

FIRST AMENDMENT

Bill No. 93-38

Ordinance No. 3732

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; REDEFINING THE TERM "APPOINTED PUBLIC EMPLOYEES" AND ADDING THE CITY TRAFFIC ENGINEER TO THE LIST OF "APPOINTED PUBLIC EMPLOYEES"; ALLOWING RECEIPT OF GIFTS FROM CHARITABLE ORGANIZATIONS AND GIFTS UNRELATED TO CITY BUSINESS; CREATING PROCEDURES AND FORMS FOR THE DISCLOSURE OF GIFTS; ELIMINATING REQUIREMENTS FOR DISCLOSURE OF EX PARTE COMMUNICATION; ALLOWING FOR ISSUANCE OF ANNUAL BADGES FOR LOBBYISTS; CLARIFYING THE FUNCTIONS OF THE ETHICS REVIEW BOARD INCLUDING ISSUANCE OF BINDING OPINIONS AND REVIEW OF ALL PAST AND PRESENT FINANCIAL DISCLOSURE FORMS; REQUIRING THAT FINANCIAL DISCLOSURE FORMS BE MAINTAINED FOR SIX YEARS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by:

Summary: Amends the Code of Ethics to list persons required to file financial disclosure, allow receipt of charitable gifts and gifts unrelated to city employment, creates forms for disclosure of gifts, modifies code with respect to lobbyists and ex parte communication, and clarifies functions of Ethics Review Board.

Mayor Jan Laverty Jones

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

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

SECTION 2: **Purpose and Intent.** The City Council finds and declares that the proper function of democratic government requires that public officers and employees be independent, impartial, and responsible to the people; that government decisions and policy be made within the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all City officers and employees is adopted. The purpose of this code is to establish guidelines for ethical standards of conduct for all such officers

1 and employees by setting forth those acts or actions that are incompatible with the best interests
2 of the City and by directing disclosure by such officers and employees of private financial or other
3 interests in matters affecting the City. The provisions of this chapter are to be construed liberally,
4 to the end that the public interest be fully protected.

5 **SECTION 3: Definitions.**

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

11 (B) "Campaign expenditure" means all expenditures whether paid for directly, provided
12 as an in-kind service or gift, contracted for, or made for advertising on television, radio,
13 billboards, posters and in newspapers, and all other expenditures contracted for or made
14 to further directly the campaign of the candidate.

15 (C) "Confidential Information" means all information, whether transmitted verbally or
16 in writing, which is of such a nature that it is not, at the time, a matter of public record
17 or public knowledge.

18 (D) "Gift"[, except as provided in Section 12(F)(5),] means anything of economic value
19 [in excess of two hundred fifty dollars], regardless of the form, without adequate and
20 lawful consideration.[, but not including:

21 (1) It does not include the solicitation, acceptance, receipt, or regulation of
22 political campaign contributions regulated in accordance with provisions of federal, state,
23 or local laws governing campaign finances; nor

24 (2) Any reasonable hosting, including travel expenses, entertainment, meals, or
25 refreshments furnished in connection with appearances, ceremonies, and other occasions
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1 reasonably relating to official City business, where otherwise prohibited by law.]

2 (E) "Interest", except as otherwise specifically provided, means direct or indirect
3 pecuniary or material benefit accruing to a public officer or employee as the result of a
4 contract, transaction, zoning decision, or other matter which is or may be the subject of
5 an official act or action by or with the City except for such contracts, transactions,
6 zoning decisions, or other matters which by their terms and by the substance of their
7 provisions confer the opportunity and right to realize the accrual of similar benefits to
8 all other persons and/or property similarly situated. For purposes of this ordinance, a
9 public officer or employee shall be deemed to have an interest in the affairs of (1) the
10 officer's or employee's spouse or children; (2) any person or business entity with whom
11 a contractual relationship exists with a public officer or employee; (3) any business entity
12 in which the public officer or employee is an officer, director, member, or employee;
13 and (4) any business entity in which the public officer or employee controls or owns
14 directly or indirectly, in excess of five percent of the total stock or an interest totaling
15 \$50,000.00 or more in value.

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

22 (G) "Official Act or Action" means any legislative, administrative, appointive or
23 discretionary act of any officer or employee of the City or any agency, board, committee
24 or commission thereof.

25 (H) "Public Employee", unless otherwise stated in this Ordinance, means any person,
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1 holding a position by appointment or employment in the service of the City, whether paid
2 or unpaid, including members of any board, committee, or commission thereof, such as,
3 but not limited to the City Planning Commission, the Board of Zoning Adjustment, the
4 Las Vegas Housing Authority Board, the Board of Civil Service Trustees, the Las Vegas-
5 Clark County Library District Board of Trustees and the Solicitations Review Board.
6 The term "appointed public employee" means a person appointed to the position of City
7 Engineer, *City Traffic Engineer*, City Treasurer, and Deputy Director or above which
8 is established by the Constitution of the State of Nevada, a statute of this State, the Las
9 Vegas City Charter or a City ordinance.[which involves the exercise of a public power,
10 trust or duty which includes:

11 (1) Actions taken in an official capacity which involve a substantial and
12 material exercise of administrative discretion in the formulation of public
13 policy;

14 (2) the expenditure of money; and

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

16 Appointed public employee also includes any person appointed by a public officer to
17 serve on any board or commission, including those listed herein.

18 (I) "Public Officer" means the Mayor and the City Council members.

19 **SECTION 5: Conflicts of Interest.**

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

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

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

12 [(3) Have solicited, accepted, or granted a present or future gift, favor,
13 service, or thing of value from or to a person involved in such contract,
14 transaction, zoning decision, or other matter, except as provided in
15 subsection (I) of this Section, or;

16 (4) Have encouraged, made, or accepted any ex parte or unilateral
17 application or communication from a lobbyist who has failed to register
18 pursuant to Section 7 where a determination is to be made after a public
19 hearing and such public officer fails to make the contents of the
20 communication a part of the record.]

21 ([5]3) Seek, accept, or negotiate employment with an outside business
22 entity which is a party to a contract, transaction, zoning decision, or other
23 matter with the City in which the public officer or employee performed
24 an official act or action without prior disclosure to the Ethics Review
25 Board. For purposes of this Subsection, the term "public employee" is
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1 limited to "appointed public employees".

2 ([6]4) Use or continue to use their official City title, including use on
3 business cards or stationary, following termination of employment with the
4 City, expect that such use is not prohibited if the public officer or
5 employee indicates that the employment with the City was former to their
6 current employment.

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

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

18 (D) Disclosure of Interest in Legislative Action.

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

23 (2) Any other officer or employee who has a financial or personal interest
24 in any proposed legislative action of the City Council and who participates
25 in discussion with or gives an official opinion or recommendation to the
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1 City Council, shall disclose on the record of the Council the nature and
2 extent of such interest.

3 (E) Public contracts. Notwithstanding the prohibitions in Section 5, Subsection (A), a
4 public officer or employee may enter into any contract with the City if:

5 (1) the contract is awarded through a process of public notice and
6 competitive bidding, and

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

9 (F) Disclosure of confidential information. No public officer or employee, with respect
10 to any contract, transaction, zoning decision, or other matter which is or may be the
11 subject of an official act or action of the City, shall, without proper legal authorization,
12 disclose confidential information concerning the property, government, or affairs of the
13 City, or use such information to advance the financial or other private interest of the
14 officer or employee or others.

