trust and private gain; and
- (C) The representative form of government is founded

1 upon a belief that those entrusted with the offices
2 of government have nothing to fear from full public
3 disclosure of their business holdings as they per-
4 tain to the business before the Las Vegas City
5 Council.

6 To these ends, the City Council hereby enacts this
7 chapter. The City Council hereby intends to sustain, to
8 the extent necessary, public confidence in government at
9 all levels, by assuring the people of the impartiality
10 and honesty of their officials in all governmental tran-
11 sactions and decisions.

12 The provisions of this chapter are to be construed
13 liberally, to the end that the public interests be fully
14 protected.

15 2.51.020: Definitions: For the purpose of this chapter certain
16 words and phrases are defined and certain provisions
17 shall be construed as hereinafter set forth unless it is
18 apparent from the context that a different meaning is
19 intended. Whenever any words and phrases used in this
20 chapter are not defined in this section but are defined
21 in the state laws regulating such matters, any such
22 definition therein is deemed to apply to such words and
23 phrases used in this chapter.

24 (A) Business entity: Any organization or enterprise
25 operated for economic gain, including but not
26 limited to, a proprietorship, partnership, firm,
27 business trust, joint venture, syndicate, corpor-
28 tion or association.

29 (B) Campaign contribution: All donations of money,
30 subscriptions, services in kind, pledges, loans,
31 conveyances, deposits, payments, transfers, distri-
32 bution of money or anything of economic value from

1 all sources. "Service in kind" means any donation
2 of materials or professional service which would
3 otherwise require payment, the name of any indivi-
4 dual who solicits funds on behalf of a candidate,
5 and the name of any individual who volunteers more
6 than ten (10) hours of their time to the can-
7 didate's campaign.

8 (C) Candidate: For the purpose of this chapter,
9 "candidate" includes any individual seeking elec-
10 tion or appointment as a public official as defined
11 below in this section:

12 (1) Who files an affidavit of candidacy;

13 (2) Who files to fill a vacancy on the city
14 council.

15 (D) Decision: The making of a "decision" is the
16 exercise of governmental power to adopt laws, regu-
17 lations or standards, render quasi-judicial deci-
18 sions, establish executive policy or determine
19 questions involving substantial discretion. The
20 term does not include the functions of the judi-
21 ciary.

22 (E) Direct financial interest: A relationship to any
23 business entity conducting business with the City
24 of Las Vegas or the City of Las Vegas' sphere of
25 influence, in which a public official, candidate
26 and/or immediate family member is involved as a
27 trustee, beneficiary of a trust, director, officer,
28 owner in whole or in part, limited or general
29 partner, a holder of stock or stocks or securities
30 of any class or classes representing one percent or
31 more of the total outstanding stock.

32 (F) Gift: Anything of economic value in excess of one

1 hundred dollars (\$100.00) but not including cam-
2 paign contributions or gifts from a relative or
3 gifts of personal hospitality of an individual.
4 "Personal hospitality of an individual" means
5 hospitality extended for a nonbusiness purpose by
6 an individual, not a corporation or organization,
7 at the personal residence of that individual or his
8 family or on property or facilities owned by that
9 individual or his family.

10 (G) Household: means an association of persons who live
11 in the same home or dwelling, sharing its expenses,
12 and who are related by blood, adoption or marriage.

13 (H) Immediate family: The spouse and any dependent
14 child or children under the age of eighteen (18)
15 years of any public official or candidate.

16 (I) Public official: Mayor and city council members.

17 (J) Public Appointee: means a person appointed to a
18 position of Deputy Director or above which is
19 established by the constitution of the State of
20 Nevada, a statute of this state or an ordinance of
21 any of its counties or incorporated cities and
22 which involves the exercise of a public power,
23 trust or duty. As used in this section, "the exer-
24 cise of a public power, trust or duty" includes:

25 (1) Actions taken in an official capacity which
26 involve a substantial and material exercise of
27 administrative discretion in the formulation
28 of public policy;

29 (2) The expenditure of public money; and

30 (3) The enforcement of laws and rules of the
31 state, a county or a city.

