

RENO CITY CHARTER

CHAPTER 662, STATUTES OF NEVADA 1971

AN ACT incorporating the City of Reno, in Washoe County, Nevada, and defining the boundaries thereof, under a new charter; and providing other matters properly relating thereto.

[Approved May 6, 1971]

ARTICLE I - Incorporation of City; General Powers; Boundaries; Wards and Annexations; City Offices; Charter Committee

Section 1.010 Purpose; other laws.

1. In order to provide for the orderly government of the City of Reno and the general welfare of its citizens the Legislature hereby establishes this Charter for the government of the City of Reno.

2. Any powers expressly granted by this Charter are in addition to any powers granted to a city by the general law of this state. All provisions of Nevada Revised Statutes which are applicable generally to cities (not including, unless otherwise expressly mentioned in this Charter, [chapter 265, 266](#) or [267](#) of NRS) which are not in conflict with the provisions of this Charter apply to the City of Reno.

(Ch. 662, [Stats. 1971 p. 1962](#); A—Ch. 349, [Stats. 2013 p. 1816](#))

Sec. 1.011 Definitions. As used in this Charter, unless the context otherwise requires, the words and terms defined in sections 1.012 to 1.018, inclusive, have the meanings ascribed to them in those sections.

(Added—Ch. 349, [Stats. 2013 p. 1814](#); A—Ch. 163, [Stats. 2015 p. 766](#))

Sec. 1.012 “Appointive employee” defined. “Appointive employee” means a person who is appointed to an appointive position established by ordinance pursuant to subsection 4 of section 1.090 or a position described in subsection 5 of section 1.090.

(Added—Ch. 349, [Stats. 2013 p. 1814](#); A—Ch. 163, [Stats. 2015 p. 766](#))

Sec. 1.0123 “Appointive office” defined. “Appointive office” means a position held by an appointive officer.

(Added—Ch. 163, [Stats. 2015 p. 766](#))

Sec. 1.0126 “Appointive officer” defined. “Appointive officer” means a person who is appointed to a position described in subsection 3 of section 1.090 or an appointive office established by ordinance pursuant to subsection 4 of section 1.090.

(Added—Ch. 163, [Stats. 2015 p. 766](#))

Sec. 1.0129 “Appointive position” defined. “Appointive position” means a position held by an appointive employee.

(Added—Ch. 163, [Stats. 2015 p. 766](#))

Sec. 1.013 “City” defined. “City” means the City of Reno in Washoe County, Nevada.

(Added—Ch. 349, [Stats. 2013 p. 1814](#))

Sec. 1.014 “City Council” or “Council” defined. “City Council” or “Council” means the governing body of the City.

(Added—Ch. 349, [Stats. 2013 p. 1814](#))

Sec. 1.015 “Civil Service” or “Civil Service System” defined. “Civil Service” or “Civil Service System” means the system created by section 9.020 and described in article IX of this Charter.

(Added—Ch. 349, [Stats. 2013 p. 1814](#); A—Ch. 163, [Stats. 2015 p. 766](#))

Sec. 1.016 “Commission” defined. “Commission” means the Civil Service Commission created by section 9.030.

(Added—Ch. 349, [Stats. 2013 p. 1814](#))

Sec. 1.017 “County” defined. “County” means Washoe County, Nevada.

(Added—Ch. 349, [Stats. 2013 p. 1814](#))

Sec. 1.018 “State” defined. “State” means the State of Nevada.

(Added—Ch. 349, [Stats. 2013 p. 1814](#))

Sec. 1.019 Construction of Charter.

1. Except where the context by clear implication otherwise requires, this Charter must be construed as follows:

(a) The titles or leadlines which are applied to the articles and sections of this Charter are inserted only as a matter of convenience and ease in reference and are not intended to limit the scope or intent of any provision of this Charter.

(b) Words in the singular number include the plural, and words in the plural include the singular number.

(c) Words in the masculine gender include the feminine, and words in the neuter gender refer to any gender.

2. This Charter being necessary to secure and preserve the public health, safety, prosperity, security, comfort, convenience, general welfare and property of the residents of the City, it is expressly declared that it is the intent of the Legislature that each of the provisions of this Charter be liberally construed to effect the purposes and objects for which this Charter is intended, and the specific mention of particular powers must not be construed as limiting in any way the general powers which are necessary to carry out the

purposes and objects of this Charter.
(Added—Ch. 349, [Stats. 2013 p. 1814](#))

Sec. 1.020 Incorporation of City. All persons who are inhabitants of that portion of the State embraced within the limits set forth in section 1.030 shall constitute a political and corporate body by the name of “City of Reno” and by that name they and their successors shall be known in law, have perpetual succession and may sue and be sued in all courts.
(Ch. 662, [Stats. 1971 p. 1962](#); A—Ch. 349, [Stats. 2013 p. 1817](#))

Sec. 1.030 Description of territory.

1. The territory embraced in the City is that certain land described in the official plat required by [NRS 234.250](#) to be filed with the County Recorder and County Assessor, as such plat is amended from time to time.

