

1 **Bill No. 94-93**

2 Ordinance No 3860

3 AN ORDINANCE RELATING TO CHARITABLE SOLICITATIONS; AMENDING TITLE 6,
4 CHAPTER 22 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983
5 EDITION; DELETING PROVISIONS RELATING TO THE REGULATION OF
6 SOLICITATIONS BY THE SOLICITATIONS REVIEW BOARD; PROVIDING FOR OTHER
7 MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES AND
8 PARTS OF ORDINANCES IN CONFLICT HEREWITH.

9 Sponsored by:

Summary:

Amends Chapter 22 of Title 6 of the
Las Vegas Municipal Code to delete
and amend provisions relating to the
Solicitations Review Board.

10 Mayor Jan Laverty Jones

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

13 SECTION 1: Title 6, Chapter 22, Section 30 of the Municipal Code of the City
14 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

15 **6.22.030** An application for a permit shall be made to the Director of the
16 Department of Business Activity upon forms provided by the Department. The application shall
17 contain the following information:

18 (A) The name, address or headquarters of the person applying for the
19 permit;

20 (B) If the applicant is not an individual, the names and addresses of the
21 applicant's principal officers and managers;

22 (C) The purposes for which such solicitation is to be made, the total
23 amount of funds proposed to be raised thereby, and the use or disposition
24 to be made of such funds;

25 (D) The names and addresses of the person or persons by whom the
26 receipts or proceeds of such solicitation are to be disbursed;

(E) The name and addresses of the person or persons who will be in
direct charge of conducting the solicitation;

1 (F) An outline of the method or methods to be used in conducting the
2 solicitation;

3 (G) The time when such solicitations are to be made, giving the dates for
4 the beginning and ending of such solicitation;

5 (H) An itemized statement or budget of the estimated cost of solicitation;

6 (I) The names and addresses of all professional promoters and
7 professional solicitors who will be connected with the solicitation and the
8 amount of wages, fees, commission, expenses, or emoluments to be paid
9 to each professional promoter, and a copy of the contract, if any, given
10 each professional promoter;

11 (J) An itemized financial statement showing all receipts and the
12 disbursements thereof for one year immediately preceding the date of the
13 filing of the application.

14 (K) A statement to the effect that, if the permit is granted, it will not be
15 used or represented in any way as an endorsement by the City of the
16 solicitation conducted thereunder;

17 [(L) Such other information as may be required by the Department or the
18 Solicitations Review Board in order to carry out their duties under this
19 Chapter.]

20 SECTION 2: Title 6, Chapter 22, Section 50 of the Municipal Code of the City
21 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

22 **6.22.050** (A) Upon receipt of [the] a completed application the Director of
23 Department of Business Activity shall [refer the matter to the
24 Solicitations Review Board for a recommendation.] issue a
25 temporary solicitations permit pending review of the application.
26

1 [In formulating such recommendation, the Solicitations Review
2 Board shall:] In deciding whether to issue a permanent solicitations
3 permit, the Director shall determine whether or not:

- 4 (1) Each of the statements made in the application is true;
5 (2) The application is complete; and
6 (3) The applicant has violated any of the grounds provided in
7 Section 6.02.330 et.seq.

8 (B) At the conclusion of its [deliberations] review with respect to an
9 application, the [Solicitations Review Board] Director of the Department of
10 Business Activity shall make [its] his findings with respect to each of the
11 matters [that are committed to its consideration pursuant to Subsection (A)
12 of this Section] contained in Paragraphs (1) through (3) of subsection (A)
13 and shall make [its] his [recommendation] decision either to approve or to
14 reject such application, which [recommendation] decision, if it is for
15 rejection, shall set forth completely and with specificity the reasons therefor
16 and the City shall promptly seek a Declaratory Judgment as to the
17 Constitutionality of the Director's decision to deny the permit and restrain
18 the solicitation. Until such judicial decision is rendered, the temporary
19 permit issued when the completed application was first received by the
20 Department pursuant to Section 2 shall remain in effect. If the decision is
21 for approval of the application, the permit issued shall specify the time
22 period, not to exceed one year, for which the permit is valid.