15 (G) Incompatible service. No public officer or employee shall engage in or accept
16 private employment or render service, for private interests, when such employment or
17 service is incompatible with the proper discharge of his or her official duties or would
18 tend to impair his or her independence of judgment or action in the performance of his
19 or her official duties, unless otherwise permitted by law and unless disclosure is made
20 as provided in this ordinance.

21 (H) Special treatment. No public officer or employee shall grant any special
22 consideration, treatment or advantage to any citizen beyond that which is available to
23 every other citizen.

24 [(I) Gifts Prohibition. The prohibition against gifts or favors in subsection (A)(3) of this
25 Section shall not apply to:
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- 1 (1) an occasional non-pecuniary gift, with a value of less than [\$100.00]
2 two hundred fifty (\$250.00) dollars, or
3 (2) a non-pecuniary award publicly presented in recognition of public
4 service, or
5 (3) gifts from family members.]

6 *(I) Gifts. No public employee or officer shall have solicited or accepted, a present or*
7 *future gift having an economic value of two hundred fifty (\$250.00) dollars or more from*
8 *a person when received by the recipient in relation the recipient's position as a public*
9 *employee or public officer or when the gift is offered by a person involved in a contract,*
10 *transaction, zoning matter, or other matter with the City which could be influenced by*
11 *the recipient. For purposes of this Chapter, multiple gifts from the same person shall be*
12 *considered cumulative for each year beginning the fifteenth day of April.*

13 *(1) Exceptions - Gifts which may be accepted without disclosure. The*
14 *following gifts may be accepted by a public officer or employee without*
15 *disclosure pursuant to Section 12:*

- 16 *(a) a non-pecuniary gift with an economic value of less than one*
17 *hundred (\$100.00) dollars, or*
18 *(b) a non-pecuniary award publicly presented in recognition of*
19 *public service, or*
20 *(c) any reasonable hosting, including travel expenses, entertainment,*
21 *meals, or refreshments furnished in connection with appearances,*
22 *ceremonies, charitable events and other occasions reasonably*
23 *relating to official City business; or*
24 *(d) gifts from family members related within the third degree of*
25 *consanguinity or affinity.*
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1 (2) *Exceptions - Gifts which may be accepted, but require disclosure. The*
2 *following gifts may be accepted by a public officer or employee, but must*
3 *be disclosed pursuant to Section 12:*

4 (a) *any other gift having an economic value of one hundred*
5 *(\$100.00) dollars or more which is not otherwise prohibited by this*
6 *Chapter.*

7 **(J) Exceptions to conflict of interest provisions.**

8 (1) It shall not be deemed a violation of this section if the interest of a
9 public officer or employee in a person or business entity is a contractual
10 obligation of less than \$500 which has not been preceded by any other
11 obligation, discharged or existing, between the parties, and which is not
12 the first in a series of two or more loans or debts which either of the
13 parties is under an obligation to make or incur.

14 (2) A commercially reasonable loan made in the ordinary course of
15 business by an institution authorized by the laws of this state to engage in
16 the making of such loans shall not be deemed to create an interest in
17 violation of this section.

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

21 **SECTION 6: Political Activities of Public Officers and Employees.**

22 **(A) Permitted Political Activities.** Activities listed in this subsection are permitted for
23 City employees on their own time. Such activities apply to municipal, county, state and
24 national elections.

25 (1) Each employee, including an employee in an activity financed through
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1 Federal funds, may:

2 (a) Register and vote in any election;

3 (b) As an individual, privately and publicly express an opinion on
4 political subjects and candidates;

5 (c) Be a member of a political party and participate in its activities
6 consistent with this regulation;

7 (d) Sign a political nomination or recall petition as an individual;

8 (e) Make a financial contribution to a political party or candidate;

9 (f) Be politically active in connection with a question which is not
10 specifically identified with a political party, such as a constitutional
11 amendment, referendum, or issue of a similar character; and

12 (g) Display bumper stickers, posters, or pamphlets on his or her private
13 property for the endorsement of candidates or issues.

14 (2) In addition, an employee who is not in an activity supported by
15 Federal funds may:

16 (a) Take an active part in the management of political campaigns;

17 (b) Directly or indirectly solicit, receive, or account for funds for a
18 partisan political purpose except as prohibited by this regulation;

19 (c) Solicit votes in support of, or in opposition to, a partisan party office;

20 (d) Initiate or circulate partisan nominating or recall petitions;

21 (e) Serve as a delegate, alternate, or proxy to a political party
22 convention;

23 (f) Drive voters to the polls on behalf of a political party or partisan
24 candidate; and

25 (g) Endorse or oppose a partisan candidate for public office or political
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1 party office in a political advertisement, broadcast, campaign literature,
2 or similar material.

3 (B) Prohibited Political Activities. The following political activities are prohibited for
4 City employees:

5 (1) No employee may use any official authority or influence for the
6 purpose of interfering with or affecting the result of an election, nor may
7 funds be solicited or contributions be received from other employees for
8 political purposes, except by collective bargaining organizations;

9 (2) While bumper stickers and posters may be displayed on private
10 vehicles parked in employee parking areas, these materials may not be
11 displayed on City vehicles; and

12 (3) Activities permitted in Section 6, Subsection (A), Subsubsection (2)
13 are prohibited when an employee is on duty; they are also prohibited on
14 City property and when an employee is wearing a uniform normally
15 identified with the City.

16 (C) Political Candidacy by City Employees. The following shall apply when City
17 employees seek elected office:

18 (1) A City employee may seek election to a partisan political office,
19 including the State legislature. If elected to political office, and such
20 office is clearly inconsistent, incompatible, or in conflict with his or her
21 duties as a City employee, the employee shall terminate City employment
22 prior to assuming the elected position;

23 (2) An employee may be a candidate for a nonpartisan board such as, but
24 not limited to a school board or a library board, and if elected, may retain
25 the City position. However, if such office is clearly inconsistent,
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1 incompatible, or in conflict with his or her duties as a City employee (e.g.
2 a City school employee running for City school board or library employee
3 running for library board), the employee shall terminate City employment
4 prior to assuming the elected position;

5 (3) An employee subject to the provisions of the Hatch Act may not be
6 a candidate for elective office.

7 (D) Inapplicability to Elected Officers. No provisions in this Section shall apply to
8 persons serving as elected City officers.

9 **SECTION 7: Lobbying**

10 (A) No public officer or employee shall appear on behalf of any person, other than
11 himself or herself or persons related within the third degree or consanguinity or affinity,,
12 before any board, commission, committee or agency of the City, or any individual
13 member of the City Council, in relation to any case, proceeding, application, or contract
14 for a period of 2 years from the date of termination of his or her employment with the
15 City. This subsection does not apply to appearances made on behalf of charitable or non-
16 profit, including local, state or federal agencies or political subdivisions thereof.