2. The territory described in paragraph (a) of subsection 2 of section 1 of article I of chapter 180, Statutes of Nevada 1949, lying within the City is hereby detached from the City and is included within the boundaries of the City of Sparks.
(Ch. 662, [Stats. 1971 p. 1962](#); A—Ch. 482, [Stats. 1973 p. 714](#); Ch. 349, [Stats. 2013 p. 1817](#))

Sec. 1.040 Annexations. The City may annex territory by following the procedure provided for the annexation of cities in those sections of [chapter 268](#) of NRS, as amended from time to time, which apply to a county whose population is less than 700,000.
(Ch. 662, [Stats. 1971 p. 1962](#); A—Ch. 65, [Stats. 1981 p. 159](#); Ch. 796, [Stats. 1989 p. 1936](#); Ch. 253, [Stats. 2011 p. 1318](#))

Sec. 1.050 Wards: Creation; boundaries.

1. The City must be divided into five wards, which must be as nearly equal in population as can be conveniently provided. The territory comprising each ward must be contiguous, except that if any territory of the City which is not contiguous to the remainder of the City does not contain sufficient population to constitute a separate ward, it may be placed in any ward of the City.

2. The boundaries of the wards must be established and changed by ordinance, passed by a vote of at least five-sevenths of the City Council. The boundaries of the wards:

(a) Must be changed whenever the population, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce, in any ward exceeds the population in any other ward by more than 5 percent.

(b) May be changed to include territory that has been annexed, or whenever the population in any ward exceeds the population in another ward by more than 5 percent by any measure that is found to be reliable by the City Council.

(Ch. 662, [Stats. 1971 p. 1963](#); A—Ch. 553, [Stats. 1973 p. 875](#); Ch. 65, [Stats. 1981 p. 159](#); Ch. 9, [Stats. 1993 p. 20](#); Ch. 327, [Stats. 1999 p. 1365](#))

Sec. 1.060 Elective offices.

1. The elective officers of the City consist of:

(a) A Mayor.

(b) Six Council Members.

(c) One Municipal Judge and as many additional judges as the City Council deems necessary.

(d) A City Attorney.

2. Such officers shall be elected as provided by this Charter.

(Ch. 662, [Stats. 1971 p. 1963](#); A—Ch. 553, [Stats. 1973 p. 876](#); Ch. 561, [Stats. 1977 p. 1390](#); Ch. 373, [Stats. 1979 p. 644](#))

Sec. 1.070 Elective offices: Vacancies.

1. Except as otherwise provided in this section, a vacancy in the City Council or in the office of City Attorney or Municipal Judge must be filled by a majority vote of the members of the City Council within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the City Council before the vacancy occurs. In filling a prospective vacancy, each member of the Council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. The appointee must have the same qualifications as are required of the elective official. The appointee shall serve until the next general municipal election and until his or her successor is elected and qualified.

2. If a prospective vacancy or vacancy occurs in an office of City Council, in lieu of appointment, the City Council may, by resolution, declare a special election to fill the vacancy for the remainder of the unexpired term. The resolution declaring a special election must be adopted within 30 days after the occurrence of the vacancy and must state the date set by the City Council for the special election. In the case of a prospective vacancy, the Council may adopt the resolution before the vacancy occurs, but the special election may not be held until after the vacancy occurs. The special election must be conducted in accordance with the provisions of the resolution declaring the special election and section 5.030 of this Charter. A person elected to fill a vacancy at a special election must have the same qualifications as are required of the elected official.

(Ch. 662, [Stats. 1971 p. 1963](#); A—Ch. 854, [Stats. 1989 p. 2061](#); Ch. 210, [Stats. 1997 p. 733](#); Ch. 515, [Stats. 1997 p. 2452](#); Ch. 349, [Stats. 2013 p. 1817](#); Ch. 163, [Stats. 2015 p. 767](#))

Sec. 1.080 Mayor and Council Members not to hold other office or employment.

1. The Mayor and Council Members shall not:

(a) Hold any other elective or appointive office, except as provided by law or as a member of a board or commission which is ancillary to the office of Mayor or Council Member and for which no compensation is received.

(b) Hold any other employment with the County, the City or any other political subdivision of the State which is governed or advised by a board or commission to which the Mayor or Council Member may be appointed in the course of his or her duties as Mayor or Council Member.

(c) Be appointed to any office or position created by or the compensation for which was increased or fixed by the City Council until 1 year after the expiration of the term for which the Mayor or Council Member was elected.

2. Any person who violates the provisions of subsection 1 shall automatically forfeit his or her office.

(Ch. 662, [Stats. 1971 p. 1963](#); A—Ch. 561, [Stats. 1977 p. 1390](#); Ch. 327, [Stats. 1999 p. 1366](#); Ch. 349, [Stats. 2013 p. 1818](#))

Sec. 1.090 Appointive officers and appointive employees.

1. The City Council shall provide for the appointment of a City Manager and a City Clerk.

2. The City Manager shall appoint a Chief of Police and a Fire Chief, subject to ratification by the City Council. If a person so nominated is not confirmed, the City Manager shall continue to submit nominations until a nominee is confirmed.

3. The following are appointive officers:
 - (a) The City Manager, Assistant City Managers, Chief of Staff of the City Manager, Executive Assistant to the City Manager, Chief of Police, Assistant Chief of Police, Fire Chief, the heads of each department and the assistant heads of each department.
 - (b) The City Clerk, Chief Deputy City Clerk and Manager of Record Systems.
 - (c) Every Chief Deputy City Attorney.
 - (d) The Deputy City Assessor, if the City Council appoints a person as the Deputy City Assessor pursuant to section 3.080.
 - (e) The Deputy City Treasurer, if the City Treasurer appoints a person other than the City Clerk to be Deputy City Treasurer pursuant to section 3.090.