23 SECTION 3: Title 6, Chapter 22, Section 55 of the Municipal Code of the City
24 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

25 **6.22.055** The [Solicitations Review Board] Director of the Department of
26

1 Business Activity shall have the authority to set conditions on a permit which may
2 include, but are not limited to requiring the permittee to furnish each principal,
3 agent, employee, promoter and solicitor a copy of a valid charitable solicitation
4 permit stating the name of the organization conducting the solicitation, the type of
5 solicitation, the purpose of which the contribution is to be used and the time when
6 such solicitations are to be made, giving the dates for beginning and ending of such
7 solicitation. A copy of the charitable solicitation permit shall be exhibited to every
8 person solicited.

9 SECTION 4: Title 6, Chapter 22, Section 160 of the Municipal Code of the City
10 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

11 **6.22.160** Whenever the Director of the Department of Business Activity [has
12 reason to believe] upon affidavit of supporting facts finds that a person holding a
13 permit under this Chapter has violated or is violating [any of the provisions of this
14 Chapter, or that any promoter, agent or solicitor of a permittee has misrepresented
15 the purpose of a solicitation, the Director shall give him written notice by mail or
16 personal service of a hearing to be held within five days by the Solicitations
17 Review Board to determine whether or not the permit should be revoked. The
18 notice must contain a statement of the alleged violations.] Sections 6.22.065
19 through Section 6.22.150, inclusive, the City shall notify the permittee by mail or
20 personal service of process of such violation and seek judicial review of the
21 violations. Should the court determine by appropriate legal standard that a
22 violation has or is occurring, the court may issue an order allowing the City to
23 revoke the solicitations permit.

24 SECTION 5: Title 6, Chapter 22, Section 170 of the Municipal Code of the City
25 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:
26

1 **6.22.170** At the hearing the permittee, or any other interested person, shall
2 have the right to present evidence pertaining to the charges. Upon request of the
3 [Solicitations Review Board] Department of Business Activity the permittee shall
4 produce the books and records relating to it solicitations required to be kept by this
5 Chapter if they are pertinent to the matter under investigation.

6 SECTION 6: Title 6, Chapter 22, Section 210 of the Municipal Code of the City
7 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

8 **6.22.210** The application for a professional promoter's license shall be filed
9 according to the provisions of Chapter 6.02 and shall be processed under the
10 provisions of this Chapter; however, the applicant shall additionally set forth the
11 general plan, character and method of conducting various charitable solicitations.

12 SECTION 7: Title 6, Chapter 22, Sections 35, 60, 180, 190, 240, 250,
13 260, and 270 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby
14 repealed.

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

23 SECTION 9: All ordinances or parts of ordinances, sections, subsections,
24 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

1 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

2 PASSED, ADOPTED and APPROVED this 4th day of January, 1995.

3 APPROVED:

4 By

JAN LAVERTY JONES, Mayor

5 ATTEST:

6 
7 KATHLEEN M. TIGHE, City Clerk

8 The above and foregoing ordinance was first proposed and read by title to the City Council
9 on the 7th day of December, 1994, and referred to the following committee composed of
10 Councilman Adamsen and Mayor Jones for recommendation; thereafter the said committee
11 reported favorably on said ordinance on the 4th day of January, 1995, which was a regular
12 meeting of said Council; that at said regular meeting, the proposed ordinance was read by
13 title to the City Council as first introduced and adopted by the following vote:

14 VOTING "AYE": Councilmen Adamsen, Higginson, Hawkins Jr., and Brass

15 VOTING "NAY": NONE

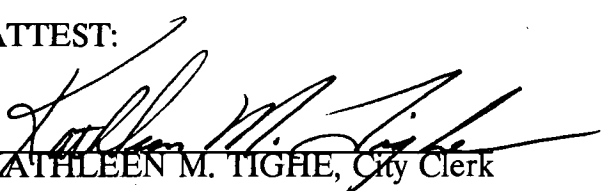
16 ABSENT: Mayor Jones

17
18 APPROVED:

19
20 By

JAN LAVERTY JONES, Mayor

21 ATTEST:

22 
23 KATHLEEN M. TIGHE, City Clerk

AFFIDAVIT OF PUBLICATION

JAN 25 9 50 AM '95

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BILL NO. 94-93
ORDINANCE NO. 3860