32 Public appointee also means any person appointed by

1 a public official to serve on the City Planning
2 Commission, the Board of Zoning Adjustment, the Las
3 Vegas Housing Authority Board, the Board of Civil
4 Service Trustees, the Las Vegas-Clark County
5 Library District Board of Trustees and the Solici-
6 tations Review Board.

7 (K) Real property: Any interest in or option to
8 purchase any interest in any real property in the
9 City of Las Vegas or the City of Las Vegas' sphere
10 of influence, but not including the home in which
11 the public official resides.

12 (L) City of Las Vegas and City of Las Vegas' sphere of
13 influence: That area which falls within the incor-
14 porated area of the City of Las Vegas.

15 (M) Trust: A legal title of property held by one
16 party, the trustee, for the benefit of another, the
17 beneficiary.

18 2.51.030: Form of statement; duty of city clerk.

19 The city clerk shall prepare forms for statements and
20 other information required by this chapter and furnish
21 such forms and information free of charge for use by
22 persons subject to the requirement of this chapter and
23 shall notify each person required to file under this
24 chapter. The city clerk shall notify the city attorney,
25 the candidate or the public official when anyone
26 required to file a statement fails to do so within the
27 prescribed time.

28 2.51.040: Filing by public official.

29 No later than the fifteenth day of April of each year,
30 all public officials shall file under oath a disclosure
31 statement for the immediately preceding calendar year
32 (January first to December thirty-first). Such disclo-

1 sure statement shall contain the information set forth
2 in section 2.51.070 of this chapter. No public official
3 currently serving on the city council shall be required
4 to file a disclosure statement during his/her current
5 term of office at the time of adoption of this chapter.

6 2.51.050: Filing by candidate.

7 Each candidate for any city elective office shall file
8 under oath, at the time of his/her filing papers of
9 nomination, a disclosure statement containing the infor-
10 mation set forth in section 2.51.070 of this chapter.

11 2.51.060: Filing by Public Appointee: Every public appointee
12 shall file with the City Clerk, for review by the
13 Council, a statement of financial disclosure, as
14 follows:

15 (A) A public officer who holds an appointive office
16 shall file statements of financial disclosure no
17 later than the 15th day of April of each year; all
18 public officials shall file under oath a disclosure
19 statement for the immediately preceeding calendar
20 year (January 1st to December 31st). Such disclo-
21 sure statement shall contain the information set
22 forth in section 2.51.070 of this Chapter.

23 2.51.070: Information required. (The following information is
24 required:)

- 25 (A) Name, address and phone number, if any, of the
26 public official or candidate;
27 (B) The length of residence in the state and the length
28 of residence in the city;
29 (C) The precinct in which the public official is
30 registered to vote;
31 (D) The name, principal address and the general
32 description of the business activity of any busi-

1 ness entity conducting business with the City of
2 Las Vegas or within the City of Las Vegas sphere of
3 influence, in which the public official has or had
4 a direct financial interest at any time during the
5 immediate preceding twelve (12) months of the
6 calendar year.

7 (E) In the case of a gift, the source of the gift and
8 the date on which the gift was received if the
9 donor does business with the city by appearing
10 before the city council or appears on cash disbur-
11 sement lists presented to the city council. Excep-
12 tions: Candidates need not comply with this
13 requirement.

14 (F) The source or sources of each loan exceeding two
15 thousand five hundred dollars (\$2,500.00). Excep-
16 tions: The mortgage on the residence of the public
17 official, a loan for purchase of an automobile for
18 private use; or a debt secured by mortgage or deed
19 of trust for land located outside the City of Las
20 Vegas or City of Las Vegas' sphere of influence.

21 (G) In the case of real property, a listing of all real
22 property or interest therein, including options to
23 purchase, located in the City of Las Vegas or City
24 of Las Vega's sphere of influence, together with
25 the location and name, if any, by which such pro-
26 perty is commonly known, whether said real property
27 was owned outright or held in whole or in part
28 under a corporation or partnership. Exception:
29 City residence of public official.

30 (H) Each source of his income, or that of any member of
31 his household, which constitutes 10 percent or more
32 of the person's gross income for the preceeding

1 taxable year. No listing of individual clients or
2 customers is required, but if that is the case, a
3 general source as "professional services" must be
4 disclosed.

5 (I) If applicant has ever been convicted of a felony.
6 If yes, explain the circumstances.

