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SECOND AMENDMENT

Bill No. 95-69

Ordinance No. 3968

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51, SECTIONS 20, 30, 40, 70, 80, AND 100 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; RELATING TO THE CODE OF ETHICS; ADDING NEW A NEW DEFINITION FOR "PUBLIC BOARD MEMBERS"; AMENDING THE DEFINITION OF THE TERM "INTEREST"; AMENDING PROVISIONS REGARDING INCOMPATIBLE SERVICE TO REQUIRE NOTICE TO THE ETHICS REVIEW BOARD FOR PUBLIC OFFICERS; PROVIDING FOR EXCEPTIONS TO THE TERM "GIFT"; AMENDING THE POWERS OF THE ETHICS REVIEW BOARD; SETTING FORTH NEW PROCEDURES FOR RENDERING ADVISORY OPINIONS FOR CURRENT AND FUTURE CONDUCT; SET FORTH PROCEDURES FOR RENDERING ADVISORY OPINIONS REGARDING PAST CONDUCT; PROVIDING FOR ANNUAL REVIEW OF FINANCIAL DISCLOSURE FORMS BY THE CITY CLERK IN PLACE OF THE ETHICS REVIEW BOARD; PROVIDING FOR REPORTING TO THE CITY MANAGER IN PLACE OF THE CITY COUNCIL; CHANGING THE FILING DATE FOR FINANCIAL DISCLOSURE FORMS; SPECIFYING AND ADDING TO THE INFORMATION TO BE INCLUDED ON FINANCIAL DISCLOSURE FORMS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Mayor Jan Laverty Jones

Summary: Amends Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition, relating to the Ethics Review Board and Financial Disclosure.

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

SECTION 1: Title 2, Chapter 51, Section 20 of the Municipal Code of the City
of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

2.51.020 Definitions

(A) "Business Entity" means any corporation, general or limited partnership, sole proprietorship (including a private consultant operation) joint venture, unincorporated association or firm, institution, trust, foundation, or other organization, whether or not organized for profit. Business entity does not include local, state or federal agencies or political subdivisions thereof.

(B) "Confidential Information" means all information, whether transmitted verbally or

1 in writing, which is of such a nature that it is not, at the time, a matter of public record or public
2 knowledge.

3 (C) "Gift" means anything of economic value regardless of the form, without adequate
4 and lawful consideration, but not including:

5 (1) the solicitation, acceptance, receipt, or regulation of political campaign
6 contributions regulated in accordance with provisions of federal, state, or local laws
7 governing campaign finances[.];

8 (2) a non-pecuniary gift with an economic value of less than \$100.00,

9 (3) a non-pecuniary award presented in recognition of public service,

10 (4) any reasonable hosting, including travel expenses, entertainment, meals, or
11 refreshments furnished in connection with appearances, ceremonies, and other occasions
12 reasonably relating to official City business, unless otherwise prohibited by law;

13 (5) gifts from family members related within the third degree of consanguinity or
14 affinity; or

15 (6) invitations to political fund raisers.

16 (D) "Interest", except as otherwise specifically provided, means direct or indirect
17 pecuniary or material benefit accruing to a public officer or employee as the result of a contract,
18 transaction, zoning decision, or other matter which is or may be the subject of an official act or
19 action by or with the City except for such contracts, transactions, zoning decisions, or other
20 matters which by their terms and by the substance of their provisions confer the opportunity and
21 right to realize the accrual of similar benefits to all other persons and/or property similarly
22 situated. For purposes of this ordinance, a public officer or employee shall be deemed to have
23 an interest in the affairs of:

24 (1) the officer's or employee's spouse or children;

25 (2) any person or business entity with whom a contractual relationship exists with
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1 a public officer or employee to the extent of and within the parameter of such contractual
2 relationship only;

3 (3) any business entity in which the public officer or employee is an officer,
4 director, member, or employee; and

5 (4) any business entity in which the public officer or employee controls or owns
6 directly or indirectly, in excess of five percent of the total stock or an interest totaling
7 \$50,000.00 or more in value.

8 (E) "Lobbyist" means any person who communicates directly with a member of the City
9 Council on behalf of someone other than his or herself to influence action by the City Council and
10 who is compensated for the communication. "Lobbyist" does not include members of a bona fide
11 news medium who meet the definition of "lobbyist" only in the course of their professional duties
12 and who contact members of the Council for the sole purpose of carrying out their news gathering
13 function.

14 (F) "Official Act or Action" means any legislative, administrative, appointive or
15 discretionary act of any officer or employee of the City or any agency, board, committee or
16 commission thereof.

17 (G) "Public Board Member", unless otherwise stated in this [Ordinance] Chapter, means
18 any person, holding a position by appointment of the City Council, whether paid or unpaid, to
19 any board, committee, or commission thereof, such as, but not limited to the City Planning
20 Commission, the Board of Zoning Adjustment, the Las Vegas Housing Authority Board, the
21 Board of Civil Service Trustees, and the Las Vegas-Clark County Library District Board of
22 Trustees.

23 [(G)](H) "Public Employee", unless otherwise stated in this [Ordinance] Chapter, means
24 any person, holding a position by appointment or employment in the service of the City, whether
25 paid or unpaid, [, including members of any board, committee, or commission thereof, such as,

1 but not limited to the City Planning Commission, the Board of Zoning Adjustment, the Las Vegas
2 Housing Authority Board, the Board of Civil Service Trustees, the Las Vegas-Clark County
3 Library District Board of Trustees and the Solicitations Review Board].

4 The term "appointed public employee" means a person appointed to the position of City
5 Engineer, City Traffic Engineer, City Treasurer, and Deputy Director or above which is
6 established by the Constitution of the State of Nevada, a statute of this State, the Las Vegas City
7 Charter or a City ordinance. [Appointed public employee also includes any person appointed by
8 a public officer to serve on any board or commission, including those listed herein.]

9 [(H)](I) "Public Officer" means the Mayor and the City Council members.

10 SECTION 2: Title 2, Chapter 51, Section 30 of the Municipal Code of the City
11 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

12 **2.51.030 Ethics Review Board**

13 (A) Creation. An Ethics Review Board is hereby created whose membership shall be
14 constituted and shall have the powers and duties as set forth in this Chapter. [There shall be
15 created an Ethics Review Board which shall have the duties and powers, unless otherwise
16 provided, to hear complaints and rule upon the appropriate disposition of this ordinance.]

17 (B) Appointment of Members. The Ethics Review Board shall consist of five (5)
18 members, and each member of the City Council, including the Mayor, shall have one
19 appointment. Each member, upon assuming a position as Ethics Review Board member, shall
20 take an oath of office comparable to that taken by Council members. One Ethics Review Board
21 member shall be designated by the Mayor, and confirmed by a majority of the City Council, as
22 [Chairman] Chairperson.

23 (C) Terms. Ethics Review Board members shall serve for four year, staggered terms.
24 Of the first members appointed, three shall serve for four years (including the [Chairman]
25 Chairperson) and two shall serve for two years. Thereafter, each Ethics Review Board member
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1 shall serve for a term of four years.

2 (D) Compensation. No Ethics Review Board members shall receive a salary, but may
3 be reimbursed for expenses in accordance with City policy.

4 (E) Meetings. The Ethics Review Board shall establish regular meeting times, with no
5 less than one meeting per month. Special meetings may be called as needed by the [Chairman]
6 Chairperson, or by any two members.

7 (F) Legal Counsel. The City Attorney shall serve as legal counsel to the Ethics Review
8 Board. For each opinion the City Attorney shall prepare at the direction of the Ethics Review
9 Board the appropriate findings of fact and conclusions as to relevant standards and the propriety
10 of particular conduct.

11 (G) Staff. The City Clerk shall designate a member of his/her staff to assist the Ethics
12 Review Board in performing the clerical functions related to meetings of the Ethics Review Board,
13 including the keeping of all necessary records related thereto.

14 (H) Duties. The Ethics Review Board's duties shall include:

15 (1) [Enforcing the provisions of this Chapter, hearing complaints on
16 violations of this ordinance by public officers and employees, in accordance with
17 Sections [2.51.040 and 2.51.050] 2.51.080 and 2.51.100.] Render binding
18 advisory opinions regarding present and future conduct public board members,
19 officers and employees upon request of the City Attorney pursuant to this Chapter.

20 (2) [Giving binding advice to the City Council, City Attorney, or other
21 public officers and employees on ethical questions. This includes rendering
22 advisory opinions as described in Section 2.51.080.] Render advisory opinions
23 regarding past conduct of public board members, officers or employees upon
24 receipt of a complaint pursuant to this Chapter.

25 (3) Giving nonbinding recommendations to the City Council and City
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1 Attorney on new and existing City policies on ethics.

2 (4) The adoption of procedural regulations to facilitate the receipt of
3 inquiries and prompt rendition of its opinions pursuant to NRS 281.541(b).

4 (5) The informing of City Clerk of all cases of noncompliance with the
5 requirements of this Chapter.

6 (6) The recommending to the City Council such further changes to this
7 Chapter as the Ethics Review Board considers desirable or necessary to promote
8 and maintain high standards of ethical conduct in government.

9 [(H)] (I) [Chairman] Chairperson. The Ethics Review Board member appointed
10 to serve as [Chairman] Chairperson shall preside over all Ethics Review Board meetings,
11 and may call special Ethics Review Board meetings as needed, but otherwise shall have
12 power equal to that of other Ethics Review Board members.