4. Except as otherwise provided in this subsection, the City Council may establish such other appointive offices and appointive positions as it may deem necessary for the operation of the City by designating the office or position and the minimum qualifications therefor by ordinance. The number of appointive positions established by the City Council pursuant to this subsection must not exceed the greater of:

- (a) Forty full-time equivalent appointive positions; or
- (b) Four percent of the total number of:
 - (1) Appointive officers described in subsection 3; and
 - (2) All full-time equivalent positions in the Civil Service.

5. Appointive employees:

- (a) Are not appointive officers but regularly assist an appointive officer;
- (b) Have duties that consist of administrative work directly related to management policies; and
- (c) Have positions that require them customarily to exercise discretion and independent judgment.

6. No person who is an employee of the City's:

(a) Police Department is an appointive officer or appointive employee, other than the Chief of Police and the Assistant Chief of Police.

(b) Fire Department is an appointive officer or appointive employee, other than the Fire Chief.

7. On or before June 30 of each fiscal year, the City Manager shall prepare and file with the City Clerk a document that sets forth the organization of every department and other office of the City. The document must include, without limitation, a description of the job responsibilities of each appointive officer and appointive employee.

(Ch. 662, [Stats. 1971 p. 1963](#); A—Ch. 553, [Stats. 1973 p. 876](#); Ch. 561, [Stats. 1977 p. 1391](#); Ch. 65, [Stats. 1981 p. 160](#); Ch. 210, [Stats. 1997 p. 734](#); Ch. 349, [Stats. 2013 p. 1818](#); Ch. 163, [Stats. 2015 p. 767](#))

Sec. 1.100 Appointive officers and appointive employees: Miscellaneous provisions.

1. All appointive officers and appointive employees, except the City Clerk and his or her deputy, shall perform such duties as are designated by the City Manager.

2. Any employee of the City holding a Civil Service rating under the City who is appointed to any appointive office or appointive position does not lose his or her Civil Service rating while serving in that appointive office or appointive position.

3. The City Council may require from all other officers and employees of the City constituted or appointed under this Charter, except the Mayor and Council Members, sufficient security for the faithful and honest performance of their respective duties.

(Ch. 662, [Stats. 1971 p. 1964](#); A—Ch. 553, [Stats. 1973 p. 877](#); Ch. 561, [Stats. 1977 p. 1392](#); Ch. 210, [Stats. 1997 p. 734](#); Ch. 349, [Stats. 2013 p. 1819](#); Ch. 163, [Stats. 2015 p. 769](#))

Sec. 1.110 Appointive officers and appointive employees: Duties; salary; benefits.

1. All appointive officers and appointive employees of the City, including those appointed by the City Council, except:

(a) The City Manager;

(b) The City Clerk, Chief Deputy City Clerk and Manager of Record Systems appointed by the City Clerk pursuant to section 3.040;

(c) The professional and paraprofessional legal staff and the clerical staff appointed by the City Attorney pursuant to section 3.060; and

(d) The members of the City Board of Health and the City Health Officer, if the City administers the operations of the Board of Health,

shall perform their duties under the direction of the City Manager or as designated by the City Council through the City Manager.

2. All appointive officers and appointive employees of the City are entitled to the salary designated by the City Council through the adoption of a resolution establishing the salary ranges applicable to each appointive office and appointive position.

3. All appointive officers and appointive employees are entitled to the employment benefits established by the applicable law of the State and to such other benefits as the City Council provides by resolution.

(Ch. 662, [Stats. 1971 p. 1964](#); A—Ch. 349, [Stats. 2013 p. 1819](#); Ch. 163, [Stats. 2015 p. 769](#))

Sec. 1.120 Officers and employees; change in salary.

1. The City Council may increase or diminish the salary or compensation of any appointive officer or employee.

2. No act of the City Council directly or indirectly increasing the salary or compensation of any elective officer, except as provided in this Charter, shall be valid or effective for any purpose.

(Ch. 662, [Stats. 1971 p. 1964](#))

Sec. 1.130 Oath of office. Every person elected or appointed to fill any office shall subscribe to the official oath as provided by the City Council. Every such person shall swear or affirm that he or she is not under any direct or indirect obligation to vote for, appoint or elect any person to any office, position or employment in the City government.

(Ch. 662, [Stats. 1971 p. 1964](#))

Sec. 1.140 Charter Committee: Appointment; terms; qualifications; vacancies; compensation.

1. The Charter Committee must be appointed as follows:

(a) Each Council Member shall appoint one member;

(b) The Mayor shall appoint one member;

(c) Except as otherwise provided in subsection 2, the members of the Senate delegation representing the residents of the City and belonging to the majority party of the Senate shall appoint two members;

(d) Except as otherwise provided in subsection 2, the members of the Senate delegation representing the residents of the City and belonging to the minority party of the Senate shall appoint one member;

(e) Except as otherwise provided in subsection 2, the members of the Assembly delegation representing the residents of the City and belonging to the majority party of the Assembly shall appoint two members; and

(f) Except as otherwise provided in subsection 2, the members of the Assembly delegation representing the residents of the City and belonging to the minority party of the Assembly shall appoint one member.