7 (J) If applicant has filed for bankruptcy within the
8 last seven (7) years.

9 2.5 .080 No public official or appointee of a public official may
10 use his/her position in government to secure or grant
11 privileges, preferences, exemptions or advantages for
12 himself/herself, any immediate family member, or any
13 other person, business entity or trust.

14 (A) No public official, any public appointee, or city
15 employee may approve, disapprove, vote or otherwise
16 act upon any matter in which he/she has a direct
17 financial interest. Such disclosure shall be made
18 with that performance to the council members during
19 the public meeting dealing with the matter when the
20 conflict involves an elected public official. When
21 an appointee of a public official is involved,
22 such disclosure shall be made at any public meeting
23 in which the appointee is a participant. City
24 employees, other than the city manager, shall make
25 disclosure to the city manager; the city manager
26 shall make disclosure to the council members prior
27 to taking any action on a matter in which he has a
28 direct financial interest, then again at the public
29 meeting. Any action taken by the council in which
30 a public official has failed to disclose his/her
31 direct interest shall be reconsidered at the next
32 regular council meeting after discovering such

1 disclosure was not made unless such vote would not
2 have made any difference in the final decision.

3 (B) It shall be unlawful for any public official or
4 public appointee to vote if he/she has a conflict
5 of interest and shall be punished as provided by
6 this Code.

7 (C) No public official or immediate family member or a
8 business with which he/she is associated other than
9 salaried employee relationship shall enter into any
10 contract valued at five hundred dollars (\$500.00)
11 or more with the city unless the contract has been
12 awarded through an open and public process, includ-
13 ing prior public notice and subsequent public
14 disclosure of all proposals considered. Any
15 contract made in violation of this subsection shall
16 be voidable by a court of competent jurisdiction if
17 the suit is commenced within ninety (90) days of
18 making of the contract.

19 2.51.090: Campaign contributions; reports required.

20 (A) Every candidate for city office at a recall, spe-
21 cial, primary or general election shall report the
22 total amount of all his/her campaign contributions
23 on forms to be designed and provided by the city
24 clerk, not later than:

25 (1) Fifteen (15) days before the primary election
26 covering all campaign contributions collected
27 up to twenty (20) days before the primary
28 election, whether in the same calendar year or
29 before.

30 (2) Fifteen (15) days before the general election,
31 whether or not the candidate won the primary
32 election, for the period from twenty (20) days

1 before the primary election up to twenty (20)
2 days before the general election.

3 (3) Thirty (30) days after the general election,
4 for the remaining period up to the general
5 election.

6 The report shall contain all information set forth
7 in subsection (B) below.

8 (B) Information required:

9 (1) Name, address and phone number, if any, of the
10 candidate.

11 (2) Each campaign contribution, whether from a
12 natural person, firm, association, union,
13 business, political action or other committee,
14 or any other source must be separately iden-
15 tified with the name and address of the
16 contributor and the date of the contribution,
17 tabulated and reported on the form provided by
18 the city clerk.

19 (C) Reports of campaign contributions shall be
20 notarized and filed with the city clerk. A can-
21 didate may mail his report to the city clerk by
22 certified mail. If certified mail is used, the
23 date of the mailing shall be deemed the date of
24 filing.

25 (D) The city clerk shall file a copy of each report
26 with the secretary of state and retain a copy for
27 the public record at city hall.

28 2.51.100: Violations and penalties.

29 (A) When a candidate or public official violates a pro-
30 vision of this chapter or fails to file any state-
31 ment required under this chapter, or when such sta-
32 tement appears to be a violation of any provision

1 of this chapter, the city clerk shall send written
2 notice to such candidate or public official for the
3 purpose of obtaining compliance herewith, or a
4 correction or completion of such statement.

5 (1) If the city clerk is unable, within ten (10)
6 days following such notification, to obtain
7 compliance, the clerk shall file a complaint
8 with the city attorney.

9 (2) Any candidate or public official who fails to
10 file the statements required under this
11 chapter or refuses to correct or complete such
12 statements is guilty of a misdemeanor.

13 (3) Any public official who willfully and know-
14 ingly violates this chapter shall also be sub-
15 ject to removal from office pursuant to
16 chapter 2.50 of the Las Vegas Municipal Code.