13 SECTION 3: Title 2, Chapter 51, Section 40 of the Municipal Code of the City
14 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

15 **2.51.040 Conflicts of Interest.**

16 (A) No public board member, officer or employee having the power or duty to
17 perform an official act or action, related to a contract, transaction, zoning decision, or
18 other matter which is or may be the subject of an official act or action of the City, shall
19 knowingly:

20 (1) Have or thereafter acquire an interest in such contract, transaction,
21 zoning decision, or other matter, except as otherwise stated in this Chapter, except
22 that this Subsection shall not apply to any public board member, officer or
23 employee who shall disclose his or her interest and who shall disqualify himself or
24 herself from consideration of such contract, transaction, zoning decision, or other
25 matter or;

1 (2) Have an interest in any business entity representing, advising, or
2 appearing on behalf of, whether paid or unpaid, any person involved in such
3 contract, transaction, zoning decision, or other matter, except as otherwise stated
4 in this Chapter, except that this Subsection shall not apply to any public board
5 member, officer or employee who shall disclose his or her interest and who shall
6 disqualify himself or herself from consideration of such contract, transaction,
7 zoning decision, or other matter relating to said business entity or;

8 (3) Seek, accept, or negotiate employment with an outside business entity
9 which is a party to a contract, transaction, zoning decision, or other matter with
10 the City in which the public board member, officer or employee performed an
11 official act or action without prior disclosure to the Ethics Review Board. For
12 purposes of this Subsection, the term "public employee" is limited to "appointed
13 public employees".

14 (4) Use or continue to use their official City title, including use on business
15 cards or stationary, following termination of employment with the City, expect that
16 such use is not prohibited if the public board member, officer or employee
17 indicates that the employment with the City was former to their current
18 employment.

19 (B) Preacquisition of interest. No public board member, officer or employee shall
20 acquire an interest in, or an interest affected by, any contract, transaction, zoning
21 decision, or other matter at a time when such board member, officer or employee
22 believes or has reason to believe the interest will be directly or indirectly affected by an
23 official act or action of the City.

24 (C) Appearances. No public board member, officer or employee shall appear on
25 behalf of any private person, other than persons related within the third degree or
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1 consanguinity or affinity, before any City agency or municipal court. However, a
2 member of the City Council may appear before City agencies on behalf of his or her
3 constituents in the course of his or her duties as a representative of the electorate or in
4 the performance of public or civic obligations. Such City Council members shall not
5 receive compensation for such appearances, unless specifically authorized by action of
6 the City Council.

7 (D) Disclosure of Interest in Legislative Action.

8 (1) Any member of the City Council who has a financial interest or
9 personal interest in any proposed legislation before the council shall disclose on the
10 record of the City Council the nature and extent of such interest.

11 (2) Any other [officer] public board member or employee who has a
12 financial or personal interest in any proposed legislative action of the City Council
13 and who participates in discussion with or gives an official opinion or
14 recommendation to the City Council, shall disclose on the record of the Council
15 the nature and extent of such interest.

16 (E) Public Contracts. Notwithstanding the prohibitions in Subsection (A) of this
17 Section, a public board member, officer or employee may enter into any contract with
18 the City if:

19 (1) the contract is awarded through a process of public notice and
20 competitive bidding; and

21 (2) the contract is with a division or agency of the City over which the
22 officer or employee has no functions requiring the exercise of discretion.

23 (F) Disclosure of Confidential Information. No public officer or employee, with
24 respect to any contract, transaction, zoning decision, or other matter which is or may be
25 the subject of an official act or action of the City, shall, without proper legal
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1 authorization, disclose confidential information concerning the property, government, or
2 affairs of the City, or use such information to advance the financial or other private
3 interest of the officer or employee or others.

4 (G) Incompatible service. No public officer shall engage in or accept private
5 employment or render service, for private interests without prior notification of the
6 Ethics Review Board. [, when such employment or service is incompatible with the
7 proper discharge of his or her official duties or would tend to impair his or her
8 independence of judgment or action in the performance of his or her official duties,
9 unless otherwise permitted by law and unless disclosure is made as provided in this
10 Chapter.]

11 (H) Special Treatment. No public officer or employee shall grant any special
12 consideration, treatment or advantage to any citizen beyond that which is available to
13 every other citizen.

14 (I) Gifts. No public board member, employee or officer shall have solicited or
15 accepted, a present or future gift having an economic value of two hundred fifty
16 (\$250.00) dollars or more from a person when received by the recipient in relation to the
17 recipient's position as a public employee or public officer or when the gift is offered by
18 a person involved in a contract, transaction, zoning matter, or other matter with the City
19 which could be influenced by the recipient. For purposes of this Chapter, multiple gifts
20 from the same person shall be considered cumulative for each year beginning the
21 fifteenth day of April.

22 (1) [Exceptions - Gifts Which May be Accepted Without Disclosure. The
23 following gifts may be accepted by a public officer or employee without disclosure
24 pursuant to Section 2.51.070:

25 (a) a non-pecuniary gift with an economic value of less than one
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1 hundred (\$100.00) dollars; or

2 (b) a non-pecuniary award publicly presented in recognition of
3 public service; or

4 (c) any reasonable hosting, including travel expenses, entertainment,
5 meals, or refreshments furnished in connection with appearances,
6 ceremonies, charitable events and other occasions reasonably relating to
7 official City business; or

8 (d) gifts from family members related within the third degree of
9 consanguinity or affinity.

10 (2)] Exceptions - Gifts Which May Be Accepted, But Require
11 Disclosure. The following gifts may be accepted by a public officer or
12 employee, but must be disclosed pursuant to Section [12] 2.51.070.

13 (a) Any [other] gift having an economic value of one hundred
14 (\$100.00) dollars or more which is not otherwise prohibited by this
15 Chapter.

16 (J) Exceptions To Conflict Of Interest Provisions.

17 (1) It shall not be deemed a violation of this Section if the interest
18 of a public board member, officer or employee in a person or business
19 entity is a contractual obligation of less than \$500 which has not been
20 preceded by any other obligation, discharged or existing, between the
21 parties, and which is not the first in a series of two or more loans or debts
22 which either of the parties is under an obligation to make or incur.

23 (2) A commercially reasonable loan made in the ordinary course of
24 business by an institution authorized by the laws of this state to engage in
25 the making of such loans shall not be deemed to create an interest in
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1 violation of this Section.

2 (3) A contract for a commercial retail sale, even though greater in value
3 than \$500, shall not be deemed to create an interest in violation of this
4 Section.

5 SECTION 4: Title 2, Chapter 51, Section 70, of the Municipal Code of the City
6 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

7 **2.51.070 Financial Disclosure.** The City Clerk shall prepare forms for statements and
8 other information required by this Chapter and furnish such forms and information free of charge
9 for use by persons subject to the requirement of this Chapter and shall notify each person required
10 to file under this Chapter. The City Clerk shall notify the City Attorney, public officer, appointed
11 public employee or candidate when anyone required to file a statement fails to do so within the
12 prescribed time.

13 (A) [The City Clerk shall designate a member of his/her staff to assist the Ethics
14 Review Board in performing the clerical functions related to the review of statements of
15 financial disclosure pursuant to Subsections (D) and (C) of this Section, inclusive,
16 including the keeping of all necessary records related thereto.] The City Clerk shall
17 maintain all financial disclosure forms for a period of not less than six years, from the
18 date of filing for the last term served.

19 [(B) The Ethics Review Board shall:

20 (1) Adopt procedural regulations to facilitate the receipt of inquiries and
21 prompt rendition of its opinions pursuant to NRS 281.541(b);

22 (2) Inform the City Clerk of all cases of noncompliance with the
23 requirements;

24 (3) Recommend to the City Council such further changes as the Ethics
25 Review Board considers desirable or necessary to promote and maintain high
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standards of ethical conduct in government.]

[(C)](B) Filing [by public officer]. All public board members, officers and public appointees shall file with the City Clerk [for review by the Ethics Review Board and the public by request,] no later than the [fifteenth] 31st day of [April] March of each year, 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 Subsection [(F)](E) of this Section.

[(D)](C) Filing by Candidate. Each candidate for any City elective office shall file with the City Clerk [for review by the Ethics Review Board and the public by request,] under penalty of perjury, no later than the [fifteenth] tenth day [of April] after the last day to file as a candidate, a disclosure statement containing the information set forth in Subsection [(F)](E) of this Section.

[(E)] (D) Time of Filing [-- Annual Review]. Every public board member, officer and public appointee shall file with the City Clerk a statement of financial disclosure [at the time] within 30 days of their initial appointment and thereafter no later than the [fifteenth] 31st day of [April] March of each year. All public board members, officers and 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 Subsection (E) [(F)] of this Section.

(1) The City Clerk shall [place the] maintain financial disclosure statements [in the appointed public employee's personnel file. The Ethics Review Board] and shall annually review these financial disclosure statements and report his findings and concerns thereafter to the City [Council] Manager. [During the course of their review, the Ethics Review Board shall have access to all financial disclosure forms filed previously by a public officer, appointed public employee, or candidate.]