2. The:

(a) Majority Leader of the Senate shall appoint the members of the Charter Committee described in paragraph (c) of subsection 1 if there are no members of the Senate representing the residents of the City and belonging to the majority party of the Senate.

(b) Minority Leader of the Senate shall appoint the members of the Charter Committee described in paragraph (d) of subsection 1 if there are no members of the Senate representing the residents of the City and belonging to the minority party of the Senate.

(c) Speaker of the Assembly shall appoint the members described in paragraph (e) of subsection 1 if there are no members of the Assembly representing the residents of the City and belonging to the majority party of the Assembly.

(d) Minority Leader of the Assembly shall appoint the members of the Charter Committee described in paragraph (f) of subsection 1 if there are no members of the Assembly representing the residents of the City and belonging to the minority party of the Assembly.

3. Each member of the Charter Committee:

(a) If appointed by a Council Member or the Mayor, serves during the term of the person by whom he or she was appointed;

(b) If appointed by members of the Senate delegation or the Majority Leader or Minority Leader of the Senate, serves a term of 4 years;

(c) If appointed by members of the Assembly delegation or the Speaker or Minority Leader of the Assembly, serves a term of 2 years;

(d) Must be a registered voter in the City; and

(e) Must reside in the City during his or her term of office.

4. If a vacancy occurs on the Charter Committee, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.

5. Members of the Charter Committee are entitled to receive compensation, in an amount set by ordinance of the City Council, for each full meeting of the Charter Committee they attend.

(Added—Ch. 349, [Stats. 2013 p. 1815](#); A—Ch. 163, [Stats. 2015 p. 770](#))

Sec. 1.150 Charter Committee: Officers; meetings; duties. The Charter Committee shall:

1. Elect a Chair and Vice Chair from among its members, who each serve for a term of 2 years;

2. Meet at least once every 2 years before the beginning of each regular session of the Legislature and when requested by the City Council or the Chair of the Charter Committee;

3. Meet jointly with the City Council on a date to be set after the final biennial meeting of the Charter Committee is conducted pursuant to subsection 2 and before the beginning of the next regular session of the Legislature to advise the City Council with regard to the recommendations of the Charter Committee concerning necessary amendments to this Charter;

4. If the City Council elects to submit the Charter Committee's recommended amendments to the Legislature as one of the City's bill draft requests, assist the City Council in the timely preparation of such amendments for presentation to the Legislature on behalf of the City;

5. If the City Council elects not to submit the Charter Committee's recommended amendments to the Legislature as one of the City's bill draft requests, seek sponsorship of a legislative measure by a member of the Senate or Assembly delegation representing the residents of the City and assist such member in the timely preparation of such amendments for presentation to the Legislature; and

6. Perform all functions and do all things necessary to accomplish the purposes for which it is established, including, but not limited to, holding meetings and public hearings, and obtaining assistance from City officers.

(Added—Ch. 349, [Stats. 2013 p. 1815](#))

Sec. 1.160 Charter Committee: Removal of member; grounds. Any member of the Charter Committee may be removed by a majority of the remaining members of the Charter Committee for cause, including failure or refusal to perform the duties of the office, absence from three successive regular meetings or ceasing to meet any qualification for the appointment to the Charter Committee.

(Added—Ch. 349, [Stats. 2013 p. 1815](#))

ARTICLE II - Legislative Department

Sec. 2.010 Mayor and City Council: Qualifications; election; term of office; salary.

1. The legislative power of the City is vested in a City Council consisting of six Council Members and a Mayor.

2. The Mayor and Council Members must be qualified electors within the City. Each Council Member elected from a ward must continue to live in that ward for as long as he or she represents the ward.

3. The Mayor and one Council Member represent the City at large and one Council Member represents each ward. The Mayor and Council Members serve for terms of 4 years.

4. The Mayor and Council Members are entitled to receive a salary in an amount fixed by the City Council.

(Ch. 662, [Stats. 1971 p. 1965](#); A—Ch. 98, [Stats. 1977 p. 210](#); Ch. 561, [Stats. 1977 p. 1392](#); Ch. 65, [Stats. 1981 p. 160](#); Ch. 462, [Stats. 1993 p. 1467](#); Ch. 327, [Stats. 1999 p. 1366](#))

Sec. 2.020 City Council: Contracts. Members of the City Council:

1. May vote on any lease, contract or other agreement which extends beyond their terms of office.

2. Shall not have any interest, directly or indirectly, in any lease, contract or other agreement entered into with the City.

(Ch. 662, [Stats. 1971 p. 1965](#))

Sec. 2.030 City Council: Discipline of members and other persons; subpoena power.

1. The City Council may:

(a) Provide for the punishment of the City Clerk or any member for disorderly conduct committed in its presence.

(b) Order the attendance of witnesses and the production of all papers relating to any business before the City Council.

2. If any person ordered to appear before the City Council fails to obey such an order:

(a) The City Council or any member thereof may apply to the clerk of the district court for a subpoena commanding the attendance of the person before the City Council.

(b) The clerk of the district court may issue the subpoena, and any peace officer may serve it.

(c) If the person upon whom the subpoena is served fails to obey it, the court may issue an order to show cause why the person should not be held in contempt of court and upon the hearing of the matter may adjudge the person guilty of contempt and punish him or her accordingly.

(Ch. 662, [Stats. 1971 p. 1965](#); A—Ch. 349, [Stats. 2013 p. 1820](#))

Sec. 2.040 Meetings: Quorum.