17 (B) *Registration - Time for filing.* Every person who acts as a lobbyist shall complete
18 a registration statement with the City Clerk for each *personal* communication with a
19 public officer. *If the communication occurs at the City Hall complex, the registration*
20 *form must be filed with the City Clerk the same day the communication occurs. If the*
21 *communication occurs at a place other than the City Hall complex, the registration form*
22 *must be filed with the City Clerk within five working days of the communication or before*
23 *the next scheduled City Council meeting. Registration may be accomplished by fax*
24 *machine.*

25 (C) *Registration - Form for filing.* The registration form shall contain the following
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1 information:

- 2 (1) The [registrant's] lobbyist's full name, permanent address, place of
3 business and temporary address while lobbying;
4 (2) The full name and complete address of each person, if any, by whom
5 the [registrant] lobbyist is retained or employed or on whose behalf the
6 registrant appears;
7 (3) A description of the principal areas of interest on which the
8 [registrant] lobbyist expects to lobby; and
9 (4) The name of the member of the City Council with whom the
10 [registrant] lobbyist communicates.

11 The registration form shall be a public document and shall be maintained by the City
12 Clerk.

13 ([C]D) The City Clerk shall furnish an appropriate identification badge to each lobbyist
14 who files a registration statement under this subsection. The identification badge must
15 be worn by the lobbyist whenever he or she is engaged in lobbying activity with a public
16 officer. *Persons who engage in lobbying activity on a regular basis may obtain a annual*
17 *badge from the City Clerk who shall register the lobbyist's full name, permanent address,*
18 *place of business and temporary address while lobbying. Thereafter, the lobbyist need*
19 *only file a registration form statement containing the lobbyist's name and information*
20 *required in subsection (C)(2) through (C)(4).*

21 ([D]E) Any person subject to the provisions of this subsection who knowingly refuses or
22 fails to comply herewith is guilty of a misdemeanor.

23 **SECTION 8: Ethics Review Board**

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

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

8 (C) Terms. Ethics Review Board members shall serve for four year, staggered terms.
9 Of the first members appointed, three shall serve for four years (including the Chairman)
10 and two shall serve for two years. Thereafter, each Ethics Review Board member shall
11 serve for a term of four years.

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

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

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

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

22 (1) Enforcing the provisions of this ordinance, [including prosecuting
23 and] hearing complaints on violations of this ordinance by public officers
24 and employees, in accordance with Sections 5 and 6.

25 (2) Giving [non]binding advice to the City Council, City Attorney, or
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1 other public officers and employees on ethical questions. This includes
2 rendering advisory opinions as described in Section [8]9.

3 (3) Giving [nonbinding] recommendations to the City Council and City
4 Attorney on new and existing City policies on ethics.

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

9 **SECTION 9: Advisory Opinions**

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

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

22 (C) Any advisory opinion prepared by the City Attorney shall be made public.
23 However, the name of the person requesting the opinion and the names of all persons or
24 business entities mentioned in the opinion shall be deemed confidential information and
25 shall not be disclosed by the City Attorney unless the public officer or employee waives
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1 such confidentiality or where the City Attorney deems the public officer or employee to
2 have failed to act in good faith in requesting the opinion or in conforming with the
3 opinion or to have failed to act in conformance with the opinion. In seeking advice from
4 the Ethics Review Board, the City Attorney shall not disclose the name of the person
5 seeking the opinion nor the names of persons or entities mentioned in the opinion.

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

11 **SECTION 10: Enforcement**

12 (A) The Ethics Review Board shall have the primary responsibility for the enforcement
13 of this ordinance through the City Attorney. It shall have the power to investigate any
14 complaint, to initiate any suit, and to prosecute any criminal or civil action on behalf of
15 the City where it believes such action is appropriate.

16 (B) The City Council may direct the Ethics Review Board to investigate or prosecute,
17 through the City Attorney, any apparent violation of this ordinance or the council may
18 employ or appoint any qualified attorney to investigate or prosecute any violation or
19 series of violations by one or more persons of this ordinance.

20 (C) Any person who believes that a violation of any portion of this ordinance has
21 occurred may file a complaint with the Ethics Review Board which may thereafter
22 proceed as provided for under Sections 9 and 10. However, nothing in this ordinance
23 shall be construed to prevent complainants from instituting direct legal action through the
24 appropriate judicial authority.

25 **SECTION 11: Penalties: Forfeited Position: Exemptions: Injunction**

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1 (A) Any public officer or employee who willfully and knowingly violates any of the
2 provisions of this ordinance shall be guilty of a misdemeanor, punishable by a monetary
3 fine not to exceed \$1000.00, or incarceration in the City jail for a period not to exceed
4 six months.

5 (B) Upon conviction for any violation of this ordinance of any public officer or
6 employee, such officer or employee shall immediately forfeit his office or position,
7 however, such forfeiture in the case of classified public employees shall be subject to the
8 collective bargaining provisions in NRS Chapter 288. Nothing in this ordinance shall be
9 construed to prohibit such public officer or employee from being re-elected, reappointed,
10 or otherwise rehired to any position forfeited under the provisions of this ordinance.

11 (C) Any contract, transaction, zoning decision, or other matter which was the subject
12 of an official act or action of the City in which there is an interest prohibited by this
13 ordinance, or which involved the violation of a provision of this ordinance, shall be
14 voidable at the option of the City Council.

15 (D) The Ethics Review Board may recommend, where a violation of the provisions of
16 this ordinance is threatened or has occurred, that the City Attorney bring civil action or
17 proceeding at law or in equity for a judgment enjoining any violation of the provisions
18 of this ordinance.

19 **SECTION 12: Financial Disclosure.** The City Clerk shall prepare forms for statements
20 and other information required by this Chapter and furnish such forms and information free of
21 charge for use by persons subject to the requirement of this Chapter and shall notify each person
22 required to file under this Chapter. The City Clerk shall notify the City Attorney, public officer,
23 appointed public employee or candidate when anyone required to file a statement fails to do so
24 within the prescribed time.

25 (A) The City Clerk shall designate a member of his/her staff to assist the Ethics Review
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1 Board in performing the clerical functions related to the review of statements of financial
2 disclosure pursuant to Subsections (D) and (C) of this Section, inclusive, including the
3 keeping of all necessary records related thereto. *The City Clerk shall maintain all*
4 *financial disclosure forms for a period of not less than six years.*

5 (B) The Ethics Review Board shall:

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

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

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

13 (C) Filing by public officer. All public officers shall file with the City Clerk for review
14 by the [Council] *Ethics Review Board* and the public by request, no later than the
15 fifteenth day of April of each year, under penalty of perjury, a disclosure statement for
16 the immediately preceding calendar year (January 1st to December 31st). Such
17 disclosure statement shall contain the information set forth in Subsection (F) of this
18 Section.

19 (D) Filing by candidate. Each candidate for any City elective office shall file with the
20 City Clerk for review by the [Council] *Ethics Review Board* and the public by request,
21 under penalty of perjury, no later than the fifteenth day of April, a disclosure statement
22 containing the information set forth in Subsection (F) of this Section.