1 [(F)](E) Information Required. The following information is required:

2 (1) Name, address and phone number, if any, of the public board member,
3 officer, appointed public employee or candidate;

4 (2) The length of residence in the State and the length of residence in
5 the [City] Clark County;

6 (3) The precinct in which the public board member, officer, appointed
7 public employee or candidate is registered to vote;

8 (4) The name of all partners or associates, the principal address and the
9 general description of the business activity of any business entity conducting
10 business with the City of Las Vegas or within the County of Clark, in which the
11 public board member, officer, appointed public employee or candidate or their
12 spouse has had a direct financial interest at any time during the immediate
13 preceding twelve months of the calendar year;

14 (5) In the case of a gift requiring disclosure pursuant to Section 2.51.040,
15 the source of the gift, including the name and address of the donor, the value of
16 the gift, the description of the gift, and the date on which the gift was received if
17 the donor does business with the City by appearing before the City Council or
18 appears on cash disbursement lists presented to the City Council[.];

19 (6) The source or sources of each loan [exceeding five thousand dollars]
20 to whom he/she or a member of his/her household owes five thousand dollars or
21 more. Exceptions: The mortgage on [the] your residence [of the public officer,
22 appointed public employee or candidate], a loan for purchase of an automobile for
23 private use, a debt secured by mortgage or deed of trust for land located outside
24 the City of Las Vegas which is not required to be listed in Paragraph 7 of this
25 Subsection, or a revolving balance, the source of which is a credit card or debit
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1 card;

2 (7) In the case of real property, a listing of all real property or interest
3 therein, including options to purchase, located in the City of Las Vegas, State of
4 Nevada or any adjacent state, together with the specific location, particular use,
5 and name, if any, by which said property is commonly known, whether said real
6 property was owned outright or held in whole or in part under a corporation or
7 partnership. Exception: [City] Personal residence [of public officer, appointed
8 public employee or candidate];

9 (8) Each source of his income, or that of any member of his household.
10 No listing of individual clients or customers is required, but if that is the case, a
11 general source as "professional services" must be disclosed;

12 (9) If public board member, officer, appointed public employee or
13 candidate has ever been convicted of a felony. If yes, explain the circumstances;

14 (10) If a public board member, officer, appointed public employee or
15 candidate has filed for bankruptcy within the last seven years;

16 (11) The names and addresses of all boards and commissions the public
17 board member, officer, appointed public employee or candidate on which you
18 presently serve[s on] except for any and all boards and commissions a public
19 officer, appointed public employee or candidate is appointed to by the City
20 Council[.]; and

21 (12) A listing, including the name, address, appointment and expiration
22 date, of all positions or public offices presently held for which this statement of
23 financial disclosure is required to be filed.

24 [(G)](F) Disclosure of Gifts for Non-Appointed Public Employees. All other public
25 employees not included in the term "appointed public employee" shall report all
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1 disclosable gifts to their Department Director no later than the [fifteenth] 31st day of
2 [April] March of each year. The disclosure shall be recorded on forms which include
3 the name of the public employee, [the name of the donor, the date the gift was received,
4 and the economic value of the gift] the source of the gift, including the name and address
5 of the donor, the value of the gift, a description of the gift, and the date on which the
6 gift was received. Following review by the Department Director, said forms shall be
7 maintained by the City Clerk [and may be reviewed by the Ethics Review Board]. If the
8 public employee has not received any disclosable gifts during a particular year, no
9 disclosure form need be filed.

10 SECTION 5: Title 2, Chapter 51, Section 80, of the Municipal Code of the City
11 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

12 **2.51.080 Advisory Opinions - Present or Future Conduct**

13 (A) Where any public board member, officer or employee has a doubt as to the
14 applicability of any provision of this Chapter to a particular situation, or as to the
15 definition of terms used herein, the officer or employee may apply to the City Attorney
16 for an advisory opinion regarding his/her present or future conduct. The public board
17 member, officer or employee shall have the opportunity to present his or her
18 interpretation of the facts at issue and of the applicability of provisions of the Chapter
19 before such advisory opinion is made. The City Attorney may seek the advice and
20 assistance of the Ethics Review Board if necessary.

21 (B) Such opinion until amended or revoked shall be binding on the City, the City
22 Council, and the City Attorney in any subsequent actions concerning the public officer
23 or employee who sought the opinion and acted on it in good faith, unless material facts
24 were omitted or misstated in the request for the advisory opinion. Such opinion shall not
25 be binding in any action initiated by any private citizen.
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1 (C) [Any advisory opinion prepared by the City Attorney shall be made public.]
2 Each request for an opinion regarding future conduct submitted to the Ethics Review
3 Board, each hearing held to obtain information on which to base an opinion regarding
4 future conduct, all deliberations relating to an opinion regarding future conduct, each
5 opinion regarding future conduct rendered by a committee and any motion relating to the
6 opinion regarding future conduct are confidential unless:

7 1) The public board member, officer or employee acts in contravention of the
8 opinion; or

9 2) The requestor discloses the content of the opinion.

10 The City Attorney may prepare abstracts of ethics opinions as necessary to inform those
11 subject to the provisions of this Chapter of its meaning and to promote compliance with
12 its provisions. [However, the name of the person requesting the opinion and the names
13 of all persons or business entities mentioned in the opinion shall be deemed confidential
14 information and shall not be disclosed by the City Attorney unless the public officer or
15 employee waives such confidentiality or where the City Attorney deems the public officer
16 or employee to have failed to act in good faith in requesting the opinion or in conforming
17 with the opinion or to have failed to act in conformance with the opinion. In seeking
18 advice from the Ethics Review Board, the City Attorney shall not disclose the name of
19 the person seeking the opinion nor the names of persons or entities mentioned in the
20 opinion.]

21 (D) In any matter where a public officer or employee has sought an advisory
22 opinion from the City Attorney, and such officer or employee is subsequently prosecuted
23 for the situation involved, the City Attorney may not act as prosecutor because of the
24 confidential relationship created. Such cases shall be referred to a special prosecutor to
25 be named by the Ethics Review Board.
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1 SECTION 6: Title 2, Chapter 51, Section 100 of the Municipal Code of the City
2 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

3 **2.51.100 [Enforcement] Advisory Opinions - Complaint for Past Conduct**

4 (A) Upon receipt of a complaint alleging a violation of this Chapter by a person
5 whose conduct is subject to the provisions of this Chapter, [T]the Ethics Review Board
6 shall have the primary responsibility for the enforcement of this Chapter through the City
7 Attorney. It shall have the power to investigate any complaint, to initiate any suit, and
8 to prosecute any criminal or civil action on behalf of the City where it believes such
9 action is appropriate.

10 (1) Complaint - Form. Any complaint alleging a violation of this Chapter
11 shall state the following:

12 (a) the name of the person who allegedly committed the violation;

13 (b) the specific section of the ordinance which was violated;

14 (c) a brief description of the conduct involved;

15 (d) a list of any persons whose testimony would tend to confirm or
16 refute the allegations; and

17 (e) declare by oath or affirmation that the information contained in
18 the complaint is true and correct.

19 (2) Complaint - Finding of Just and Sufficient Cause. Before investigating
20 any complaint, the Ethics Review Board shall conduct a hearing at the first meeting
21 following the filing of the complaint to determine whether just and sufficient cause
22 exists to investigate the complaint. The person about whom the complaint is
23 alleged shall be notified of the complaint immediately by the City Clerk and shall
24 be allowed to present information before just and sufficient cause is examined by
25 the Ethics Review Board.
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1 (3) Complaint - Hearing. If the Ethics Review Board determines in an
2 adopted motion that just and sufficient cause exists to investigate a complaint, it
3 shall notify the person about whom the complaint was alleged of the time and place
4 of the hearing on the matter, allow the person to be represented by counsel, and
5 allow the person to hear evidence and present evidence on their own behalf. The
6 hearing by the Ethics Review Board shall occur within 30 days of the finding of
7 just and sufficient cause.

8 (B) The City Council may direct the Ethics Review Board to investigate or
9 prosecute, through the City Attorney, any apparent violation of this Chapter or the
10 Council may employ or appoint any qualified attorney to investigate or prosecute any
11 violation or series of violations by one or more persons of this Chapter.

12 (C) Any person who believes that a violation of any portion of this Chapter has
13 occurred may file a complaint with the Ethics Review Board which may thereafter
14 proceed as provided for under [Sections 2.51.080 and] this Section. However, nothing
15 in this Section shall be construed to prevent complainants from instituting direct legal
16 action through the appropriate judicial authority.

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

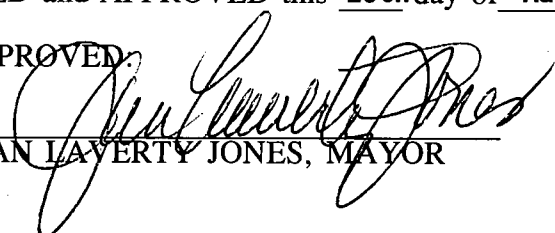
25 SECTION 8: All ordinances or parts of ordinances, sections, subsections, phrases,
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1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas,
2 Nevada, 1983 Edition, in conflict herewith are hereby repealed.

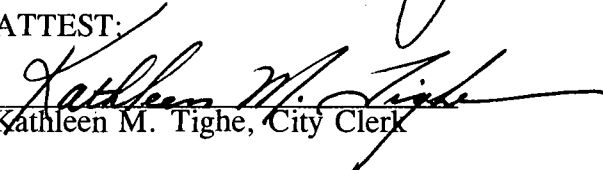
3 PASSED, ADOPTED and APPROVED this 20th day of March, 1996.