1. The City Council shall hold not less than two regular meetings each month. The times and dates of regular meetings must be established by resolution.

2. Special meetings of the City Council may be held at the call of the Mayor.

3. Except as otherwise provided in [NRS 241.0355](#), a majority of all the members of the City Council constitutes a quorum to do business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members.

4. The meetings of the City Council must be conducted in accordance with [chapter 241](#) of NRS.

(Ch. 662, [Stats. 1971 p. 1966](#); A—Ch. 203, [Stats. 1989 p. 444](#); Ch. 255, [Stats. 2001 p. 1131](#); Ch. 349, [Stats. 2013 p. 1820](#))

Sec. 2.060 Meetings: Time and place; rules. The City Council may:

1. Fix the time and place of its meetings and judge the qualifications and election of its own members.

2. Adopt rules for the government of its members and proceedings.

(Ch. 662, [Stats. 1971 p. 1966](#))

Sec. 2.070 Oaths and affirmations. The Mayor, the Vice Mayor while acting in the place of the Mayor, each Council Member and the City Clerk may administer oaths and affirmations relating to any business pertaining to the City, before the City Council or to be considered by the City Council.

(Ch. 662, [Stats. 1971 p. 1966](#); A—Ch. 553, [Stats. 1973 p. 878](#); Ch. 349, [Stats. 2013 p. 1821](#))

Sec. 2.080 Powers of City Council: Ordinances, resolutions and orders; waiver of salary and benefits.

1. The City Council may make and pass all ordinances, resolutions and orders not repugnant to the Constitution of the United States or the Constitution of the State of Nevada, or to the provisions of Nevada Revised Statutes or of this Charter, necessary for the municipal government and the management of the affairs of the City, and for the execution of all the powers vested in the City.

2. When power is conferred upon the City Council to do and perform anything and the manner of exercising such power is not specifically provided for, the City Council may provide by ordinance the manner and details necessary for the full exercise of such power.

3. The City Council may enforce ordinances by providing penalties not to exceed those established by the Legislature for misdemeanors.

4. The City Council shall have such powers, not in conflict with the express or implied provisions of this Charter, as are conferred generally by statute upon the governing bodies of cities organized under a special charter.

5. Except as otherwise provided in this subsection and subsection 6, the City Council shall not pass any ordinance or resolution increasing or diminishing the salary of any elective officer during the term for which he or she is elected or appointed. The City Council may pass an ordinance increasing the salary of a Municipal Judge during the term for which he or she is elected or appointed.

6. Except as otherwise prohibited or limited by statute or regulation or as otherwise provided in this subsection, the Mayor and any Council Member may waive the payment of any part of the salary and benefits otherwise payable to him or her during any budget year. Any such waiver must be in writing, does not extend beyond the current term of the Mayor or Council Member and may not be rescinded.

(Ch. 662, [Stats. 1971 p. 1966](#); A—Ch. 599, [Stats. 1993 p. 2499](#); Ch. 349, [Stats. 2013 p. 1821](#))

Sec. 2.090 Ordinances: Passage by bill; amendments; subject matter; title requirements.

1. No ordinance may be passed except by bill and by a majority vote of the City Council. The style of all ordinances must be as follows: "The City Council of the City of Reno does ordain:"

2. No ordinance may contain more than one general subject matter and matters which pertain to or are necessarily connected with the general subject matter, and the general subject must be briefly indicated in the title. Where the general subject of the ordinance is not so expressed in the title, the ordinance is void.

3. Any ordinance which amends an existing ordinance must set out in full the ordinance or sections thereof to be amended, and must indicate matter to be omitted by enclosing it in brackets and any new matter by underscoring or by italics.

(Ch. 662, [Stats. 1971 p. 1967](#); A—Ch. 553, [Stats. 1973 p. 878](#); Ch. 349, [Stats. 2013 p. 1821](#))

Sec. 2.100 Ordinances: Enactment procedure; emergency ordinances.

1. All proposed ordinances when first proposed must be read to the City Council by title, after which an adequate number of copies of the proposed ordinance must be filed with the City Clerk for public distribution. Except as otherwise provided in subsection 3, notice of the filing must be published once in a newspaper qualified pursuant to the provisions of [chapter 238](#) of NRS, and published in the City at least 10 days before the adoption of the ordinance. The City Council shall adopt or reject the ordinance, or an amendment thereto, within 45 days after the date of publication.

2. At the next regular meeting or adjourned regular meeting of the City Council held at least 10 days after the date of publication, the proposed ordinance must be returned to the City Council for consideration and possible adoption. At that meeting, the title of the proposed ordinance must be read as first proposed or as amended, and thereupon the proposed ordinance must be finally voted upon or action thereon postponed.

3. In cases of emergency or where the ordinance is of a kind specified in section 7.030, by unanimous consent of the City Council, final action may be taken immediately or at an emergency meeting called for that purpose, and no notice of the filing of the copies of the proposed ordinance with the City Clerk need be published.

4. All ordinances must be signed by the Mayor, attested by the City Clerk and published by title, together with the names of the members of the City Council voting for or against passage, in a newspaper qualified pursuant to the provisions of [chapter 238](#) of NRS, and published in the City for at least one publication, before the ordinance becomes effective. The City Council may, by majority vote, order the publication of the ordinance in full in lieu of publication by title only.