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

4 (1) The City Clerk shall place the financial disclosure statement in the
5 appointed public employee's personnel file. The Ethics Review Board
6 shall annually review these financial disclosure statements and report his
7 findings and concerns thereafter to the City Council. *During the course*
8 *of their review, the Ethics Review Board shall have access to all financial*
9 *disclosure forms filed previously by a public officer, appointed public*
10 *employee, or candidate.*

11 (F) Information required. The following information is required:

- 12 (1) Name, address and phone number, if any, of the public officer,
13 appointed public employee or candidate;
- 14 (2) The length of residence in the State and the length of residence in
15 the City;
- 16 (3) The precinct in which the public officer, appointed public employee
17 or candidate is registered to vote;
- 18 (4) The name of all partners or associates, the principal address and the
19 general description of the business activity of any business entity
20 conducting business with the City of Las Vegas or within the County of
21 Clark, in which the public officer, appointed public employee or candidate
22 or their spouse has had a direct financial interest at any time during the
23 immediate preceding twelve months of the calendar year;
- 24 (5) In the case of a gift *requiring disclosure pursuant to Section 5(I)(2),*
25 the source of the gift and the date on which the gift was received if the
26

1 donor does business with the City by appearing before the City Council
2 or appears on cash disbursement lists presented to the City Council. [For
3 purposes of this subsection, the fair market value of the term "gift" shall
4 be not less than \$100.00 and nor more than \$250.00. Exceptions:
5 Candidates need not comply with this requirement.]

6 (6) The source or sources of each loan exceeding five thousand dollars.
7 Exceptions: The mortgage on the residence of the public officer, appointed
8 public employee or candidate, a loan for purchase of an automobile for
9 private use, a debt secured by mortgage or deed of trust for land located
10 outside the City of Las Vegas, or a revolving balance, the source of which
11 is a credit card or debit card;

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

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

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

24 (10) If a public officer, appointed public employee or candidate has
25 filed for bankruptcy within the last seven years.
26

1 (11) The names and addresses of all boards and commissions the public
2 officer, appointed public employee or candidate presently serves on except
3 for any and all boards and commissions a public officer, appointed public
4 employee or candidate is appointed to by the City Council.

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

13 **SECTION 13: Distribution of Code of Ethics Ordinance.**

14 The City clerk shall cause a copy of this code of ethics ordinance to be distributed to every public
15 officer and employee of the City within thirty (30) days after enactment of this ordinance. Each
16 public officer and employee elected, appointed, or engaged thereafter shall be furnished a copy
17 before entering upon the duties of his office or employment.

18 **SECTION 14:** This ordinance shall become effective on April 1, 1993.

19 **SECTION 15:** If any section, subsection, subdivision paragraph, sentence, clause or
20 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or
21 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
22 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
23 Council of the City of Las Vegas, Nevada, hereby declares that it would have passed each section,
24 subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that
25 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
26

1 declared unconstitutional, invalid or ineffective.

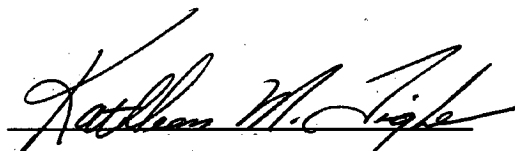
2 SECTION 16: All ordinances or parts of ordinances, sections, subsections, phrases,
3 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas,
4 ...
5 Nevada, 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this 4th day of August, 1993.

7 APPROVED:

8
9 By 
10 JAN LAVERTY JONES, MAYOR
11 *af 8/4/93*

12 ATTEST:

13
14 
15 Kathleen M. Tighe, City Clerk

16 The above and foregoing ordinance was first proposed and read by title to the City Council
17 on the 7th day of July, 1993, and referred to the following committee composed of
18 FULL COUNCIL and

19 for recommendation; thereafter the said committee reported favorably on said ordinance on the
20 4th day of August, 1993, which was a regular meeting of said Council; that
21 at said regular meeting, the proposed ordinance was read by title to the City Council

22 ...

23 ...

24 ...

25 ...

1 as first introduced and adopted by the following vote:

2 VOTING "AYE" :Councilmen Higginson, Adamsen, Hawkins Jr. and Mayor Jones

3 VOTING "NAY" : NONE

4 ABSENT: Councilman Nolen

6 APPROVED:

7 By

8 JAN LAVERTY JONES, MAYOR

9 ATTEST:

10 Kathleen M. Tighe, City Clerk

11 If any provision of this ordinance is found by a court of competent jurisdiction to be
12 invalid or unconstitutional, or if the application of this ordinance to any person or
13 circumstances is found to be invalid or unconstitutional, such invalidity or
14 unconstitutionality shall not affect the other provisions or applications of this ordinance
15 which can be given effect without the invalid or unconstitutional provision or application.
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26

1 Bill No. 93-38

2 Ordinance No. _____

3 AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51
4 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION;
5 REDEFINING THE TERM "APPOINTED PUBLIC EMPLOYEES"; ALLOWING RECEIPT
6 OF GIFTS FROM CHARITABLE ORGANIZATIONS AND GIFTS UNRELATED TO CITY
7 BUSINESS; CREATING PROCEDURES AND FORMS FOR THE DISCLOSURE OF GIFTS;
8 ELIMINATING REQUIREMENTS FOR DISCLOSURE OF EX PARTE COMMUNICATION;
9 ALLOWING FOR ISSUANCE OF ANNUAL BADGES FOR LOBBYISTS; CLARIFYING THE
10 FUNCTIONS OF THE ETHICS REVIEW BOARD INCLUDING ISSUANCE OF BINDING
11 OPINIONS AND REVIEW OF ALL PAST AND PRESENT FINANCIAL DISCLOSURE
12 FORMS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND
13 REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT
14 HEREWITH.

15 Sponsored by:

Summary: Amends the Code of Ethics to list persons
required to file financial disclosure, allow receipt of
charitable gifts and gifts unrelated to city employment,
creates forms for disclosure of gifts, modifies code
with respect to lobbyists and ex parte communication,
and clarifies functions of Ethics Review Board.

16 Mayor Jan Laverty Jones

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

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

21 SECTION 2: **Purpose and Intent.** The City Council finds and declares that the
22 proper function of democratic government requires that public officers and employees be
23 independent, impartial, and responsible to the people; that government decisions and policy be
24 made within the proper channels of the governmental structure; that public office not be used for
25 personal gain; and that the public have confidence in the integrity of its government. In
26 recognition of these goals, a code of ethics for all City officers and employees is adopted. The
purpose of this code is to establish guidelines for ethical standards of conduct for all such officers
and employees by setting forth those acts or actions that are incompatible with the best interests
of the City and by directing disclosure by such officers and employees of private financial or other

1 interests in matters affecting the City. The provisions of this chapter are to be construed liberally,
2 to the end that the public interest be fully protected.

3 **SECTION 3: Definitions.**

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

9 (B) "Campaign expenditure" means all expenditures whether paid for directly, provided
10 as an in-kind service or gift, contracted for, or made for advertising on television, radio,
11 billboards, posters and in newspapers, and all other expenditures contracted for or made
12 to further directly the campaign of the candidate.

13 (C) "Confidential Information" means all information, whether transmitted verbally or
14 in writing, which is of such a nature that it is not, at the time, a matter of public record
15 or public knowledge.

16 (D) "Gift"[, except as provided in Section 12(F)(5),] means anything of economic value
17 [in excess of two hundred fifty dollars], regardless of the form, without adequate and
18 lawful consideration.[, but not including:

19 (1) It does not include the solicitation, acceptance, receipt, or regulation of
20 political campaign contributions regulated in accordance with provisions of federal, state,
21 or local laws governing campaign finances; nor

22 (2) Any reasonable hosting, including travel expenses, entertainment, meals, or
23 refreshments furnished in connection with appearances, ceremonies, and other occasions
24 reasonably relating to official City business, where otherwise prohibited by law.]