17 (4) Any city employee who willfully and knowingly
18 violates this chapter shall be subject to
19 immediate removal by his/her appointing
20 authority.

21 (5) Any candidate or public official who willfully
22 or knowingly falsifies any statement required
23 under the provisions of this chapter signs
24 such statement under penalty of perjury as
25 provided for by the Nevada Revised Statutes.

26 (6) Any public appointee who willfully and
27 knowingly violates this chapter shall be sub-
28 ject to immediate removal by his/her
29 appointing public official.

30 SECTION 2: If any section, subsection, subdivision
31 paragraph, sentence, clause or phrase in this ordinance or any
32 part thereof, is for any reason held to be unconstitutional or

1 invalid or ineffective by any court of competent jurisdiction,
2 such decision shall not affect the validity or effectiveness of
3 the remaining portions of this ordinance or any part thereof.
4 The City Council of the City of Las Vegas, Nevada, hereby
5 declares that it would have passed each section, subsection, sub-
6 division, paragraph, sentence, clause or phrase thereof,
7 irrespective of the fact that any one or more sections, subsec-
8 tions, subdivisions, paragraphs, sentences, clauses or phrases be
9 declared unconstitutional, invalid or ineffective.

10 SECTION 3: Whenever in this ordinance any act is prohi-
11 bited or is made or declared to be unlawful or an offense or a
12 misdemeanor, or whenever in this ordinance the doing of any act
13 is required or the failure to do any act is made or declared to
14 be unlawful or an offense or a misdemeanor, the doing of any such
15 prohibited act or the failure to do any such required act shall
16 constitute a misdemeanor and upon conviction thereof, shall be
17 punished by a fine of not more than \$1,000.00 or by imprisonment
18 for a term of not more than six months, or by any combination of
19 such fine and imprisonment. Any day of any violation of this

20 SECTION 4: All ordinances or parts of ordinances, sec-
21 tions, subsections, phrases, sentences, clauses or paragraphs
22 contained in the Municipal Code of the City of Las Vegas, Nevada,
23 1983 Edition, in conflict herewith are hereby repealed.

24 PASSED, ADOPTED and APPROVED this ____ day of ____
25 1990.

26 APPROVED:

27
28 By _____
RON LURIE, MAYOR

29 ATTEST:

30
31
32 KATHLEEN M. TIGHE, CITY CLERK

1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the ____ day of ____
3 1990, and referred to the following committee composed of
4 _____ and
5 _____ for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the ____
7 day of _____, 1990, which was a _____ meeting of
8 said Council; that at said _____ meeting, the proposed
9 ordinance was read by title to the City Council as amended and
10 adopted by the following vote:

11 VOTING "AYE" : _____
12 VOTING "NAY" : _____
13 ABSENT: _____

14
15 APPROVED:

16
17 By _____
 RON LURIE, MAYOR

18 ATTEST:
19
20 _____
21 Kathleen M. Tighe, City Clerk
22
23
24
25
26
27
28
29
30
31
32

SEE FIRST AMENDMENT

BILL NO. 90-38

Ordinance No. _____

AN ORDINANCE RELATING TO ETHICS; AMENDING TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS CHAPTER 51, ENTITLED "CODE OF ETHICS FOR PUBLIC OFFICIALS"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:	Summary: An ordinance amending
Councilman Steve Miller	Title 2, by adding thereto a new
	section which enacts a code of
	ethics for public officials to which
	public officials must adhere.

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

SECTION 1: Title 2, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, Chapter 51, which shall read as follows:

2.51.010: Purpose and intent. The City Council hereby finds and declares as follows:

- (A) The people have a right to expect from their elected and appointed representatives at all levels of government assurances of the utmost in integrity, honesty and fairness in their dealings;
- (B) The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates for those offices, present no conflict of interest between the public trust and private gain; and
- (C) The representative form of government is founded upon a belief that those entrusted with the offices of government have nothing to fear from full public disclosure of their business holdings as they pertain to the business before the Las Vegas City

1 Council.

2 To these ends, the City Council hereby enacts this
3 chapter. The City Council hereby intends to sustain, to
4 the extent necessary, public confidence in government at
5 all levels, by assuring the people of the impartiality
6 and honesty of their officials in all governmental tran-
7 sactions and decisions.