4 APPROVED

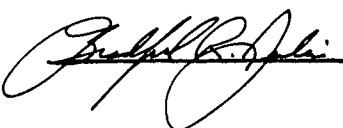
5 By


JAN LAVERTY JONES, MAYOR

6 ATTEST:

7 
8 Kathleen M. Tighe, City Clerk

9
10
11
12
13 Approved as to form:

14
15  3/22/96
16 Date

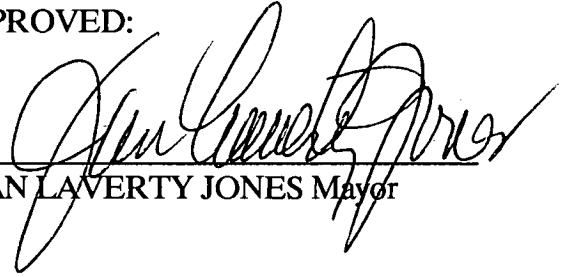
1 The above and foregoing ordinance was first proposed and read by title to the City
2 Council on the 3rd day of October, 1995, and referred to the following committee composed of
3 the Full Council for recommendation; thereafter the said committee reported favorably on said
4 ordinance on the 20th day of March, 1996, which was a regular meeting of said Council; that
5 at said regular meeting, the proposed ordinance was read by title to the City Council as
6 amended and adopted by the following vote:

7 VOTING "AYE": Councilmen Adamsen, McDonald Reese and Mayor Jones

8 VOTING "NAY": NONE

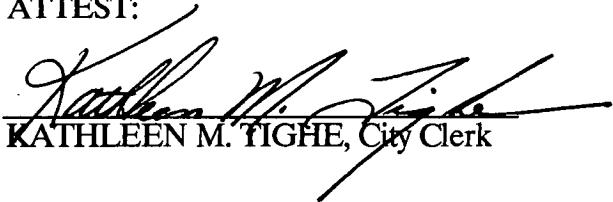
9 ABSENT: Councilman Callister

10
11 APPROVED:

12
13 By 

14 JAN LAVERTY JONES Mayor

15 ATTEST:

16 
17 KATHLEEN M. TIGHE, City Clerk

18 If any provision of this ordinance is found by a court of competent jurisdiction to
19 be invalid or unconstitutional, or if the application of this ordinance to any person
20 or circumstances is found to be invalid or unconstitutional, such invalidity or
21 unconstitutionality shall not affect the other provisions or applications of this
22 ordinance which can be given effect without the invalid or unconstitutional
23 provision or application.
24
25
26

SEE SECOND AMENDMENT

FIRST AMENDMENT

Bill No. 95-69

Ordinance No. _____

AN ORDINANCE RELATING TO THE CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51, SECTIONS 20, 30, 40, 70, 80, AND 100 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; ADDING A NEW DEFINITION FOR "PUBLIC BOARD MEMBERS"; AMENDING THE DEFINITION OF THE TERM "INTEREST"; AMENDING PROVISIONS REGARDING INCOMPATIBLE SERVICE TO REQUIRE NOTICE TO THE ETHICS REVIEW BOARD FOR PUBLIC OFFICERS; PROVIDING FOR EXCEPTIONS TO THE TERM "GIFT"; AMENDING THE POWERS OF THE ETHICS REVIEW BOARD; SETTING FORTH NEW PROCEDURES FOR RENDERING ADVISORY OPINIONS FOR CURRENT AND FUTURE CONDUCT; SETTING FORTH PROCEDURES FOR RENDERING ADVISORY OPINIONS REGARDING PAST CONDUCT; PROVIDING FOR ANNUAL REVIEW OF FINANCIAL DISCLOSURE FORMS BY THE CITY CLERK IN PLACE OF THE ETHICS REVIEW BOARD; PROVIDING FOR REPORTING TO THE CITY MANAGER IN PLACE OF THE CITY COUNCIL; CHANGING THE FILING DATE FOR FINANCIAL DISCLOSURE FORMS; SPECIFYING AND ADDING TO THE INFORMATION TO BE INCLUDED ON FINANCIAL DISCLOSURE FORMS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Mayor Jan Laverty Jones

Summary: Amends Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition, relating to the Ethics Review Board and Financial Disclosure.

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

SECTION 1: Title 2, Chapter 51, Section 20 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

2.51.020 Definitions

(A) "Business Entity" means any corporation, general or limited partnership, sole proprietorship (including a private consultant operation) joint venture, unincorporated association or firm, institution, trust, foundation, or other organization, whether or not organized for profit. Business entity does not include local, state or federal agencies or political subdivisions thereof.

(B) "Confidential Information" means all information, whether transmitted verbally or

1 in writing, which is of such a nature that it is not, at the time, a matter of public record or public
2 knowledge.

3 (C) "Gift" means anything of economic value regardless of the form, without adequate
4 and lawful consideration, but not including:

5 (1) the solicitation, acceptance, receipt, or regulation of political campaign
6 contributions regulated in accordance with provisions of federal, state, or local laws
7 governing campaign finances[.];

8 (2) a non-pecuniary gift with an economic value of less than \$100.00,

9 (3) a non-pecuniary award presented in recognition of public service,

10 (4) any reasonable hosting, including travel expenses, entertainment, meals, or
11 refreshments furnished in connection with appearances, ceremonies, and other occasions
12 reasonably relating to official City business, unless otherwise prohibited by law;

13 (5) gifts from family members related within the third degree of consanguinity or
14 affinity; or

15 (6) invitations to political fund raisers.

16 (D) "Interest", except as otherwise specifically provided, means direct or indirect
17 pecuniary or material benefit accruing to a public officer or employee as the result of a contract,
18 transaction, zoning decision, or other matter which is or may be the subject of an official act or
19 action by or with the City except for such contracts, transactions, zoning decisions, or other
20 matters which by their terms and by the substance of their provisions confer the opportunity and
21 right to realize the accrual of similar benefits to all other persons and/or property similarly
22 situated. For purposes of this ordinance, a public officer or employee shall be deemed to have
23 an interest in the affairs of:

24 (1) the officer's or employee's spouse or children;

25 (2) any person or business entity with whom a contractual relationship exists with
26

1 a public officer or employee to the extent of and within the parameter of such contractual
2 relationship only;

3 (3) any business entity in which the public officer or employee is an officer,
4 director, member, or employee; and

5 (4) any business entity in which the public officer or employee controls or owns
6 directly or indirectly, in excess of five percent of the total stock or an interest totaling
7 \$50,000.00 or more in value.

8 (E) "Lobbyist" means any person who communicates directly with a member of the City
9 Council on behalf of someone other than his or herself to influence action by the City Council and
10 who is compensated for the communication. "Lobbyist" does not include members of a bona fide
11 news medium who meet the definition of "lobbyist" only in the course of their professional duties
12 and who contact members of the Council for the sole purpose of carrying out their news gathering
13 function.

14 (F) "Official Act or Action" means any legislative, administrative, appointive or
15 discretionary act of any officer or employee of the City or any agency, board, committee or
16 commission thereof.

17 (G) "Public Board Member", unless otherwise stated in this [Ordinance] Chapter, means
18 any person, holding a position by appointment of the City Council, whether paid or unpaid, to
19 any board, committee, or commission thereof, such as, but not limited to the City Planning
20 Commission, the Board of Zoning Adjustment, the Las Vegas Housing Authority Board, the
21 Board of Civil Service Trustees, and the Las Vegas-Clark County Library District Board of
22 Trustees.

23 [(G)](H) "Public Employee", unless otherwise stated in this [Ordinance] Chapter, means
24 any person, holding a position by appointment or employment in the service of the City, whether
25 paid or unpaid, [, including members of any board, committee, or commission thereof, such as,

1 but not limited to the City Planning Commission, the Board of Zoning Adjustment, the Las Vegas
2 Housing Authority Board, the Board of Civil Service Trustees, the Las Vegas-Clark County
3 Library District Board of Trustees and the Solicitations Review Board].

4 The term "appointed public employee" means a person appointed to the position of City
5 Engineer, City Traffic Engineer, City Treasurer, and Deputy Director or above which is
6 established by the Constitution of the State of Nevada, a statute of this State, the Las Vegas City
7 Charter or a City ordinance. [Appointed public employee also includes any person appointed by
8 a public officer to serve on any board or commission, including those listed herein.]

9 [(H)](I) "Public Officer" means the Mayor and the City Council members.

10 SECTION 2: Title 2, Chapter 51, Section 30 of the Municipal Code of the City
11 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

12 **2.51.030 Ethics Review Board**

13 (A) Creation. An Ethics Review Board is hereby created whose membership shall be
14 constituted and shall have the powers and duties as set forth in this Chapter. [There shall be
15 created an Ethics Review Board which shall have the duties and powers, unless otherwise
16 provided, to hear complaints and rule upon the appropriate disposition of this ordinance.]

17 (B) Appointment of Members. The Ethics Review Board shall consist of five (5)
18 members, and each member of the City Council, including the Mayor, shall have one
19 appointment. Each member, upon assuming a position as Ethics Review Board member, shall
20 take an oath of office comparable to that taken by Council members. One Ethics Review Board
21 member shall be designated by the Mayor, and confirmed by a majority of the City Council, as
22 [Chairman] Chairperson.

23 (C) Terms. Ethics Review Board members shall serve for four year, staggered terms.
24 Of the first members appointed, three shall serve for four years (including the [Chairman]
25 Chairperson) and two shall serve for two years. Thereafter, each Ethics Review Board member
26

1 shall serve for a term of four years.

2 (D) Compensation. No Ethics Review Board members shall receive a salary, but may
3 be reimbursed for expenses in accordance with City policy.

4 (E) Meetings. The Ethics Review Board shall establish regular meeting times, with no
5 less than one meeting per month. Special meetings may be called as needed by the [Chairman]
6 Chairperson, or by any two members.

7 (F) Legal Counsel. The City Attorney shall serve as legal counsel to the Ethics Review
8 Board. For each opinion the City Attorney shall prepare at the direction of the Ethics Review
9 Board the appropriate findings of fact and conclusions as to relevant standards and the propriety
10 of particular conduct.

11 (G) Staff. The City Clerk shall designate a member of his/her staff to assist the Ethics
12 Review Board in performing the clerical functions related to meetings of the Ethics Review Board,
13 including the keeping of all necessary records related thereto.

14 (H) Duties. The Ethics Review Board's duties shall include:

15 (1) [Enforcing the provisions of this Chapter, hearing complaints on
16 violations of this ordinance by public officers and employees, in accordance with
17 Sections [2.51.040 and 2.51.050] 2.51.080 and 2.51.100.] Rendering binding
18 advisory opinions regarding present and future conduct public board members,
19 officers and employees upon request of the City Attorney pursuant to this Chapter.