25 (E) "Interest", except as otherwise specifically provided, means direct or indirect
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1 pecuniary or material benefit accruing to a public officer or employee as the result of a
2 contract, transaction, zoning decision, or other matter which is or may be the subject of
3 an official act or action by or with the City except for such contracts, transactions,
4 zoning decisions, or other matters which by their terms and by the substance of their
5 provisions confer the opportunity and right to realize the accrual of similar benefits to
6 all other persons and/or property similarly situated. For purposes of this ordinance, a
7 public officer or employee shall be deemed to have an interest in the affairs of (1) the
8 officer's or employee's spouse or children; (2) any person or business entity with whom
9 a contractual relationship exists with a public officer or employee; (3) any business entity
10 in which the public officer or employee is an officer, director, member, or employee;
11 and (4) any business entity in which the public officer or employee controls or owns
12 directly or indirectly, in excess of five percent of the total stock or an interest totaling
13 \$50,000.00 or more in value.

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

20 (G) "Official Act or Action" means any legislative, administrative, appointive or
21 discretionary act of any officer or employee of the City or any agency, board, committee
22 or commission thereof.

23 (H) "Public Employee", unless otherwise stated in this Ordinance, means any person,
24 holding a position by appointment or employment in the service of the City, whether paid
25 or unpaid, including members of any board, committee, or commission thereof, such as,
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1 but not limited to the City Planning Commission, the Board of Zoning Adjustment, the
2 Las Vegas Housing Authority Board, the Board of Civil Service Trustees, the Las Vegas-
3 Clark County 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 Treasurer, and Deputy Director or above which is established by the
6 Constitution of the State of Nevada, a statute of this State, the Las Vegas City Charter
7 or a City ordinance.[which involves the exercise of a public power, trust or duty which
8 includes:

9 (1) Actions taken in an official capacity which involve a substantial and
10 material exercise of administrative discretion in the formulation of public
11 policy;

12 (2) the expenditure of money; and

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

14 Appointed public employee also includes any person appointed by a public officer to
15 serve on any board or commission, including those listed herein.

16 (I) "Public Officer" means the Mayor and the City Council members.

17 **SECTION 5: Conflicts of Interest.**

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

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

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

10 [(3) Have solicited, accepted, or granted a present or future gift, favor,
11 service, or thing of value from or to a person involved in such contract,
12 transaction, zoning decision, or other matter, except as provided in
13 subsection (I) of this Section, or;

14 (4) Have encouraged, made, or accepted any ex parte or unilateral
15 application or communication from a lobbyist who has failed to register
16 pursuant to Section 7 where a determination is to be made after a public
17 hearing and such public officer fails to make the contents of the
18 communication a part of the record.]

19 ([5]3) Seek, accept, or negotiate employment with an outside business
20 entity which is a party to a contract, transaction, zoning decision, or other
21 matter with the City in which the public officer or employee performed
22 an official act or action without prior disclosure to the Ethics Review
23 Board. For purposes of this Subsection, the term "public employee" is
24 limited to "appointed public employees".

25 ([6]4) Use or continue to use their official City title, including use on
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1 business cards or stationary, following termination of employment with the
2 City, expect that such use is not prohibited if the public officer or
3 employee indicates that the employment with the City was former to their
4 current employment.

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

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

16 (D) Disclosure of Interest in Legislative Action.

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

21 (2) Any other officer or employee who has a financial or personal interest
22 in any proposed legislative action of the City Council and who participates
23 in discussion with or gives an official opinion or recommendation to the
24 City Council, shall disclose on the record of the Council the nature and
25 extent of such interest.
26

1 (E) Public contracts. Notwithstanding the prohibitions in Section 5, Subsection (A), a
2 public officer or employee may enter into any contract with the City if:

3 (1) the contract is awarded through a process of public notice and
4 competitive bidding, and

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

7 (F) Disclosure of confidential information. No public officer or employee, with respect
8 to any contract, transaction, zoning decision, or other matter which is or may be the
9 subject of an official act or action of the City, shall, without proper legal authorization,
10 disclose confidential information concerning the property, government, or affairs of the
11 City, or use such information to advance the financial or other private interest of the
12 officer or employee or others.

13 (G) Incompatible service. No public officer or employee shall engage in or accept
14 private employment or render service, for private interests, when such employment or
15 service is incompatible with the proper discharge of his or her official duties or would
16 tend to impair his or her independence of judgment or action in the performance of his
17 or her official duties, unless otherwise permitted by law and unless disclosure is made
18 as provided in this ordinance.

19 (H) Special treatment. No public officer or employee shall grant any special
20 consideration, treatment or advantage to any citizen beyond that which is available to
21 every other citizen.

22 [(I) Gifts Prohibition. The prohibition against gifts or favors in subsection (A)(3) of this
23 Section shall not apply to:

24 (1) an occasional non-pecuniary gift, with a value of less than [\$100.00]
25 two hundred fifty (\$250.00) dollars, or
26

1 (2) a non-pecuniary award publicly presented in recognition of public
2 service, or

3 (3) gifts from family members.]

4 *(I) Gifts. No public employee or officer shall have solicited or accepted, a present or*
5 *future gift having an economic value of two hundred fifty (\$250.00) dollars or more from*
6 *a person when received by the recipient in relation the recipient's position as a public*
7 *employee or public officer or when the gift is offered by a person involved in a contract,*
8 *transaction, zoning matter, or other matter with the City which could be influenced by*
9 *the recipient. For purposes of this Chapter, multiple gifts from the same person shall be*
10 *considered cumulative for each year beginning the fifteenth day of April.*

11 *(1) Exceptions - Gifts which may be accepted without disclosure. The*
12 *following gifts may be accepted by a public officer or employee without*
13 *disclosure pursuant to Section 12:*

14 *(a) a non-pecuniary gift with an economic value of less than one*
15 *hundred (\$100.00) dollars, or*

16 *(b) a non-pecuniary award publicly presented in recognition of*
17 *public service, or*

18 *(c) any reasonable hosting, including travel expenses, entertainment,*
19 *meals, or refreshments furnished in connection with appearances,*
20 *ceremonies, charitable events and other occasions reasonably*
21 *relating to official City business; or*

22 *(d) gifts from family members related within the third degree of*
23 *consanguinity or affinity.*

24 *(2) Exceptions - Gifts which may be accepted, but require disclosure. The*
25 *following gifts may be accepted by a public officer or employee, but must*
26

1 *be disclosed pursuant to Section 12:*

2 *(a) any other gift having an economic value of one hundred*
3 *(\$100.00) dollars or more which is not otherwise prohibited by this*
4 *Chapter.*

5 **(J) Exceptions to conflict of interest provisions.**

6 (1) It shall not be deemed a violation of this section if the interest of a
7 public officer or employee in a person or business entity is a contractual
8 obligation of less than \$500 which has not been preceded by any other
9 obligation, discharged or existing, between the parties, and which is not
10 the first in a series of two or more loans or debts which either of the
11 parties is under an obligation to make or incur.

12 (2) A commercially reasonable loan made in the ordinary course of
13 business by an institution authorized by the laws of this state to engage in
14 the making of such loans shall not be deemed to create an interest in
15 violation of this section.