8 The provisions of this chapter are to be construed
9 liberally, to the end that the public interests be fully
10 protected.

11 2.51.020: Definitions: For the purpose of this chapter certain
12 words and phrases are defined and certain provisions
13 shall be construed as hereinafter set forth unless it is
14 apparent from the context that a different meaning is
15 intended. Whenever any words and phrases used in this
16 chapter are not defined in this section but are defined
17 in the state laws regulating such matters, any such
18 definition therein is deemed to apply to such words and
19 phrases used in this chapter.

20 (A) Business entity: Any organization or enterprise
21 operated for economic gain, including but not
22 limited to, a proprietorship, partnership, firm,
23 business trust, joint venture, syndicate, corpor-
24 tion or association.

25 (B) Campaign contribution: All donations of money,
26 subscriptions, services in kind, pledges, loans,
27 conveyances, deposits, payments, transfers, distri-
28 bution of money or anything of economic value from
29 all sources. "Service in kind" means any donation
30 of materials or professional service which would
31 otherwise require payment, the name of any indivi-
32 dual who solicits funds on behalf of a candidate,

1 and the name of any individual who volunteers more
2 than ten (10) hours of their time to the can-
3 didate's campaign.

4 (C) Candidate: For the purpose of this chapter,
5 "candidate" includes any individual seeking elec-
6 tion or appointment as a public official as defined
7 below in this section:

- 8 (1) Who files an affidavit of candidacy;
9 (2) Who files to fill a vacancy on the city
10 council.

11 (D) Direct financial interest: A relationship to any
12 business entity conducting business with the City
13 of Las Vegas or the City of Las Vegas' sphere of
14 influence, in which a public official, candidate
15 and/or immediate family member is involved as a
16 trustee, beneficiary of a trust, director, officer,
17 owner in whole or in part, limited or general
18 partner, a holder of stock or stocks or securities
19 of any class or classes representing one percent or
20 more of the total outstanding stock.

21 (E) Gift: Anything of economic value in excess of one
22 hundred dollars (\$100.00) but not including cam-
23 paign contributions or gifts from a relative or
24 gifts of personal hospitality of an individual.
25 "Personal hospitality of an individual" means
26 hospitality extended for a nonbusiness purpose by
27 an individual, not a corporation or organization,
28 at the personal residence of that individual or his
29 family or on property or facilities owned by that
30 individual or his family.

31 (F) Immediate family: The spouse and any dependent
32 child or children under the age of eighteen (18)

1 years of any public official or candidate.

2 (G) Public official: Mayor and city council members.

3 (H) Public appointee: Any person appointed by a public
4 official to serve on any board, agency or com-
5 mission charged with the responsibility of
6 advising, recommending or setting policy.

7 (I) Real property: Any interest in or option to
8 purchase any interest in any real property in the
9 City of Las Vegas or the City of Las Vegas' sphere
10 of influence, but not including the home in which
11 the public official resides.

12 (J) City of Las Vegas and City of Las Vegas' sphere of
13 influence: That area which falls within the incor-
14 porated area of the City of Las Vegas.

15 (K) Trust: A legal title of property held by one
16 party, the trustee, for the benefit of another, the
17 beneficiary.

18 2.51.030: Form of statement; duty of city clerk.

19 The city clerk shall prepare forms for statements and
20 other information required by this chapter and furnish
21 such forms and information free of charge for use by
22 persons subject to the requirement of this chapter and
23 shall notify each person required to file under this
24 chapter. The city clerk shall notify the city attorney,
25 the candidate or the public official when anyone
26 required to file a statement fails to do so within the
27 prescribed time.

28 2.51.040: Filing by public official.

29 No later than the fifteenth day of April of each year,
30 all public officials shall file under oath a disclosure
31 statement for the immediately preceding calendar year
32 (January first to December thirty-first). Such disclo-

1 sure statement shall contain the information set forth
2 in section 2.51.060 of this chapter. No public official
3 currently serving on the city council shall be required
4 to file a disclosure statement during his/her current
5 term of office at the time of adoption of this chapter.

6 2.51.050: Filing by candidate.

7 Each candidate for any city elective office shall file
8 under oath, at the time of his/her filing papers of
9 nomination, a disclosure statement containing the infor-
10 mation set forth in section 2.51.060 of this chapter.