5. The City Clerk shall record all ordinances in a book kept for that purpose, together with the affidavits of publication by the publisher.

(Ch. 662, [Stats. 1971 p. 1967](#); A—Ch. 160, [Stats. 1983 p. 372](#); Ch. 599, [Stats. 1993 p. 2500](#); Ch. 327, [Stats. 1999 p. 1366](#); Ch. 349, [Stats. 2013 p. 1822](#))

Sec. 2.110 Uniform codes: Procedure for adoption. Except as otherwise provided in [NRS 707.375](#), a uniform building, plumbing, electrical, health, traffic or fire code, or any other uniform code, printed in book or pamphlet form, or any portion thereof, with such changes as may be necessary to make the code applicable to conditions in the City, and with such other changes as may be desirable, may be adopted in an ordinance by reference thereto. Copies of the code, with such changes, if any, must be filed for use and examination by the public in the Office of the Clerk at least 1 week before the passage of the ordinance adopting the code.

(Ch. 662, [Stats. 1971 p. 1967](#); A—Ch. 327, [Stats. 1999 p. 1367](#); Ch. 237, [Stats. 2003 p. 1254](#))

Sec. 2.120 Codification of ordinances; publication of Code.

1. The City Council may codify and publish a Code of its municipal ordinances in the form of a Municipal Code, which Code may, at the election of the City Council, have incorporated therein a copy of this Charter and such additional data as the City Council prescribes. Whenever the Code is published or revised, a copy must be provided to the Librarian at the County Public Library in Reno, the County Law Library and the Supreme Court Law Library. The requirements of this subsection are satisfied by the provision of a paper copy, an electronic copy or a copy of the Code in such other format as is requested by a library.

2. The ordinances in the Code must be arranged in appropriate chapters, articles and sections, excluding the titles, enacting clauses, signature of the Mayor, attestations and other formal parts.

3. The codification must be adopted by an ordinance and must not contain any substantive changes, modifications or alterations of existing ordinances, and the only title necessary for the ordinance is, “An ordinance for codifying and compiling the general ordinances of the City of Reno.”

4. The codification may be amended or extended by ordinance.

(Ch. 662, [Stats. 1971 p. 1968](#); A—Ch. 669, [Stats. 1971 p. 2055](#); Ch. 344, [Stats. 1973 p. 430](#); Ch. 561, [Stats. 1977 p. 1393](#); Ch. 349, [Stats. 2013 p. 1823](#))

Sec. 2.130 Ordinances: Judicial notice. This Charter and all ordinances, rules, resolutions or other regulations of the City shall be received as prima facie evidence in all courts without pleading the contents thereof. Such Charter, ordinances, rules, resolutions or other regulations may be pleaded by title only and may be proved by introduction of:

1. The original entry thereof on the records of the City Council; or

2. A copy of such original entry certified by the City Clerk; or

3. A printed copy published or purported to have been published by authority of the City Council.

(Ch. 662, [Stats. 1971 p. 1968](#))

Sec. 2.140 General powers of City Council.

1. Except as otherwise provided in subsection 2 and section 2.150, the City Council may:

(a) Acquire, control, improve and dispose of any real or personal property for the use of the City, its residents and visitors.

(b) Except as otherwise provided in [NRS 598D.150](#) and [640C.100](#), regulate and impose a license tax for revenue upon all businesses, trades and professions.

(c) Provide or grant franchises for public transportation and utilities.

(d) Appropriate money for advertising and publicity and for the support of a municipal band.

(e) Enact and enforce any police, fire, traffic, health, sanitary or other measure which does not conflict with the general laws of the State. An offense that is made a misdemeanor by the laws of the State shall be deemed also to be a misdemeanor against the City whenever the offense is committed within the City.

(f) Fix the rate to be paid for any utility service provided by the City as a public enterprise. Any charges due for services, facilities or commodities furnished by any utility owned by the City is a lien upon the property to which the service is rendered and is perfected by filing with the County Recorder a statement by the City Clerk of the amount due and unpaid and describing the property subject to the lien. Any such lien is:

(1) Coequal with the latest lien upon the property to secure the payment of general taxes.

(2) Not subject to extinguishment by the sale of any property on account of the nonpayment of general taxes.

(3) Prior and superior to all liens, claims, encumbrances and titles other than the liens of assessments and general taxes.

2. The City Council:

(a) Shall not sell telecommunication service to the general public.

(b) May purchase or construct facilities for providing telecommunication that intersect with public rights-of-way if the governing body:

(1) Conducts a study to evaluate the costs and benefits associated with purchasing or constructing the facilities; and

(2) Determines from the results of the study that the purchase or construction is in the interest of the general public.

3. Any information relating to the study conducted pursuant to subsection 2 must be maintained by the City Clerk and made available for public inspection during the business hours of the Office of the City Clerk.

4. Notwithstanding the provisions of paragraph (a) of subsection 2, an airport may sell telecommunication service to the general public.

5. As used in this section:

(a) “Telecommunication” has the meaning ascribed to it in [NRS 704.025](#).

(b) “Telecommunication service” has the meaning ascribed to it in [NRS 704.028](#).