20 (2) [Giving binding advice to the City Council, City Attorney, or other
21 public officers and employees on ethical questions. This includes rendering
22 advisory opinions as described in Section 2.51.080.] Rendering advisory opinions
23 regarding past conduct of public board members, officers or employees upon
24 receipt of a complaint pursuant to this Chapter.

25 (3) Giving nonbinding recommendations to the City Council and City
26

1 Attorney on new and existing City policies on ethics.

2 (4) Adopting procedural regulations to facilitate the receipt of inquiries
3 and prompt rendition of its opinions pursuant to NRS 281.541(b).

4 (5) Informing the City Clerk of all cases of noncompliance with the
5 requirements of this Chapter.

6 (6) Recommending to the City Council such further changes to this
7 Chapter as the Ethics Review Board considers desirable or necessary to promote
8 and maintain high standards of ethical conduct in government.

9 [(H)] (I) [Chairman] Chairperson. The Ethics Review Board member appointed
10 to serve as [Chairman] Chairperson shall preside over all Ethics Review Board meetings,
11 and may call special Ethics Review Board meetings as needed, but otherwise shall have
12 power equal to that of other Ethics Review Board members.

13 SECTION 3: Title 2, Chapter 51, Section 40 of the Municipal Code of the City
14 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

15 **2.51.040 Conflicts of Interest.**

16 (A) No public board member, officer or employee having the power or duty to
17 perform an official act or action, related to a contract, transaction, zoning decision, or
18 other matter which is or may be the subject of an official act or action of the City, shall
19 knowingly:

20 (1) Have or thereafter acquire an interest in such contract, transaction,
21 zoning decision, or other matter, except as otherwise stated in this Chapter, except
22 that this Subsection shall not apply to any public board member, officer or
23 employee who shall disclose his or her interest and who shall disqualify himself or
24 herself from consideration of such contract, transaction, zoning decision, or other
25 matter or;

1 (2) Have an interest in any business entity representing, advising, or
2 appearing on behalf of, whether paid or unpaid, any person involved in such
3 contract, transaction, zoning decision, or other matter, except as otherwise stated
4 in this Chapter, except that this Subsection shall not apply to any public board
5 member, officer or employee who shall disclose his or her interest and who shall
6 disqualify himself or herself from consideration of such contract, transaction,
7 zoning decision, or other matter relating to said business entity or;

8 (3) Seek, accept, or negotiate employment with an outside business entity
9 which is a party to a contract, transaction, zoning decision, or other matter with
10 the City in which the public board member, officer or employee performed an
11 official act or action without prior disclosure to the Ethics Review Board. For
12 purposes of this Subsection, the term "public employee" is limited to "appointed
13 public employees".

14 (4) Use or continue to use their official City title, including use on business
15 cards or stationary, following termination of employment with the City, expect that
16 such use is not prohibited if the public board member, officer or employee
17 indicates that the employment with the City was former to their current
18 employment.

19 (B) Preacquisition of interest. No public board member, officer or employee shall
20 acquire an interest in, or an interest affected by, any contract, transaction, zoning
21 decision, or other matter at a time when such board member, officer or employee
22 believes or has reason to believe the interest will be directly or indirectly affected by an
23 official act or action of the City.

24 (C) Appearances. No public board member, officer or employee shall appear on
25 behalf of any private person, other than persons related within the third degree or
26

1 consanguinity or affinity, before any City agency or municipal court. However, a
2 member of the City Council may appear before City agencies on behalf of his or her
3 constituents in the course of his or her duties as a representative of the electorate or in
4 the performance of public or civic obligations. Such City Council members shall not
5 receive compensation for such appearances, unless specifically authorized by action of
6 the City Council.

7 (D) Disclosure of Interest in Legislative Action.

8 (1) Any member of the City Council who has a financial interest or
9 personal interest in any proposed legislation before the council shall disclose on the
10 record of the City Council the nature and extent of such interest.

11 (2) Any other [officer] public board member or employee who has a
12 financial or personal interest in any proposed legislative action of the City Council
13 and who participates in discussion with or gives an official opinion or
14 recommendation to the City Council, shall disclose on the record of the Council
15 the nature and extent of such interest.

16 (E) Public Contracts. Notwithstanding the prohibitions in Subsection (A) of this
17 Section, a public board member, officer or employee may enter into any contract with
18 the City if:

19 (1) the contract is awarded through a process of public notice and
20 competitive bidding; and

21 (2) the contract is with a division or agency of the City over which the
22 officer or employee has no functions requiring the exercise of discretion.

23 (F) Disclosure of Confidential Information. No public officer or employee, with
24 respect to any contract, transaction, zoning decision, or other matter which is or may be
25 the subject of an official act or action of the City, shall, without proper legal
26

1 authorization, disclose confidential information concerning the property, government, or
2 affairs of the City, or use such information to advance the financial or other private
3 interest of the officer or employee or others.

4 (G) Incompatible service. No public officer shall engage in or accept private
5 employment or render service, for private interests without prior notification of the
6 Ethics Review Board. [, when] If the Ethics Review Board finds that such employment
7 or service is incompatible with the proper discharge of his or her official duties or would
8 tend to impair his or her independence of judgment or action in the performance of his
9 or her official duties, such employment shall not be accepted. [unless otherwise permitted
10 by law and unless disclosure is made as provided in this Chapter.]

11 (H) Special Treatment. No public officer or employee shall grant any special
12 consideration, treatment or advantage to any citizen beyond that which is available to
13 every other citizen.

14 (I) Gifts. No public board member, employee or officer shall have solicited or
15 accepted, a present or future gift having an economic value of two hundred fifty
16 (\$250.00) dollars or more from a person when received by the recipient in relation to the
17 recipient's position as a public employee or public officer or when the gift is offered by
18 a person involved in a contract, transaction, zoning matter, or other matter with the City
19 which could be influenced by the recipient. For purposes of this Chapter, multiple gifts
20 from the same person shall be considered cumulative for each year beginning the
21 fifteenth day of April.

22 (1) [Exceptions - Gifts Which May be Accepted Without Disclosure. The
23 following gifts may be accepted by a public officer or employee without disclosure
24 pursuant to Section 2.51.070:

25 (a) a non-pecuniary gift with an economic value of less than one
26

1 hundred (\$100.00) dollars; or

2 (b) a non-pecuniary award publicly presented in recognition of
3 public service; or

4 (c) any reasonable hosting, including travel expenses, entertainment,
5 meals, or refreshments furnished in connection with appearances,
6 ceremonies, charitable events and other occasions reasonably relating to
7 official City business; or

8 (d) gifts from family members related within the third degree of
9 consanguinity or affinity.

10 (2)] Exceptions - Gifts Which May Be Accepted, But Require
11 Disclosure. The following gifts may be accepted by a public officer or
12 employee, but must be disclosed pursuant to Section [12] 2.51.070.

13 (a) Any [other] gift having an economic value of one hundred
14 (\$100.00) dollars or more which is not otherwise prohibited by this
15 Chapter.

16 (J) Exceptions To Conflict Of Interest Provisions.

17 (1) It shall not be deemed a violation of this Section if the interest
18 of a public board member, officer or employee in a person or business
19 entity is a contractual obligation of less than \$500 which has not been
20 preceded by any other obligation, discharged or existing, between the
21 parties, and which is not the first in a series of two or more loans or debts
22 which either of the parties is under an obligation to make or incur.

23 (2) A commercially reasonable loan made in the ordinary course of
24 business by an institution authorized by the laws of this state to engage in
25 the making of such loans shall not be deemed to create an interest in
26

1 violation of this Section.

2 (3) A contract for a commercial retail sale, even though greater in value
3 than \$500, shall not be deemed to create an interest in violation of this
4 Section.

5 SECTION 4: Title 2, Chapter 51, Section 70, of the Municipal Code of the City
6 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

7 **2.51.070 Financial Disclosure.** The City Clerk shall prepare forms for statements and
8 other information required by this Chapter and furnish such forms and information free of charge
9 for use by persons subject to the requirement of this Chapter and shall notify each person required
10 to file under this Chapter. The City Clerk shall notify the City Attorney, public officer, appointed
11 public employee or candidate when anyone required to file a statement fails to do so within the
12 prescribed time.

13 (A) [The City Clerk shall designate a member of his/her staff to assist the Ethics
14 Review Board in performing the clerical functions related to the review of statements of
15 financial disclosure pursuant to Subsections (D) and (C) of this Section, inclusive,
16 including the keeping of all necessary records related thereto.] The City Clerk shall
17 maintain all financial disclosure forms for a period of not less than six years, from the
18 date of filing for the last term served.

19 [(B) The Ethics Review Board shall:

20 (1) Adopt procedural regulations to facilitate the receipt of inquiries and
21 prompt rendition of its opinions pursuant to NRS 281.541(b);

22 (2) Inform the City Clerk of all cases of noncompliance with the
23 requirements;

24 (3) Recommend to the City Council such further changes as the Ethics
25 Review Board considers desirable or necessary to promote and maintain high
26

standards of ethical conduct in government.]

[(C)](B) Filing [by public officer]. All public board members, officers and public appointees shall file with the City Clerk [for review by the Ethics Review Board and the public by request,] no later than the [fifteenth] 31st day of [April] March of each year, 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 Subsection [(F)](E) of this Section.

[(D)](C) Filing by Candidate. Each candidate for any City elective office shall file with the City Clerk [for review by the Ethics Review Board and the public by request,] under penalty of perjury, no later than the [fifteenth] tenth day [of April] after the last day to file as a candidate, a disclosure statement containing the information set forth in Subsection [(F)](E) of this Section.