AN ORDINANCE RELATING TO CHARITABLE SOLICITATIONS; AMENDING TITLE 6, CHAPTER 22 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; DELETING PROVISIONS RELATING TO THE REGULATION OF SOLICITATIONS BY THE SOLICITATIONS REVIEW BOARD; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Mayor Jan Laverly Jones

SUMMARY: Amends Chapter 22 of Title 6 of the Las Vegas Municipal Code to delete and amend provisions relating to the Solicitations Review Board.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of December, 1994, and referred to the following committee composed of Councilman Adamsen and Mayor Jones for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of January, 1995, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote: VOTING "AYE" Councilmen Adamsen, Higginson, Hawkins Jr., and Brass

VOTING "NAY" NONE
EXCUSED Mayor Jones

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA. PUB: January 7, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk 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 JANUARY 7, 1995 to JANUARY 7, 1995, on the following days:

JANUARY 7, 1995

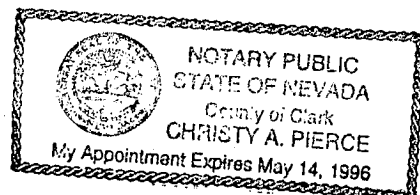
Signed: Barbara Carr

Subscribed and sworn to before me this

9

day of January, 19 95

Christy A. Pierce
Notary Public



AFFIDAVIT OF PUBLICATION

Dec 29 4 44 PM '94

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SPONSORED BY:
Mayor Jan Laverly Jones
SUMMARY: Amends Chapter 22 of Title 6 of the Las Vegas Municipal Code to delete and amend provisions relating to the Solicitations Review Board.
At a City Council meeting DECEMBER 7, 1994
BILL NO. 94-93 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Mayor Jones and Councilman Adamson
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: December 22, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

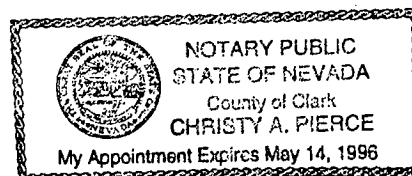
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of DECEMBER 22, 1994 to DECEMBER 22, 1994, on the following days:

DECEMBER 22, 1994

Signed: Barbara Carr

Subscribed and sworn to before me this 22 day of December, 19 94

Christy A. Pierce
Notary Public



AFFIDAVIT OF PUBLICATION

JAN 25 9 50 AM '95

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PAST

RE

BILL NO. 94-93
ORDINANCE NO. 3860

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SPONSORED BY:

Mayor Jon Loverly Jones
SUMMARY: Amends Chapter 22 of Title 6 of the Las Vegas Municipal Code to delete and amend provisions relating to the Solicitations Review Board.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of December, 1994, and referred to the following committee composed of Councilman Adamsen and Mayor Jones for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of January, 1995, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote: VOTING "AYE" Councilmen Adamsen, Higginson, Hawkins Jr., and

Bross

VOTING "NAY" NONE

EXCUSED Mayor Jones

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 7, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

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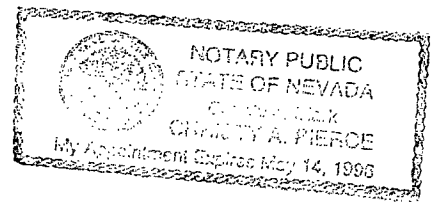
JANUARY 7, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this

9 day of January, 1995

Christy A. Pierce
Notary Public



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SPONSORED BY:

Mayor Jan Laverly Jones
SUMMARY: Amends Chapter 22 of Title 6 of the Las Vegas Municipal Code to delete and amend provisions relating to the Solicitations Review Board.

At a City Council meeting DECEMBER 7, 1994
BILL NO. 94-93 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Mayor Jones and Councilman Adamsen

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PUB: December 22, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

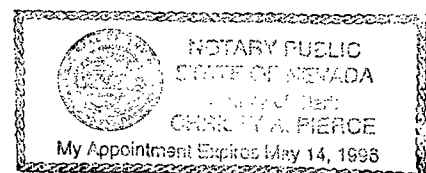
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DECEMBER 22, 1994

Signed: Barbara Carr

Subscribed and sworn to before me this 22 day of December, 19 94

Christy A. Pierce
Notary Public



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