(Ch. 662, [Stats. 1971 p. 1968](#); A—Ch. 553, [Stats. 1973 p. 878](#); Ch. 561, [Stats. 1977 p. 1393](#); Ch. 104, [Stats. 1991 p. 174](#); Ch. 565, [Stats. 1997 p. 2761](#); Ch. 327, [Stats. 1999 p. 1367](#); Ch. 416, [Stats. 2001 p. 2105](#); Ch. 465, [Stats. 2003 p. 2899](#); Ch. 325, [Stats. 2005 p. 1143](#); Ch. 216, [Stats. 2007 p. 726](#); Ch. 349, [Stats. 2013 p. 1823](#))

Sec. 2.150 Franchises for the provision of telecommunication service.

1. The City Council shall not:

(a) Impose any terms or conditions on a franchise for the provision of telecommunication service or interactive computer service other than terms or conditions concerning the placement and location of the telephone or telegraph lines and fees imposed for a business license or the franchise, right or privilege to construct, install or operate such lines.

(b) Require a company that provides telecommunication service or interactive computer service to obtain a franchise if it provides telecommunication service over the telephone or telegraph lines owned by another company.

(c) Require a person who holds a franchise for the provision of telecommunication service or interactive computer service to place its facilities in ducts or conduits or on poles owned or leased by the City.

2. As used in this section:

(a) “Interactive computer service” has the meaning ascribed to it in 47 U.S.C. § 230(f)(2), as that section existed on January 1,

2007.

- (b) "Telecommunication service" has the meaning ascribed to it in [NRS 704.028](#).
(Added—Ch. 565, [Stats. 1997 p. 2761](#); A—Ch. 216, [Stats. 2007 p. 727](#))

ARTICLE III - Executive Department

Sec. 3.010 Mayor: Duties; Vice Mayor.

1. The Mayor:
 - (a) Shall serve as a member of the City Council and preside over its meetings.
 - (b) Shall not have any administrative duties.
 - (c) Must be recognized as the head of the City Government for all ceremonial purposes.
 - (d) Shall determine the order of business at meetings pursuant to the rules of the City Council.
 - (e) Is entitled to vote and shall vote last on all roll call votes.
 - (f) Shall take all proper measures for the preservation of the public peace and order and for the suppression of riots and all forms of public disturbance, for which he or she is authorized to appoint extra police officers temporarily and without regard to Civil Service rules and regulations, and to call upon the County Sheriff or, if that force is inadequate, to call upon the Governor for assistance.
 - (g) Shall perform such other duties, except administrative duties, as are prescribed by ordinance or by the provisions of Nevada Revised Statutes which apply to a mayor of a city organized pursuant to the provisions of a special charter.
2. At the first regular City Council meeting in November of each year or whenever a vacancy occurs in the office of Vice Mayor, the City Council shall elect one of the Council Members to be Vice Mayor. That person:
 - (a) Holds that office and title, without additional compensation, for a term of 1 year or until removed after a hearing for cause by a vote of six-sevenths of the City Council or the office otherwise becomes vacant.
 - (b) Shall perform the duties of Mayor during the absence or disability of the Mayor.
 - (c) Shall act as Mayor if the office of Mayor becomes vacant until the vacancy is filled pursuant to section 1.070 of this Charter.
(Ch. 662, [Stats. 1971 p. 1973](#); A—Ch. 561, [Stats. 1977 p. 1394](#); Ch. 9, [Stats. 1993 p. 20](#); Ch. 210, [Stats. 1997 p. 735](#); Ch. 349, [Stats. 2013 p. 1824](#))

Sec. 3.020 City Manager: Duties; compensation; residency; vacancy.

1. The City Manager is the Chief Executive and Administrative Officer of the City Government. He or she is responsible to the City Council for the proper administration of all affairs of the City. The duties and salary of the City Manager must be fixed by the City Council and he or she is entitled to be reimbursed for all expenses incurred in the performance of his or her duties.
2. Except as otherwise provided in this subsection, the City Manager must actually, as opposed to constructively, reside in the State. A person who is appointed as City Manager by the City Council must become an actual resident of the State not later than 6 months after the date of his or her appointment.
3. Any vacancy in the City Manager position must be filled by the City Council not later than 6 months after the vacancy occurs.
4. The City Manager may appoint such staff as he or she deems necessary for the proper functioning of his or her office, including, without limitation:
 - (a) A Chief of Staff, who is an appointive officer and not subject to the provisions of article IX of this Charter.
 - (b) One or more Assistant City Managers, who are appointive officers and not subject to the provisions of article IX of this Charter.
 - (c) An Executive Assistant, who is an appointive officer and not subject to the provisions of article IX of this Charter.
 - (d) Clerical and office support staff, who are subject to the provisions of article IX of this Charter.
5. The City Manager may designate an acting City Manager to serve in his or her absence or, if he or she fails to do so, the City Council may appoint an acting City Manager.
6. No member of the City Council may be appointed as City Manager during the term for which he or she was elected, or for 1 year thereafter.
7. The City Manager shall appoint all officers and employees of the City and may remove any officer or employee of the City except as otherwise provided in this Charter. The City Manager may authorize the head of a department or office to appoint or remove his or her subordinates.
(Ch. 662, [Stats. 1971 p. 1973](#); A—Ch. 715, [Stats. 1975 p. 1473](#); Ch. 65, [Stats. 1981 p. 161](#); Ch. 210, [Stats. 1997 p. 735](#); Ch. 349, [Stats. 2013 p. 1825](#); Ch. 163, [Stats. 2015 p. 771](#))

Sec. 3.030 City Manager: Removal.