[(E)] (D) Time of Filing [-- Annual Review]. Every public board member, officer and public appointee shall file with the City Clerk a statement of financial disclosure [at the time] within 30 days of their initial appointment and thereafter no later than the [fifteenth] 31st day of [April] March of each year. All public board members, officers and 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 Subsection (E) [(F)] of this Section.

(1) The City Clerk shall [place the] maintain financial disclosure statements [in the appointed public employee's personnel file. The Ethics Review Board] and shall annually review these financial disclosure statements and report his findings and concerns thereafter to the City [Council] Manager. [During the course of their review, the Ethics Review Board shall have access to all financial disclosure forms filed previously by a public officer, appointed public employee, or candidate.]

1 [(F)](E) Information Required: The following information is required:

2 (1) Name, address and phone number, if any, of the public board member,
3 officer, appointed public employee or candidate;

4 (2) The length of residence in the State and the length of residence in
5 the [City] Clark County;

6 (3) The precinct in which the public board member, officer, appointed
7 public employee or candidate is registered to vote;

8 (4) The name of all partners or associates, the principal address and the
9 general description of the business activity of any business entity conducting
10 business with the City of Las Vegas or within the County of Clark, in which the
11 public board member, officer, appointed public employee or candidate or their
12 spouse has had a direct financial interest at any time during the immediate
13 preceding twelve months of the calendar year;

14 (5) In the case of a gift requiring disclosure pursuant to Section 2.51.040,
15 the source of the gift, including the name and address of the donor, the value of
16 the gift, the description of the gift, and the date on which the gift was received if
17 the donor does business with the City by appearing before the City Council or
18 appears on cash disbursement lists presented to the City Council[.];

19 (6) The source or sources of each loan [exceeding five thousand dollars]
20 to whom he/she or a member of his/her household owes five thousand dollars or
21 more. Exceptions: The mortgage on [the] your residence [of the public officer,

22 appointed public employee or candidate], a loan for purchase of an automobile for
23 private use, a debt secured by mortgage or deed of trust for land located outside
24 the City of Las Vegas which is not required to be listed in Paragraph 7 of this
25 Subsection, or a revolving balance, the source of which is a credit card or debit

1 card;

2 (7) In the case of real property, a listing of all real property or interest
3 therein, including options to purchase, located in the City of Las Vegas, State of
4 Nevada or any adjacent state, together with the specific location, particular use,
5 and name, if any, by which said property is commonly known, whether said real
6 property was owned outright or held in whole or in part under a corporation or
7 partnership. Exception: [City] Personal residence [of public officer, appointed
8 public employee or candidate];

9 (8) Each source of his income, or that of any member of his household.
10 No listing of individual clients or customers is required, but if that is the case, a
11 general source as "professional services" must be disclosed;

12 (9) If public board member, officer, appointed public employee or
13 candidate has ever been convicted of a felony. If yes, explain the circumstances;

14 (10) If a public board member, officer, appointed public employee or
15 candidate has filed for bankruptcy within the last seven years;

16 (11) The names and addresses of all boards and commissions the public
17 board member, officer, appointed public employee or candidate on which you
18 presently serve[s on] except for any and all boards and commissions a public
19 officer, appointed public employee or candidate is appointed to by the City
20 Council[.]; and

21 (12) A listing, including the name, address, appointment and expiration
22 date, of all positions or public offices presently held for which this statement of
23 financial disclosure is required to be filed.

24 [(G)](F) Disclosure of Gifts for Non-Appointed Public Employees. All other public
25 employees not included in the term "appointed public employee" shall report all
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1 disclosable gifts to their Department Director no later than the [fifteenth] 31st day of
2 [April] March of each year. The disclosure shall be recorded on forms which include
3 the name of the public employee, [the name of the donor, the date the gift was received,
4 and the economic value of the gift] the source of the gift, including the name and address
5 of the donor, the value of the gift, a description of the gift, and the date on which the
6 gift was received. Following review by the Department Director, said forms shall be
7 maintained by the City Clerk [and may be reviewed by the Ethics Review Board]. If the
8 public employee has not received any disclosable gifts during a particular year, no
9 disclosure form need be filed.

10 SECTION 5: Title 2, Chapter 51, Section 80₂ of the Municipal Code of the City
11 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

12 **2.51.080 Advisory Opinions - Present or Future Conduct**

13 (A) Where any public board member, officer or employee has a doubt as to the
14 applicability of any provision of this Chapter to a particular situation, or as to the
15 definition of terms used herein, the officer or employee may apply to the City Attorney
16 for an advisory opinion regarding his/her present or future conduct. The public board
17 member, officer or employee shall have the opportunity to present his or her
18 interpretation of the facts at issue and of the applicability of provisions of the Chapter
19 before such advisory opinion is made. The City Attorney may seek the advice and
20 assistance of the Ethics Review Board if necessary.

21 (B) Such opinion until amended or revoked shall be binding on the City, the City
22 Council, and the City Attorney in any subsequent actions concerning the public officer
23 or employee who sought the opinion and acted on it in good faith, unless material facts
24 were omitted or misstated in the request for the advisory opinion. Such opinion shall not
25 be binding in any action initiated by any private citizen.
26

1 (C) [Any advisory opinion prepared by the City Attorney shall be made public.]
2 Each request for an opinion regarding future conduct submitted to the Ethics Review
3 Board, each hearing held to obtain information on which to base an opinion regarding
4 future conduct, all deliberations relating to an opinion regarding future conduct, each
5 opinion regarding future conduct rendered by a committee and any motion relating to the
6 opinion regarding future conduct are confidential unless:

7 1) The public board member, officer or employee acts in contravention of the
8 opinion; or

9 2) The requestor discloses the content of the opinion.

10 The City Attorney may prepare abstracts of ethics opinions as necessary to inform those
11 subject to the provisions of this Chapter of its meaning and to promote compliance with
12 its provisions. [However, the name of the person requesting the opinion and the names
13 of all persons or business entities mentioned in the opinion shall be deemed confidential
14 information and shall not be disclosed by the City Attorney unless the public officer or
15 employee waives such confidentiality or where the City Attorney deems the public officer
16 or employee to have failed to act in good faith in requesting the opinion or in conforming
17 with the opinion or to have failed to act in conformance with the opinion. In seeking
18 advice from the Ethics Review Board, the City Attorney shall not disclose the name of
19 the person seeking the opinion nor the names of persons or entities mentioned in the
20 opinion.]

21 (D) In any matter where a public officer or employee has sought an advisory
22 opinion from the City Attorney, and such officer or employee is subsequently prosecuted
23 for the situation involved, the City Attorney may not act as prosecutor because of the
24 confidential relationship created. Such cases shall be referred to a special prosecutor to
25 be named by the Ethics Review Board.
26

1 SECTION 6: Title 2, Chapter 51, Section 100 of the Municipal Code of the City
2 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

3 **2.51.100 [Enforcement] Advisory Opinions - Complaint for Past Conduct**

4 (A) Upon receipt of a complaint alleging a violation of this Chapter by a person
5 whose conduct is subject to the provisions of this Chapter, [T]the Ethics Review Board
6 shall have the primary responsibility for the enforcement of this Chapter through the City
7 Attorney. It shall have the power to investigate any complaint, to initiate any suit, and
8 to prosecute any criminal or civil action on behalf of the City where it believes such
9 action is appropriate.

10 (1) Complaint - Form. Any complaint alleging a violation of this Chapter
11 shall state the following:

12 (a) the name of the person who allegedly committed the violation;

13 (b) the specific section of the ordinance which was violated;

14 (c) a brief description of the conduct involved;

15 (d) a list of any persons whose testimony would tend to confirm or
16 refute the allegations; and

17 (e) declare by oath or affirmation that the information contained in
18 the complaint is true and correct.

19 (2) Complaint - Finding of Just and Sufficient Cause. Before investigating
20 any complaint, the Ethics Review Board shall conduct a hearing at the first meeting
21 following the filing of the complaint to determine whether just and sufficient cause
22 exists to investigate the complaint. The person about whom the complaint is
23 alleged shall be notified of the complaint immediately by the City Clerk and shall
24 be allowed to present information before just and sufficient cause is examined by
25 the Ethics Review Board.

1 (3) Complaint - Hearing. If the Ethics Review Board determines in an
2 adopted motion that just and sufficient cause exists to investigate a complaint, it
3 shall notify the person about whom the complaint was alleged of the time and place
4 of the hearing on the matter, allow the person to be represented by counsel, and
5 allow the person to hear evidence and present evidence on their own behalf. The
6 hearing by the Ethics Review Board shall occur within 30 days of the finding of
7 just and sufficient cause.

8 (B) The City Council may direct the Ethics Review Board to investigate or
9 prosecute, through the City Attorney, any apparent violation of this Chapter or the
10 Council may employ or appoint any qualified attorney to investigate or prosecute any
11 violation or series of violations by one or more persons of this Chapter.

12 (C) Any person who believes that a violation of any portion of this Chapter has
13 occurred may file a complaint with the Ethics Review Board which may thereafter
14 proceed as provided for under [Sections 2.51.080 and] this Section. However, nothing
15 in this Section shall be construed to prevent complainants from instituting direct legal
16 action through the appropriate judicial authority.

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

25 SECTION 8: All ordinances or parts of ordinances, sections, subsections, phrases,
26

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

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 1996.

