

BILL NO. 2017-41

ORDINANCE NO. 6604

AN ORDINANCE TO AMEND LVMC 2.51.020 TO REPEAL THE PROVISION REQUIRING THAT A PUBLIC EMPLOYEE WHO FILES FOR POLITICAL OFFICE BE PLACED ON UNPAID LEAVE OF ABSENCE UNTIL THE ELECTION FOR THAT OFFICE, AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Ricki Y. Barlow

Summary: Amends LVMC 2.51.020 to repeal the provision requiring that a public employee who files for political office be placed on unpaid leave of absence until the election for that office.

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

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

2.51.020: (A) A public employee, on his or her own time, may engage in any of the following activities related to a municipal, county, state or national election:

- (1) Register and vote in an election;
- (2) As an individual, privately and publicly express an opinion on political subjects and candidates;
- (3) Be a member of a political party and participate in its activities consistent with this Section;
- (4) As an individual, sign a political nomination or recall petition;
- (5) Make a financial contribution to a political party or candidate;
- (6) Be politically active in connection with a question that is not specifically identified with a political party, such as a constitutional amendment, referendum or question of a similar character; and
- (7) Display bumper stickers, posters or pamphlets on his or her private property for the endorsement of candidates or issues.

1 (B) In addition to the activities listed in Subsection (A) of this Section, a public
2 employee whose employment does not involve any activity supported by Federal funds may:

- 3 (1) Take an active part in the management of political campaigns;
- 4 (2) Directly or indirectly solicit, receive or account for funds for a partisan
5 political purpose except as prohibited by this Section;
- 6 (3) Solicit votes in support of, or in opposition to, a partisan party office;
- 7 (4) Initiate or circulate partisan nominating or recall petitions;
- 8 (5) Serve as a delegate, alternate, or proxy to a political party convention;
- 9 (6) Drive voters to the polls on behalf of a political party or partisan
10 candidate; and
- 11 (7) As an individual, endorse or oppose a partisan candidate for public office
12 or political party office in a political advertisement, broadcast, campaign literature, or similar material.

13 (C) A public employee is prohibited from:

- 14 (1) Using any official authority or influence for the purpose of interfering with
15 or affecting the result of an election;
- 16 (2) Soliciting funds or receiving contributions from other public employees
17 for political purposes, except as done on behalf of a collective bargaining organization;
- 18 (3) Displaying on a City vehicle a bumper sticker or poster that endorses a
19 political candidate or political question; and
- 20 (4) Engaging in any activity described in Subsection (B) of this Section while
21 on duty, while on City property, or while wearing a uniform normally identified with the City.

22 (D) A public employee who is not subject to the provisions of the Hatch Act may seek
23 election to the Nevada Legislature. Subject to the provisions of [Subsections (F) and (G),] Subsection (F), a
24 public employee:

- 25 (1) Who is elected to the Nevada Legislature may serve in that capacity while
26 retaining City employment, but only in accordance with any applicable policies that have been approved by

1 the City Manager or City Council; and

2 (2) Who serves in the Nevada Legislature shall receive no City pay or benefits
3 for the period of any regular or special legislative session, but may continue to receive insurance coverage
4 if the employee directly pays applicable premiums.

5 (E) Subject to the provisions of [Subsections (F) and (G),] Subsection (F), a public
6 employee may be a candidate for a nonpartisan office, and if elected, may retain his or her City
7 employment, but only in accordance with any applicable policies that have been approved by the City
8 Manager or City Council.

9 (F) [A public employee who files for any political office will be placed on an unpaid
10 leave of absence until the election.

11 (G)] If service by a public employee in any political office is or appears clearly
12 inconsistent, incompatible, or in conflict with that person's duties as an employee of the City, as judged by
13 the City Manager, that employment must be terminated before the person assumes political office.

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

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 1st day of November, 2017, and referred to a committee for recommendation;
3 hereafter the committee reported favorably on said ordinance on the 15th day of
4 November, 2017, which as a regular meeting of said Council; that at said regular meeting,
5 the proposed ordinance was read by title to the City Council as first introduced and
6 adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers, Tarkanian, Barlow, and
8 Fiore

9 VOTING "NAY": Anthony, Coffin and Seroka

10 EXCUSED: None

11 ABSTAINED: None

12
13 APPROVED:

14 
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 
18 LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS.

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2017 NOV -8 A 11:37

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0000947487

Leslie McCormick, being 1st duly sworn, deposes and says. That she is the 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 attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/02/2017 to 11/02/2017, on the following days

11 / 02 / 17

BILL NO. 2017-41

AN ORDINANCE TO AMEND LVMC 251.020 TO REPEAL THE PROVISION REQUIRING THAT A PUBLIC EMPLOYEE WHO FILES FOR POLITICAL OFFICE BE PLACED ON UNPAID LEAVE OF ABSENCE UNTIL THE ELECTION FOR THAT OFFICE, AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman
Ricki Y. Barlow

Summary: Amends LVMC 251.020 to repeal the provision requiring that a public employee who files for political office be placed on unpaid leave of absence until the election for that office

At the City Council meeting of
November 1, 2017

BILL NO. 2017-41 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE. COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: November 2, 2017
LV Review-Journal


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 2nd day of November, 2017


Notary



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515

Ad Number 0000950357

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2017 NOV 27 A 11: 35

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the 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 attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/18/2017 to 11/18/2017, on the following days:

11 / 18 / 17

**BILL NO. 2017-41
ORDINANCE NO. 6604**

AN ORDINANCE TO AMEND LVMC 251.020 TO REPEAL THE PROVISION REQUIRING THAT A PUBLIC EMPLOYEE WHO FILES FOR POLITICAL OFFICE BE PLACED ON UNPAID LEAVE OF ABSENCE UNTIL THE ELECTION FOR THAT OFFICE, AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman Ricki Y. Barlow

Summary Amends LVMC 251.020 to repeal the provision requiring that a public employee who files for political office be placed on unpaid leave of absence until the election for that office.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of November, 2017, and was heard by the Council as a whole, without referral to a committee for recommendation, at a meeting on the 15th day of November, 2017, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Tarkanian, Barlow and Fiore
VOTING "NAY": Councilmembers Anthony, Coffin and Seroka
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA
PUB. November 18, 2017
LV Review-Journal


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 20th day of November, 2017

Notary 