11 2.51.060: Information required. (The following information is
12 required:)

- 13 (A) Name, address and phone number, if any, of the
14 public official or candidate;
- 15 (B) The length of residence in the state and the length
16 of residence in the city;
- 17 (C) The precinct in which the public official is
18 registered to vote;
- 19 (D) The name, principal address and the general
20 description of the business activity of any busi-
21 ness entity conducting business with the City of
22 Las Vegas or within the City of Las Vegas sphere of
23 influence, in which the public official has or had
24 a direct financial interest at any time during the
25 immediate preceding twelve (12) months of the
26 calendar year.
- 27 (E) In the case of a gift, the source of the gift and
28 the date on which the gift was received if the
29 donor does business with the city by appearing
30 before the city council or appears on cash disbur-
31 sement lists presented to the city council. Excep-
32 tions: Candidates need not comply with this

1 requirement.

2 (F) The source or sources of each loan exceeding two
3 thousand five hundred dollars (\$2,500.00). Excep-
4 tions: The mortgage on the residence of the public
5 official, a loan for purchase of an automobile for
6 private use; or a debt secured by mortgage or deed
7 of trust for land located outside the City of Las
8 Vegas or City of Las Vegas' sphere of influence.

9 (G) In the case of real property, a listing of all real
10 property or interest therein, including options to
11 purchase, located in the City of Las Vegas or City
12 of Las Vega's sphere of influence, together with
13 the location and name, if any, by which such pro-
14 perty is commonly known, whether said real property
15 was owned outright or held in whole or in part
16 under a corporation or partnership. Exception:
17 City residence of public official.

18 (H) If applicant has ever been convicted of a felony.
19 If yes, explain the circumstances.

20 (I) If applicant has filed for bankruptcy within the
21 last seven (7) years.

22 2.5 .070 No public official or appointee of a public official may
23 use his/her position in government to secure or grant
24 privileges, preferences, exemptions or advantages for
25 himself/herself, any immediate family member, or any
26 other person, business entity or trust.

27 (A) No public official, public appointee, or city
28 employee may approve, disapprove, vote or otherwise
29 act upon any matter in which he/she has a direct
30 financial interest. Such disclosure shall be made
31 with that performance to the council members during
32 the public meeting dealing with the matter when the

1 conflict involves an elected public official. When
2 an appointee of a public official is involved,
3 such disclosure shall be made at any public meeting
4 in which the appointee is a participant. City
5 employees, other than the city manager, shall make
6 disclosure to the city manager; the city manager
7 shall make disclosure to the council members prior
8 to taking any action on a matter in which he has a
9 direct financial interest, then again at the public
10 meeting. Any action taken by the council in which
11 a public official has failed to disclose his/her
12 direct interest shall be reconsidered at the next
13 regular council meeting after discovering such
14 disclosure was not made unless such vote would not
15 have made any difference in the final decision.

16 (B) It shall be unlawful for any public official or
17 public appointee to vote if he/she has a conflict
18 of interest and shall be punished as provided by
19 this Code.

20 (C) No public official or immediate family member or a
21 business with which he/she is associated other than
22 salaried employee relationship shall enter into any
23 contract valued at five hundred dollars (\$500.00)
24 or more with the city unless the contract has been
25 awarded through an open and public process, includ-
26 ing prior public notice and subsequent public
27 disclosure of all proposals considered. Any
28 contract made in violation of this subsection shall
29 be voidable by a court of competent jurisdiction if
30 the suit is commenced within ninety (90) days of
31 making of the contract.

32 2.51.080: Campaign contributions; reports required.

1 (A) Every candidate for city office at a recall, spe-
2 cial, primary or general election shall report the
3 total amount of all his/her campaign contributions
4 on forms to be designed and provided by the city
5 clerk, not later than:

6 (1) Fifteen (15) days before the primary election
7 covering all campaign contributions collected
8 up to twenty (20) days before the primary
9 election, whether in the same calendar year or
10 before.

11 (2) Fifteen (15) days before the general election,
12 whether or not the candidate won the primary
13 election, for the period from twenty (20) days
14 before the primary election up to twenty (20)
15 days before the general election.