4 APPROVED:

5 By _____
6 JAN LAVERTY JONES, MAYOR

7 ATTEST:

8 _____
9 Kathleen M. Tighe, City Clerk
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1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the ____ day of _____, 1995, and referred to the following committee composed of
3 _____ and _____
4 for recommendation; thereafter the said committee reported favorably on said ordinance on the
5 ____ day of _____, 1996, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City Council
7 as amended and adopted by the following vote:

8 VOTING "AYE" : _____

9 VOTING "NAY" : _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
JAN LAVERTY JONES, MAYOR

14 ATTEST:

15
16 Kathleen M. Tighe, City Clerk

17 If any provision of this ordinance is found by a court of competent jurisdiction to be
18 invalid or unconstitutional, or if the application of this ordinance to any person or
19 circumstances is found to be invalid or unconstitutional, such invalidity or
20 unconstitutionality shall not affect the other provisions or applications of this ordinance
21 which can be given effect without the invalid or unconstitutional provision or application.
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23
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Bill No. 95-69

SEE FIRST AMENDMENT

Ordinance No. _____

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51, SECTIONS 30 AND 70 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; RELATING TO THE ETHICS REVIEW BOARD AND FINANCIAL DISCLOSURE; PROVIDING FOR ANNUAL REVIEW OF FINANCIAL DISCLOSURE FORMS BY THE CITY CLERK IN PLACE OF THE ETHICS REVIEW BOARD; PROVIDING FOR REPORTING TO THE CITY MANAGER IN PLACE OF THE CITY COUNCIL; CHANGING THE FILING DATE FOR FINANCIAL DISCLOSURE FORMS; SPECIFYING AND ADDING TO THE INFORMATION TO BE INCLUDED ON FINANCIAL DISCLOSURE FORMS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Jan Laverty Jones

Summary: Amends Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition relating to the Ethics Review Board and Mayor Financial Disclosure.

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

SECTION 1: Title 2, Chapter 51, Section 30 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

2.51.030 Ethics Review Board

(A) Creation. There shall be created an Ethics Review Board which shall have the duties and powers, unless otherwise provided, to hear complaints and rule upon the appropriate disposition of this ordinance.

(B) Appointment of Members. The Ethics Review Board shall consist of five (5) members, and each member of the City Council, including the Mayor, shall have one appointment. Each member, upon assuming a position as Ethics Review Board member, shall take an oath of office comparable to that taken by Council members. One Ethics Review Board member shall be designated by the Mayor, and confirmed by a majority of the City Council, as Chairman.

(C) Terms. Ethics Review Board members shall serve for four year, staggered terms. Of the first members appointed, three shall serve for four years (including the Chairman) and two

1 shall serve for two years. Thereafter, each Ethics Review Board member shall serve for a term
2 of four years.

3 (D) Compensation. No Ethics Review Board members shall receive a salary, but may
4 be reimbursed for expenses in accordance with City policy.

5 (E) Meetings. The Ethics Review Board shall establish regular meeting times, with no
6 less than one meeting per month. Special meetings may be called as needed by the Chairman,
7 or by any two members.

8 (F) Legal Counsel. The City Attorney shall serve as legal counsel to the Ethics Review
9 Board. For each opinion the City Attorney shall prepare at the direction of the Ethics Review
10 Board the appropriate findings of fact and conclusions as to relevant standards and the propriety
11 of particular conduct. The City Clerk shall designate a member of his/her staff to assist the Ethics
12 Review Board in performing the clerical functions related to meetings of the Ethics Review Board,
13 including the keeping of all necessary records related thereto.

14 (G) Duties. The Ethics Review Board's duties shall include:

15 (1) Enforcing the provisions of this ordinance, including prosecuting and
16 hearing complaints on violations of this ordinance by public officers and
17 employees, in accordance with Sections 5 and 6.

18 (2) Giving non-binding advice to the City Council, City Attorney, or other
19 public officers and employees on ethical questions. This includes rendering
20 advisory opinions as described in Section 9.

21 (3) Giving non-binding recommendations to the City Council and City
22 Attorney on new and existing City policies on ethics.

23 In addition to these duties, the Ethics Review Board shall:

24 (1) Adopt procedural regulations to facilitate the receipt of inquiries and
25 prompt rendition of its opinions pursuant to NRS 281.541(b);
26

1 (2) Inform the City Clerk of all cases of noncompliance with the
2 requirements;

3 (3) Recommend to the City Council such further changes as the Ethics
4 Review Board considers desirable or necessary to promote and maintain high
5 standards of ethical conduct in government.

6 (H) Chairman. The Ethics Review Board member appointed to serve as Chairman shall
7 preside over all Ethics Review Board meetings, and may call special Ethics Review
8 Board meetings as needed, but otherwise shall have power equal to that of other Ethics
9 Review Board members.

10 SECTION 2: Title 2, Chapter 51, Section 70 of the Municipal Code of the City
11 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

12 **2.51.070 Financial Disclosure.** The City Clerk shall prepare forms for statements and
13 other information required by this Chapter and furnish such forms and information free of charge
14 for use by persons subject to the requirement of this Chapter and shall notify each person required
15 to file under this Chapter. The City Clerk shall notify the City Attorney, public officer, appointed
16 public employee or candidate when anyone required to file a statement fails to do so within the
17 prescribed time.

18 (A) [The City Clerk shall designate a member of his/her staff to assist the Ethics Review
19 Board in performing the clerical functions related to the review of statements of financial
20 disclosure pursuant to Subsections (D) and (C) of this Section, inclusive, including the
21 keeping of all necessary records related thereto.] The City Clerk shall maintain all
22 financial disclosure forms for a period of not less than six years, from the date of filing
23 for the last term served.

24 [(B) The Ethics Review Board shall:

25 (1) Adopt procedural regulations to facilitate the receipt of inquiries and
26

1 prompt rendition of its opinions pursuant to NRS 281.541(b);

2 (2) Inform the City Clerk of all cases of noncompliance with the
3 requirements;

4 (3) Recommend to the City Council such further changes as the Ethics
5 Review Board considers desirable or necessary to promote and maintain high
6 standards of ethical conduct in government.]

7 [(C)](B) Filing [by public officer]. All public officers and public appointees shall file
8 with the City Clerk [for review by the Ethics Review Board and the public by request,]
9 no later than the [fifteenth] 31st day of [April] March of each year, under penalty of
10 perjury, a disclosure statement for the immediately preceding calendar year (January 1st
11 to December 31st). Such disclosure statement shall contain the information set forth in
12 Subsection [(F)](E) of this Section.

13 [(D)](C) Filing by candidate. Each candidate for any City elective office shall file with
14 the City Clerk [for review by the Ethics Review Board and the public by request,] under
15 penalty of perjury, no later than the [fifteenth] tenth day [of April] after the last day to
16 file as a candidate, a disclosure statement containing the information set forth in
17 Subsection [(F)](E) of this Section.

18 (E) Time of filing [-- Annual review]. Every public officer and public appointee shall
19 file with the City Clerk a statement of financial disclosure [at the time] within 30 days
20 of their initial appointment and thereafter no later than the [fifteenth] 31st day of [April]
21 March of each year. All public appointees shall file under penalty of perjury a disclosure
22 statement for the immediately preceding calendar year (January 1st to December 31st).
23 Such disclosure statement shall contain the information set forth in Subsection (F) of this
24 Section.

25 (1) The City Clerk shall [place the] maintain financial disclosure statements
26

1 [in the appointed public employee's personnel file. The Ethics Review Board] and
2 shall annually review these financial disclosure statements and report his findings
3 and concerns thereafter to the City [Council] Manager. [During the course of their
4 review, the Ethics Review Board shall have access to all financial disclosure forms
5 filed previously by a public officer, appointed public employee, or candidate.]

6 [(F)](E) Information required. The following information is required:

7 (1) Name, address and phone number, if any, of the public officer,
8 appointed public employee or candidate;

9 (2) The length of residence in the State and the length of residence in
10 the [City] Clark County;

11 (3) The precinct in which the public officer, appointed public employee or
12 candidate is registered to vote;

13 (4) The name of all partners or associates, the principal address and the
14 general description of the business activity of any business entity conducting
15 business with the City of Las Vegas or within the County of Clark, in which the
16 public officer, appointed public employee or candidate or their spouse has had a
17 direct financial interest at any time during the immediate preceding twelve months
18 of the calendar year;

19 (5) In the case of a gift requiring disclosure pursuant to Section 5(I)(2), the
20 source of the gift, including the name and address of the donor, the value of the
21 gift, the description of the gift, and the date on which the gift was received if the
22 donor does business with the City by appearing before the City Council or appears
23 on cash disbursement lists presented to the City Council.

24 (6) The source or sources of each loan [exceeding five thousand dollars]
25 to whom he/she or a member of his/her household owes \$5000 or more.
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1 Exceptions: The mortgage on [the] your residence [of the public officer, appointed
2 public employee or candidate], a loan for purchase of an automobile for private
3 use, a debt secured by mortgage or deed of trust for land located outside the City
4 of Las Vegas which is not required to be listed in Item 7, or a revolving balance,
5 the source of which is a credit card or debit card;

6 (7) In the case of real property, a listing of all real property or interest
7 therein, including options to purchase, located in the City of Las Vegas, State of
8 Nevada or any adjacent state, together with the specific location, particular use,
9 and name, if any, by which said property is commonly known, whether said real
10 property was owned outright or held in whole or in part under a corporation or
11 partnership. Exception: [City] Personal residence [of public officer, appointed
12 public employee or candidate];

13 (8) Each source of his income, or that of any member of his household.
14 No listing of individual clients or customers is required, but if that is the case, a
15 general source as "professional services" must be disclosed;

16 (9) If public officer, appointed public employee or candidate has ever been
17 convicted of a felony. If yes, explain the circumstances;

18 (10) If a public officer, appointed public employee or candidate has
19 filed for bankruptcy within the last seven years.

20 (11) The names and addresses of all boards and commissions the public
21 officer, appointed public employee or candidate on which you presently serve[s on]
22 except for any and all boards and commissions a public officer, appointed public
23 employee or candidate is appointed to by the City Council.