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

19 **SECTION 6: Political Activities of Public Officers and Employees.**

20 **(A) Permitted Political Activities.** Activities listed in this subsection are permitted for
21 City employees on their own time. Such activities apply to municipal, county, state and
22 national elections.

23 (1) Each employee, including an employee in an activity financed through
24 Federal funds, may:

25 (a) Register and vote in any election;

1 (b) As an individual, privately and publicly express an opinion on
2 political subjects and candidates;

3 (c) Be a member of a political party and participate in its activities
4 consistent with this regulation;

5 (d) Sign a political nomination or recall petition as an individual;

6 (e) Make a financial contribution to a political party or candidate;

7 (f) Be politically active in connection with a question which is not
8 specifically identified with a political party, such as a constitutional
9 amendment, referendum, or issue of a similar character; and

10 (g) Display bumper stickers, posters, or pamphlets on his or her private
11 property for the endorsement of candidates or issues.

12 (2) In addition, an employee who is not in an activity supported by
13 Federal funds may:

14 (a) Take an active part in the management of political campaigns;

15 (b) Directly or indirectly solicit, receive, or account for funds for a
16 partisan political purpose except as prohibited by this regulation;

17 (c) Solicit votes in support of, or in opposition to, a partisan party office;

18 (d) Initiate or circulate partisan nominating or recall petitions;

19 (e) Serve as a delegate, alternate, or proxy to a political party
20 convention;

21 (f) Drive voters to the polls on behalf of a political party or partisan
22 candidate; and

23 (g) Endorse or oppose a partisan candidate for public office or political
24 party office in a political advertisement, broadcast, campaign literature,
25 or similar material.
26

1 (B) Prohibited Political Activities. The following political activities are prohibited for
2 City employees:

3 (1) No employee may use any official authority or influence for the
4 purpose of interfering with or affecting the result of an election, nor may
5 funds be solicited or contributions be received from other employees for
6 political purposes, except by collective bargaining organizations;

7 (2) While bumper stickers and posters may be displayed on private
8 vehicles parked in employee parking areas, these materials may not be
9 displayed on City vehicles; and

10 (3) Activities permitted in Section 6, Subsection (A), Subsubsection (2)
11 are prohibited when an employee is on duty; they are also prohibited on
12 City property and when an employee is wearing a uniform normally
13 identified with the City.

14 (C) Political Candidacy by City Employees. The following shall apply when City
15 employees seek elected office:

16 (1) A City employee may seek election to a partisan political office,
17 including the State legislature. If elected to political office, and such
18 office is clearly inconsistent, incompatible, or in conflict with his or her
19 duties as a City employee, the employee shall terminate City employment
20 prior to assuming the elected position;

21 (2) An employee may be a candidate for a nonpartisan board such as, but
22 not limited to a school board or a library board, and if elected, may retain
23 the City position. However, if such office is clearly inconsistent,
24 incompatible, or in conflict with his or her duties as a City employee (e.g.
25 a City school employee running for City school board or library employee
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running for library board), the employee shall terminate City employment prior to assuming the elected position;

(3) An employee subject to the provisions of the Hatch Act may not be a candidate for elective office.

(D) Inapplicability to Elected Officers. No provisions in this Section shall apply to persons serving as elected City officers.

SECTION 7: Lobbying

(A) No public officer or employee shall appear on behalf of any person, other than himself or herself or persons related within the third degree or consanguinity or affinity,, before any board, commission, committee or agency of the City, or any individual member of the City Council, in relation to any case, proceeding, application, or contract for a period of 2 years from the date of termination of his or her employment with the City. This subsection does not apply to appearances made on behalf of charitable or non-profit, including local, state or federal agencies or political subdivisions thereof.

(B) *Registration - Time for filing.* Every person who acts as a lobbyist shall complete a registration statement with the City Clerk for each communication with a public officer. *If the communication occurs at the City Hall complex, the registration form must be filed with the City Clerk the same day the communication occurs. If the communication occurs at a place other than the City Hall complex, the registration form must be filed with the City Clerk within five working days of the communication. Registration may be accomplished by fax machine.*

(C) *Registration - Form for filing.* The registration form shall contain the following information:

(1) The [registrant's] lobbyist's full name, permanent address, place of business and temporary address while lobbying;

1 (2) The full name and complete address of each person, if any, by whom
2 the [registrant] lobbyist is retained or employed or on whose behalf the
3 registrant appears;

4 (3) A description of the principal areas of interest on which the
5 [registrant] lobbyist expects to lobby; and

6 (4) The name of the member of the City Council with whom the
7 [registrant] lobbyist communicates.

8 The registration form shall be a public document and shall be maintained by the City
9 Clerk.

10 ([C]D) The City Clerk shall furnish an appropriate identification badge to each lobbyist
11 who files a registration statement under this subsection. The identification badge must
12 be worn by the lobbyist whenever he or she is engaged in lobbying activity with a public
13 officer. *Persons who engage in lobbying activity on a regular basis may obtain a annual*
14 *badge from the City Clerk who shall register the lobbyist's full name, permanent address,*
15 *place of business and temporary address while lobbying. Thereafter, the lobbyist need*
16 *only file a registration form statement containing the lobbyist's name and information*
17 *required in subsection (C)(2) through (C)(4).*

18 ([D]E) Any person subject to the provisions of this subsection who knowingly refuses or
19 fails to comply herewith is guilty of a misdemeanor.

20 **SECTION 8: Ethics Review Board**

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

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

5 (C) Terms. Ethics Review Board members shall serve for four year, staggered terms.
6 Of the first members appointed, three shall serve for four years (including the Chairman)
7 and two shall serve for two years. Thereafter, each Ethics Review Board member shall
8 serve for a term of four years.

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

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

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

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

19 (1) Enforcing the provisions of this ordinance, [including prosecuting
20 and] hearing complaints on violations of this ordinance by public officers
21 and employees, in accordance with Sections 5 and 6.

22 (2) Giving [non]binding advice to the City Council, City Attorney, or
23 other public officers and employees on ethical questions. This includes
24 rendering advisory opinions as described in Section [8]9.

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

1 Attorney on new and existing City policies on ethics.

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

6 **SECTION 9: Advisory Opinions**

7 (A) Where any public officer or employee has a doubt as to the applicability of any
8 provision of this ordinance to a particular situation, or as to the definition of terms used
9 herein, the officer or employee may apply to the City Attorney for an advisory opinion.
10 The officer or employee shall have the opportunity to present his or her interpretation of
11 the facts at issue and of the applicability of provisions of the ordinance before such
12 advisory opinion is made. The City Attorney may seek the advice and assistance of the
13 Ethics Review Board if necessary.

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

19 (C) Any advisory opinion prepared by the City Attorney shall be made public.
20 However, the name of the person requesting the opinion and the names of all persons or
21 business entities mentioned in the opinion shall be deemed confidential information and
22 shall not be disclosed by the City Attorney unless the public officer or employee waives
23 such confidentiality or where the City Attorney deems the public officer or employee to
24 have failed to act in good faith in requesting the opinion or in conforming with the
25 opinion or to have failed to act in conformance with the opinion. In seeking advice from
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1 the Ethics Review Board, the City Attorney shall not disclose the name of the person
2 seeking the opinion nor the names of persons or entities mentioned in the opinion.