16 (3) Thirty (30) days after the general election,
17 for the remaining period up to the general
18 election.

19 The report shall contain all information set forth
20 in subsection (B) below.

21 (B) Information required:

22 (1) Name, address and phone number, if any, of the
23 candidate.

24 (2) Each campaign contribution, whether from a
25 natural person, firm, association, union,
26 business, political action or other committee,
27 or any other source must be separately iden-
28 tified with the name and address of the
29 contributor and the date of the contribution,
30 tabulated and reported on the form provided by
31 the city clerk.

32 (C) Reports of campaign contributions shall be

1 notarized and filed with the city clerk. A can-
2 didate may mail his report to the city clerk by
3 certified mail. If certified mail is used, the
4 date of the mailing shall be deemed the date of
5 filing.

6 (D) The city clerk shall file a copy of each report
7 with the secretary of state and retain a copy for
8 the public record at city hall.

9 2.51.090: Violations and penalties.

10 (A) When a candidate or public official violates a pro-
11 vision of this chapter or fails to file any state-
12 ment required under this chapter, or when such sta-
13 tement appears to be a violation of any provision
14 of this chapter, the city clerk shall send written
15 notice to such candidate or public official for the
16 purpose of obtaining compliance herewith, or a
17 correction or completion of such statement.

18 (1) If the city clerk is unable, within ten (10)
19 days following such notification, to obtain
20 compliance, the clerk shall file a complaint
21 with the city attorney.

22 (2) Any candidate or public official who fails to
23 file the statements required under this
24 chapter or refuses to correct or complete such
25 statements is guilty of a misdemeanor.

26 (3) Any public official who willfully and know-
27 ingly violates this chapter shall also be sub-
28 ject to removal from office pursuant to
29 chapter 2.50 of the Las Vegas Municipal Code.

30 (4) Any city employee who willfully and knowingly
31 violates this chapter shall be subject to
32 immediate removal by his/her appointing

1 authority.

2 (5) Any candidate or public official who willfully
3 or knowingly falsifies any statement required
4 under the provisions of this chapter signs
5 such statement under penalty of perjury as
6 provided for by the Nevada Revised Statutes.

7 (6) Any public appointee who willfully and
8 knowingly violates this chapter shall be sub-
9 ject to immediate removal by his/her
10 appointing public official.

11 SECTION 2: If any section, subsection, subdivision
12 paragraph, sentence, clause or phrase in this ordinance or any
13 part thereof, is for any reason held to be unconstitutional or
14 invalid or ineffective by any court of competent jurisdiction,
15 such decision shall not affect the validity or effectiveness of
16 the remaining portions of this ordinance or any part thereof.
17 The City Council of the City of Las Vegas, Nevada, hereby
18 declares that it would have passed each section, subsection, sub-
19 division, paragraph, sentence, clause or phrase thereof,
20 irrespective of the fact that any one or more sections, subsec-
21 tions, subdivisions, paragraphs, sentences, clauses or phrases be
22 declared unconstitutional, invalid or ineffective.

23 SECTION 3: Whenever in this ordinance any act is prohi-
24 bited or is made or declared to be unlawful or an offense or a
25 misdemeanor, or whenever in this ordinance the doing of any act
26 is required or the failure to do any act is made or declared to
27 be unlawful or an offense or a misdemeanor, the doing of any such
28 prohibited act or the failure to do any such required act shall
29 constitute a misdemeanor and upon conviction thereof, shall be
30 punished by a fine of not more than \$1,000.00 or by imprisonment

31 ...

32 ...

1 for a term of not more than six months, or by any combination of
2 such fine and imprisonment. Any day of any violation of this

3 SECTION 4: All ordinances or parts of ordinances, sec-
4 tions, subsections, phrases, sentences, clauses or paragraphs
5 contained in the Municipal Code of the City of Las Vegas, Nevada,
6 1983 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this ____ day of ____
8 1990.