24 (12) A listing, including the name, address, appointment and expiration
25 date, of all positions or public offices presently held for which this statement of
26

1 financial disclosure is required to be filed.

2 [(G)](F) Disclosure of gifts for non-appointed public employees. All other public
3 employees not included in the term "appointed public employee" shall report all
4 disclosable gifts to their Department Director no later than the [fifteenth] 31st day of
5 [April] March of each year. The disclosure shall be recorded on forms which include
6 the name of the public employee, [the name of the donor, the date the gift was received,
7 and the economic value of the gift] the source of the gift, including the name and address
8 of the donor, the value of the gift, a description of the gift, and the date on which the
9 gift was received. Following review by the Department Director, said forms shall be
10 maintained by the City Clerk [and may be reviewed by the Ethics Review Board]. If the
11 public employee has not received any disclosable gifts during a particular year, no
12 disclosure form need be filed.

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

21 SECTION 4: All ordinances or parts of ordinances, sections, subsections, phrases,

22 . . .

23 . . .

24 . . .

25 . . .

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

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 1995.

4 APPROVED:

5
6 By _____
JAN LAVERTY JONES, MAYOR

7 ATTEST:

8
9 _____
Kathleen M. Tighe, City Clerk

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the ____ day of ____, 1995, and referred to the following committee composed of
3 _____ and _____
4 for recommendation; thereafter the said committee reported favorably on said ordinance on the
5 ____ day of ____, 1995, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE" : _____

9 VOTING "NAY" : _____

10 ABSENT: _____

11
12 APPROVED:

13 By _____
14 JAN LAVERTY JONES, MAYOR

15 ATTEST:

16 _____
17 Kathleen M. Tighe, City Clerk

18 If any provision of this ordinance is found by a court of competent jurisdiction to be
19 invalid or unconstitutional, or if the application of this ordinance to any person or
20 circumstances is found to be invalid or unconstitutional, such invalidity or
21 unconstitutionality shall not affect the other provisions or applications of this ordinance
22 which can be given effect without the invalid or unconstitutional provision or application.
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AFFIDAVIT OF PUBLICATION

APR 1 11 03 AM '96

RECEIVED
CITY CLERK

PA

SECOND AMENDMENT
BILL NO. 95-69
ORDINANCE NO. 3968

HERE

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51, SECTIONS 20, 30, 40, 70, 80, AND 100 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, RELATING TO THE CODE OF ETHICS; ADDING NEW A NEW DEFINITION FOR "PUBLIC BOARD MEMBERS"; AMENDING THE DEFINITION OF THE TERM "INTEREST"; AMENDING PROVISIONS REGARDING INCOMPATIBLE SERVICE TO REQUIRE NOTICE TO THE ETHICS REVIEW BOARD FOR PUBLIC OFFICERS; PROVIDING FOR EXCEPTIONS TO THE TERM "GIFT"; AMENDING THE POWERS OF THE ETHICS REVIEW BOARD; SETTING FORTH NEW PROCEDURES FOR RENDERING ADVISORY OPINIONS FOR CURRENT AND FUTURE CONDUCT; SET FORTH PROCEDURES FOR RENDERING ADVISORY OPINIONS REGARDING PAST CONDUCT; PROVIDING FOR ANNUAL REVIEW OF FINANCIAL DISCLOSURE FORMS BY THE CITY CLERK IN PLACE OF THE ETHICS REVIEW BOARD; PROVIDING FOR REPORTING TO THE CITY MANAGER IN PLACE OF THE CITY COUNCIL; CHANGING THE FILING DATE FOR FINANCIAL DISCLOSURE FORMS; SPECIFYING AND ADDING TO THE INFORMATION TO BE INCLUDED ON FINANCIAL DISCLOSURE FORMS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Mayor
Jan Laverly Jones
SUMMARY: Amend Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition relating to the Ethics Review Board and Financial Disclosure.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of October, 1995, and referred to the following committee composed of the Full Council for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of March, 1996, 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 Adamson, McDonald, Reese and Mayor Jones

VOTING "NAY" NONE
ABSENT Councilman Callister
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: March 23, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

JENNY WEIST

, 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 MARCH 23, 1996 to MARCH 23, 1996, on the following days:

MARCH 23, 1996

Signed:

Jenny Weist

Subscribed and sworn to before me this

25th day of March, 1996

Linda M. Gough

Notary Public



LINDA M. GOUGH
Notary Public - Nevada

Clark County
My appt. exp. May 14, 1996

AFFIDAVIT OF PUBLICATION

Mar 4 10 57 AM '96

RECEIVED
CITY CLERK

PAS

BILL NO. 95-69

HERE

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51, SECTIONS 30 AND 70 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, RELATING TO THE ETHICS REVIEW BOARD AND FINANCIAL DISCLOSURE; PROVIDING FOR ANNUAL REVIEW OF FINANCIAL DISCLOSURE FORMS BY THE CITY CLERK IN PLACE OF THE ETHICS REVIEW BOARD; PROVIDING FOR REPORTING TO THE CITY MANAGER IN PLACE OF THE CITY COUNCIL; CHANGING THE FILING DATE FOR FINANCIAL DISCLOSURE FORMS; SPECIFYING AND ADDING TO THE INFORMATION TO BE INCLUDED ON FINANCIAL DISCLOSURE FORMS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Mayor
Jan Laverly Jones
SUMMARY: Amend Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition relating to the Ethics Review Board and Mayor Financial Disclosure.

At a City Council meeting
OCTOBER 3, 1995
BILL NO. 95-69 AS READ BY TITLE
AND REFERRED TO RECOMMENDING COMMITTEE: Full Council
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: February 23, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

JENNY WEIST

_____, 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 FEBRUARY 23, 1996 to FEBRUARY 23, 1996, on the following days:

FEBRUARY 23, 1996

Signed: _____

Jenny Weist

Subscribed and sworn to before me this

23

day of

Feb

, 1996

Peggy D. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

AFFIDAVIT OF PUBLICATION

APR 1 11 03 AM '96

RECEIVED
CITY CLERK

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SECOND AMENDMENT
BILL NO. 95-69
ORDINANCE NO. 3968

HERE

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51, SECTIONS 20, 30, 40, 70, 80, AND 100 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, RELATING TO THE CODE OF ETHICS; ADDING NEW A NEW DEFINITION FOR "PUBLIC BOARD MEMBERS"; AMENDING THE DEFINITION OF THE TERM "INTEREST"; AMENDING PROVISIONS REGARDING INCOMPATIBLE SERVICE TO REQUIRE NOTICE TO THE ETHICS REVIEW BOARD FOR PUBLIC OFFICERS; PROVIDING FOR EXCEPTIONS TO THE TERM "GIFT"; AMENDING THE POWERS OF THE ETHICS REVIEW BOARD; SETTING FORTH NEW PROCEDURES FOR RENDERING ADVISORY OPINIONS FOR CURRENT AND FUTURE CONDUCT; SET FORTH PROCEDURES FOR RENDERING ADVISORY OPINIONS REGARDING PAST CONDUCT; PROVIDING FOR ANNUAL REVIEW OF FINANCIAL DISCLOSURE FORMS BY THE CITY CLERK IN PLACE OF THE ETHICS REVIEW BOARD; PROVIDING FOR REPORTING TO THE CITY MANAGER IN PLACE OF THE CITY COUNCIL; CHANGING THE FILING DATE FOR FINANCIAL DISCLOSURE FORMS; SPECIFYING AND ADDING TO THE INFORMATION TO BE INCLUDED ON FINANCIAL DISCLOSURE FORMS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Mayor Jan Laverly Jones
SUMMARY: Amend Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition relating to the Ethics Review Board and Financial Disclosure
The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of October, 1995, and referred to the following committee composed of the Full Council for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of March, 1996, 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 Adames, McDonald, Reese and Mayor Jones
VOTING "NAY" NONE
ABSENT Councilman Callister
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: March 23, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

JENNY WEIST

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 MARCH 23, 1996 to MARCH 23, 1996, on the following days:

MARCH 23, 1996

Signed:

Jenny Weist

Subscribed and sworn to before me this 25th day of March, 1996

Linda M. Gough

Notary Public



LINDA M. GOUGH
Notary Public - Nevada
Clark County
My appt. exp. May 14, 1996



AFFIDAVIT OF PUBLICATION

MAR 4 10 57 AM '96

RECEIVED
CITY CLERK

PAS1

BILL NO. 95-69

RE

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51, SECTIONS 30 AND 70 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, RELATING TO THE ETHICS REVIEW BOARD AND FINANCIAL DISCLOSURE; PROVIDING FOR ANNUAL REVIEW OF FINANCIAL DISCLOSURE FORMS BY THE CITY CLERK IN PLACE OF THE ETHICS REVIEW BOARD; PROVIDING FOR REPORTING TO THE CITY MANAGER IN PLACE OF THE CITY COUNCIL; CHANGING THE FILING DATE FOR FINANCIAL DISCLOSURE FORMS; SPECIFYING AND ADDING TO THE INFORMATION TO BE INCLUDED ON FINANCIAL DISCLOSURE FORMS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Mayor
Jan Laverly Jones
SUMMARY: Amend Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition relating to the Ethics Review Board and Mayor Financial Disclosure.

At a City Council meeting
OCTOBER 3, 1995
BILL NO. 95-69 AS READ BY TITLE
AND REFERRED TO RECOMMENDING COMMITTEE: Full Council
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: February 23, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

JENNY WEIST, 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 FEBRUARY 23, 1996 to FEBRUARY 23, 1996, on the following days:

FEBRUARY 23, 1996

Signed: Jenny Weist

Subscribed and sworn to before me this

23 day of Feb, 1996

Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998



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