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

8 **SECTION 10: Enforcement**

9 (A) The Ethics Review Board shall have the primary responsibility for the enforcement
10 of this ordinance through the City Attorney. It shall have the power to investigate any
11 complaint, to initiate any suit, and to prosecute any criminal or civil action on behalf of
12 the City where it believes such action is appropriate.

13 (B) The City Council may direct the Ethics Review Board to investigate or prosecute,
14 through the City Attorney, any apparent violation of this ordinance or the council may
15 employ or appoint any qualified attorney to investigate or prosecute any violation or
16 series of violations by one or more persons of this ordinance.

17 (C) Any person who believes that a violation of any portion of this ordinance has
18 occurred may file a complaint with the Ethics Review Board which may thereafter
19 proceed as provided for under Sections 9 and 10. However, nothing in this ordinance
20 shall be construed to prevent complainants from instituting direct legal action through the
21 appropriate judicial authority.

22 **SECTION 11: Penalties: Forfeited Position: Exemptions: Injunction**

23 (A) Any public officer or employee who willfully and knowingly violates any of the
24 provisions of this ordinance shall be guilty of a misdemeanor, punishable by a monetary
25 fine not to exceed \$1000.00, or incarceration in the City jail for a period not to exceed
26

1 six months.

2 (B) Upon conviction for any violation of this ordinance of any public officer or
3 employee, such officer or employee shall immediately forfeit his office or position,
4 however, such forfeiture in the case of classified public employees shall be subject to the
5 collective bargaining provisions in NRS Chapter 288. Nothing in this ordinance shall be
6 construed to prohibit such public officer or employee from being re-elected, reappointed,
7 or otherwise rehired to any position forfeited under the provisions of this ordinance.

8 (C) Any contract, transaction, zoning decision, or other matter which was the subject
9 of an official act or action of the City in which there is an interest prohibited by this
10 ordinance, or which involved the violation of a provision of this ordinance, shall be
11 voidable at the option of the City Council.

12 (D) The Ethics Review Board may recommend, where a violation of the provisions of
13 this ordinance is threatened or has occurred, that the City Attorney bring civil action or
14 proceeding at law or in equity for a judgment enjoining any violation of the provisions
15 of this ordinance.

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

22 (A) The City Clerk shall designate a member of his/her staff to assist the Ethics Review
23 Board in performing the clerical functions related to the review of statements of financial
24 disclosure pursuant to Subsections (D) and (C) of this Section, inclusive, including the
25 keeping of all necessary records related thereto.

1 (B) The Ethics Review Board shall:

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

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

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

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

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

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

25 (1) The City Clerk shall place the financial disclosure statement in the
26

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

7 (F) Information required. The following information is required:

- 8 (1) Name, address and phone number, if any, of the public officer,
9 appointed public employee or candidate;
- 10 (2) The length of residence in the State and the length of residence in
11 the City;
- 12 (3) The precinct in which the public officer, appointed public employee
13 or candidate is registered to vote;
- 14 (4) The name of all partners or associates, the principal address and the
15 general description of the business activity of any business entity
16 conducting business with the City of Las Vegas or within the County of
17 Clark, in which the public officer, appointed public employee or candidate
18 or their spouse has had a direct financial interest at any time during the
19 immediate preceding twelve months of the calendar year;
- 20 (5) In the case of a gift *requiring disclosure pursuant to Section 5(I)(2)*,
21 the source 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
23 or appears on cash disbursement lists presented to the City Council. [For
24 purposes of this subsection, the fair market value of the term "gift" shall
25 be not less than \$100.00 and nor more than \$250.00. Exceptions:
26

Candidates need not comply with this requirement.]

(6) The source or sources of each loan exceeding five thousand dollars. Exceptions: The mortgage on the residence of the public officer, appointed public employee or candidate, a loan for purchase of an automobile for private use, a debt secured by mortgage or deed of trust for land located outside the City of Las Vegas, or a revolving balance, the source of which is a credit card or debit card;

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

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

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

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

(11) The names and addresses of all boards and commissions the public officer, appointed public employee or candidate presently serves on except for any and all boards and commissions a public officer, appointed public employee or candidate is appointed to by the City Council.

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

9 **SECTION 13: Distribution of Code of Ethics Ordinance.**

10 The City clerk shall cause a copy of this code of ethics ordinance to be distributed to every public
11 officer and employee of the City within thirty (30) days after enactment of this ordinance. Each
12 public officer and employee elected, appointed, or engaged thereafter shall be furnished a copy
13 before entering upon the duties of his office or employment.

14 **SECTION 14:** This ordinance shall become effective on April 1, 1993.

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

23 **SECTION 16:** All ordinances or parts of ordinances, sections, subsections, phrases,
24 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas,
25 . . .

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

2 PASSED, ADOPTED and APPROVED this ____ day of _____, 1993.

3 APPROVED:

4
5 By _____

6 JAN LAVERTY JONES, MAYOR

7
8 ATTEST:

9
10 _____
11 Kathleen M. Tighe, City Clerk

12 The above and foregoing ordinance was first proposed and read by title to the City Council
13 on the ____ day of _____, 1992, and referred to the following committee composed of

14 _____ and _____

15 for recommendation; thereafter the said committee reported favorably on said ordinance on the

16 ____ day of _____, 1993, which was a _____ meeting of said Council; that

17 at said _____ meeting, the proposed ordinance was read by title to the City Council

18 . . .

19 . . .

20 . . .

21 . . .

22 . . .

23 . . .

24 . . .

25 . . .

26

as first introduced and adopted by the following vote:

VOTING "AYE" : _____

VOTING "NAY" : _____

ABSENT: _____

APPROVED:

By _____
JAN LAVERTY JONES, MAYOR

ATTEST:

Kathleen M. Tighe, City Clerk

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

AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK
AUG 12 10 30 AM '93

FIRST AMENDMENT
BILL NO. 73-35
ORDINANCE NO. 3732

NG HERE

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; REDEFINING THE TERM "APPOINTED PUBLIC EMPLOYEES" AND ADDING THE CITY TRAFFIC ENGINEER TO THE LIST OF "APPOINTED PUBLIC EMPLOYEES"; ALLOWING RECEIPT OF GIFTS FROM CHARITABLE ORGANIZATIONS AND GIFTS UNRELATED TO CITY BUSINESS; CREATING PROCEDURES AND FORMS FOR THE DISCLOSURE OF GIFTS; ELIMINATING REQUIREMENTS FOR DISCLOSURE OF EX PARTE COMMUNICATION; ALLOWING FOR ISSUANCE OF ANNUAL BADGES FOR LOBBYISTS; CLARIFYING THE FUNCTIONS OF THE ETHICS REVIEW BOARD INCLUDING ISSUANCE OF BINDING OPINIONS AND REVIEW OF ALL PAST AND PRESENT FINANCIAL DISCLOSURE FORMS; REQUIRING THAT FINANCIAL DISCLOSURE FORMS BE MAINTAINED FOR SIX YEARS; 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 the Code of Ethics to list persons required to file financial disclosure, allow receipt of charitable gifts and gifts unrelated to city employment, creates forms for disclosure of gifts, modifies code with respect to lobbyists and ex parte communication, and clarifies functions of Ethics Review Board.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of July, 1993, and referred to the following committee composed of Full Council for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 4th day of August, 1993 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 amended and adopted by the following vote:
VOTING "AYE" Councilmen: Adamsen, Higginson, Hawkins Jr. and Mayor Jones
VOTING "NAY": NONE
EXCUSED: Councilman Nolen
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: August 7, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