9 APPROVED:

10
11 By _____
12 RON LURIE, MAYOR

13 ATTEST:

14
15 _____
KATHLEEN M. TIGHE, CITY CLERK

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the ____ day of ____
3 1990, and referred to the following committee composed of
4 _____ and
5 _____ for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the ____
7 day of _____, 1990, which was a _____ meeting of
8 said Council; that at said _____ meeting, the proposed
9 ordinance was read by title to the City Council as first intro-
10 duced and adopted by the following vote:

11 VOTING "AYE" : _____
12 VOTING "NAY" : _____
13 ABSENT: _____

14
15 APPROVED:

16
17 By _____
 RON LURIE, MAYOR

18 ATTEST:
19
20 _____
21 Kathleen M. Tighe, City Clerk
22
23
24
25
26
27
28
29
30
31
32

RECEIVED

JUL 27 4 07 PM '90
AFFIDAVIT OF PUBLICATION

CITY CLERK

PASTE CLIPPING HERE

FIFTH AMENDMENT
BILL NO. 90-38
ORDINANCE NO. 3517

AN ORDINANCE RELATING TO ETHICS; AMENDING TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERE- TO A NEW SECTION, DESIGNATED AS CHAPTER 51, ENTITLED "CODE OF ETHICS FOR PUBLIC OFFI- CIALS"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENAL- TIES FOR THE VIOLATION HERE- OF; AND REPEALING ALL ORDI- NANCES OR PARTS OF ORDINANCES IN CONFLICT HERE- WITH.

SPONSORED BY: Councilman Steve Miller, Councilman Bob Nolen
SUMMARY: An ordinance amend- ing Title 2, by adding thereto a new section which enacts a code of ethics for public officials to which public officials must adhere.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 6th day of June, 1990, and referred to the following committee composed of Entire Council with Councilmen Nolen and Miller as Co- Chairmen, for recommendation; thereafter the said committee re- ported favorably on said amended ordinance on the 18th day of July, 1990, which was a regular meeting of said City Council; that at said regular meeting the proposed ordi- nance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" COUNCILMEN:
Adamsen, Higginson, Miller, Nolen
and Mayor Lurie
VOTING "NAY" COUNCILMEN:

None

ABSENT: None
COPIES OF THE COMPLETE ORDI- NANCE 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: July 21, 1990
Las Vegas Review-Journal & Sun

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

On this _____ day of _____, 19____ personally
appeared before me

a Notary Public in and for Clark County Nevada, George J. Vasconi, who being duly sworn according to law declares that he is the business manager for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JULY 21, 1990 to JULY 21, 1990, on the following days:

JULY 21, 1990

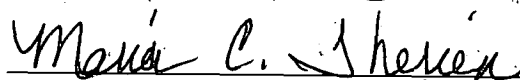
Signed



George J. Vasconi

Subscribed and sworn to before me

this 23 day of July, 19 90



NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA

MARIA C. THERIEN

Notary Public-State of Nevada
CLARK COUNTY

My Appointment Expires May 11, 1994

20635

17950

RECEIVED

JUL 27 4 13 PM '90

CITY CLERK

FINANCE DEPT

JUL 26 10 47 AM '90

RECEIVED
CLARK COUNTY
NOTARY Public State of Nevada
My Appointment Expires

RECEIVED

AFFIDAVIT OF PUBLICATION

JUL 12 4 25 PM '90

STATE OF NEVADA)
COUNTY OF CLARK)

SS

CITY CLERK

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 JUNE 22, 1990 to JUNE 22, 1990 inclusive, being the issue of said newspaper for the following dates,

to wit:

JUNE 22, 1990

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

SIGNED

George J. Vasconi
GEORGE J. VASCONI

**FIRST AMENDMENT,
BILL NO. 90-38**

AN ORDINANCE RELATING TO ETHICS; AMENDING TITLE 2 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERE TO A NEW SECTION, DESIGNATED AS CHAPTER 51, ENTITLED "CODE OF ETHICS FOR PUBLIC OFFICIALS"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Councilman Steve Miller
SUMMARY: An ordinance amending Title 2, by adding thereto a new section which enacts a code of ethics for public officials to which public officials must adhere.

At a City Council meeting
JUNE 6, 1990

BILL NO. 90-38 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Com-

prised of the Entire Council with Councilmen Nolen and Miller as Co-Chairmen
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: June 22, 1990

Subscribed and sworn to before me
this 22nd day of June, 1990

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, 1993

RECEIVED

JUL 3 11 00 AM '90

FINANCE DEPT

CITY CLERK

JUL 15 4 52 PM '90

RECEIVED