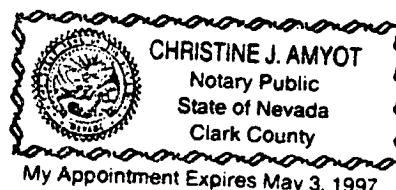
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of AUGUST 7, 1993 to AUGUST 7, 1993, on the following days:

AUGUST 7, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this 10 day of August, 19 93

Christine J. Amyot
Notary Public



AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK

JUL 26 10 35 AM '93

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FIRST AMENDMENT
BILL NO. 93-38

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 91 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; REDEFINING THE TERM "APPOINTED PUBLIC EMPLOYEES" AND ADDING THE CITY TRAFFIC ENGINEER TO THE LIST OF "APPOINTED PUBLIC EMPLOYEES"; ALLOWING RECEIPT OF GIFTS FROM CHARITABLE ORGANIZATIONS AND GIFTS UNRELATED TO CITY BUSINESS; CREATING PROCEDURES AND FORMS FOR THE DISCLOSURE OF GIFTS; ELIMINATING REQUIREMENTS FOR DISCLOSURE OF EX PARTE COMMUNICATION; ALLOWING FOR ISSUANCE OF ANNUAL BADGE

FOR LOBBYISTS; CLARIFYING THE FUNCTIONS OF THE ETHICS REVIEW BOARD INCLUDING ISSUANCE OF BINDING OPINIONS AND REVIEW OF ALL PAST AND PRESENT FINANCIAL DISCLOSURE FORMS; REQUIRING THAT FINANCIAL DISCLOSURE FORMS BE MAINTAINED FOR SIX YEARS; 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: Amends the Code of Ethics to list persons required to file financial disclosure, allow receipt of charitable gifts and gifts unrelated to city employment, creates forms for disclosure of gifts, modifies code with respect to lobbyists and ex parte communication, and clarifies functions of Ethics Review Board.

At a City Council meeting
July 7, 1993

BILL NO. 93-38 WAS 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: July 22, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, 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 JULY 22, 1993 to JULY 22, 1993, on the following days:

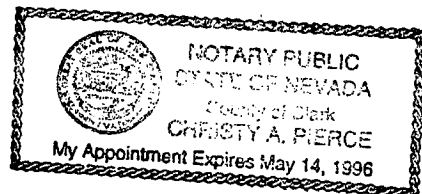
JULY 22, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this

22 day of July, 19 93

Christy A. Pierce
Notary Public



AFFIDAVIT OF PUBLICATION

AUG 12 10 30 AM '93

RECEIVED
CITY CLERK

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FIRST AMENDMENT
BILL NO. 93-38
ORDINANCE NO. 3732

AN ORDINANCE RELATING TO CODE OF ETHICS; AMENDING TITLE 2, CHAPTER 51 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; REDEFINING THE TERM "APPOINTED PUBLIC EMPLOYEES" AND ADDING THE CITY TRAFFIC ENGINEER TO THE LIST OF "APPOINTED PUBLIC EMPLOYEES"; ALLOWING RECEIPT OF GIFTS FROM CHARITABLE ORGANIZATIONS AND GIFTS UNRELATED TO CITY BUSINESS; CREATING PROCEDURES AND FORMS FOR THE DISCLOSURE OF GIFTS; ELIMINATING REQUIREMENTS FOR DISCLOSURE OF EX PARTE COMMUNICATION; ALLOWING FOR ISSUANCE OF ANNUAL BADGES FOR LOBBYISTS; CLARIFYING THE FUNCTIONS OF THE ETHICS REVIEW BOARD INCLUDING ISSUANCE OF BINDING OPINIONS AND REVIEW OF ALL PAST AND PRESENT FINANCIAL DISCLOSURE FORMS; REQUIRING THAT FINANCIAL DISCLOSURE FORMS BE MAINTAINED FOR SIX YEARS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by:

Mayor Jan Laverly Jones

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VOTING "AYE" Councilmen: Adamsen, Higgins, Hawkins Jr. and Mayor Jones

VOTING "NAY": NONE

EXCUSED: Councilman Nolen
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: August 7, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

ANDREA DAVIS

, 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 AUGUST 7, 1993 to AUGUST 7, 1993, on the following days:

AUGUST 7, 1993

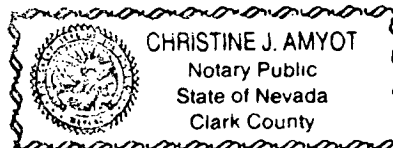
Signed: Andrea Davis

Subscribed and sworn to before me this

10 day of August, 19 93

Christine J. Amyot

Notary Public



Appointment Expires May 3, 1997



AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK

JUL 26 10 35 AM '93

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STATE OF NEVADA)
COUNTY OF CLARK) SS:

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period of ONE insertions
from the period of JULY 22, 1993
to JULY 22, 1993, on the following
days:

JULY 22, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this

22 day of July, 19 93

Christy A. Pierce
Notary Public

FIRST AMENDMENT
BILL NO. 93-38

AN ORDINANCE RELATING TO
CODE OF ETHICS; AMENDING
TITLE 2, CHAPTER 51 OF THE
MUNICIPAL CODE OF THE CITY
OF LAS VEGAS, NEVADA, 1983
EDITION; REDEFINING THE
TERM "APPOINTED PUBLIC EM-
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CITY TRAFFIC ENGINEER TO
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LIC EMPLOYEES"; ALLOWING
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ITABLE ORGANIZATIONS AND
GIFTS UNRELATED TO CITY
BUSINESS; CREATING PROCEDURE
AND FORMS FOR THE
DISCLOSURE OF GIFTS; ELIMI-
NATING REQUIREMENTS FOR
DISCLOSURE OF EX PARTE COM-
MUNICATION; ALLOWING FOR
ISSUANCE OF ANNUAL BADGES

FOR LOBBYISTS; CLARIFYING
THE FUNCTIONS OF THE ETHICS
REVIEW BOARD INCLUDING IS-
SUANCE OF BINDING OPINIONS
AND REVIEW OF ALL PAST AND
PRESENT FINANCIAL DISCLO-
SURE FORMS; REQUIRING THAT
FINANCIAL DISCLOSURE FORMS
BE MAINTAINED FOR SIX
YEARS; PROVIDING FOR OTHER
MATTERS PROPERLY RELAT-
ING THERETO; AND REPEALING
ALL ORDINANCES AND PARTS
OF ORDINANCES IN CONFLICT
HEREWITH.

Sponsored by:

Mayor Jan Laverly Jones

Summary: Amends the Code of Eth-
ics to list persons required to file
financial disclosure, allow receipt of
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tions of Ethics Review Board.

At a City Council meeting

July 7, 1993

BILL NO. 93-38 WAS READ BY
TITLE AND REFERRED TO REC-
OMMENDING 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: July 22, 1993

Las Vegas Review-Journal