1. The City Council may remove the City Manager from office in accordance with the procedure contained in this section.
2. The City Council shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the City Manager from duty for a period not to exceed 15 days. A copy of the resolution must be delivered promptly to the City Manager.
3. Within 5 days after a copy of the resolution is delivered to the City Manager, he or she may file with the City Council a written request for a public hearing. The public hearing must be held at a City Council meeting not earlier than 15 days nor later than 30 days after the request is filed. The City Manager may file with the City Council a written reply not later than 5 days before the hearing.
4. The City Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members, at any time after 5 days from the date when a copy of the preliminary resolution was delivered to the City Manager if he or she has not requested a public hearing or at any time after the public hearing if he or she has requested one.
5. The City Manager is entitled to receive his or her salary until the effective date of the final resolution of removal.
(Ch. 662, [Stats. 1971 p. 1973](#); A—Ch. 210, [Stats. 1997 p. 736](#))

Sec. 3.040 City Clerk: Duties.

1. The City Clerk shall:
 - (a) Keep the corporate seal and all books and papers belonging to the City.
 - (b) Attend all meetings of the City Council and keep an accurate journal of its proceedings, including a record of all ordinances, bylaws and resolutions passed or adopted by it. After approval at each meeting of the City Council, the City Clerk shall attest the journal after it has been signed by the Mayor.
 - (c) Sign all warrants for payment issued.

(d) Number and sign all business licenses issued by the City. All business licenses must be in a form devised by the City Clerk and approved by the City Council.

(e) Enter upon the journal the result of the vote of the City Council upon the passage of ordinances, or of any resolution appropriating money, abolishing licenses, or increasing or decreasing the rates of licenses.

(f) Be the official collector of all business license fees and penalties of the City, and all money making up the City revenues, except general taxes and special assessments, must be paid over to him or her.

2. The City Clerk has custody of all the official records of the City. He or she is responsible to the City Council for the proper discharge of his or her duties. The duties and salary of the City Clerk are fixed by the City Council, and he or she is entitled to be reimbursed for all expenses incurred in the performance of his or her duties.

3. The City Clerk may, with approval of the City Council, appoint one Chief Deputy City Clerk and one Manager of Record Systems, who are appointive officers and not subject to the provisions of article IX of this Charter.

4. The City Clerk may designate a member of his or her staff as acting City Clerk to:

(a) Administer oaths; and

(b) Perform all the duties of the City Clerk in his or her absence.

(Ch. 662, [Stats. 1971 p. 1974](#); A—Ch. 553, [Stats. 1973 p. 880](#); Ch. 715, [Stats. 1975 p. 1474](#); Ch. 373, [Stats. 1979 p. 644](#); Ch. 65, [Stats. 1981 p. 161](#); Ch. 210, [Stats. 1997 p. 737](#); Ch. 349, [Stats. 2013 p. 1825](#); Ch. 163, [Stats. 2015 p. 772](#))

Sec. 3.060 City Attorney: Qualifications; duties; salary.

1. The City Attorney must be a duly licensed member of the State Bar of Nevada and a qualified elector within the City. Once elected, he or she shall hold office for a term of 4 years and until his or her successor is duly elected and qualified.

2. The City Attorney is the Legal Officer of the City and shall:

(a) Perform such duties as are designated by ordinance;

(b) Be present at all meetings of the City Council;

(c) Be counsel for the Commission;

(d) Devote his or her full time to the duties of the office; and

(e) Not engage in the private practice of law.

3. The City Attorney is entitled to receive a salary as fixed by resolution of the City Council.

4. As he or she requires in the discharge of the duties of his or her office, the City Attorney may:

(a) Appoint and remove any professional and paraprofessional legal staff, including, without limitation, attorneys, paralegals, investigators, an office administrator and an executive assistant. Professional and paraprofessional legal staff must not be Civil Service employees.

(b) Appoint and remove clerical staff, including, without limitation, management assistants, legal secretaries and advocates. Clerical staff must not be Civil Service employees.

5. The Council may appropriate such an amount of money as it deems proper to compensate the professional and paraprofessional legal staff and clerical staff appointed by the City Attorney pursuant to subsection 4.

6. Any attorney or paralegal who is employed for more than 20 hours per week by the City Attorney shall not engage in the private practice of law.

(Ch. 662, [Stats. 1971 p. 1974](#); A—Ch. 553, [Stats. 1973 p. 881](#); Ch. 666, [Stats. 1975 p. 1318](#); Ch. 98, [Stats. 1977 p. 210](#); Ch. 561, [Stats. 1977 p. 1395](#); Ch. 599, [Stats. 1993 p. 2501](#); Ch. 327, [Stats. 1999 p. 1369](#); Ch. 349, [Stats. 2013 p. 1826](#); Ch. 163, [Stats. 2015 p. 772](#))

Sec. 3.070 Services of Special Counsel. The City Council may, by six-sevenths vote, retain the services of attorneys to perform any civil duty of the City Attorney. Such attorneys are responsible only to the City Council. The City Attorney shall have no responsibility or authority concerning the services of such attorneys.

(Ch. 662, [Stats. 1971 p. 1975](#); A—Ch. 163, [Stats. 2015 p. 773](#))

Sec. 3.080 County Assessor to be ex officio City Assessor; duties.

1. The County Assessor of the County shall be ex officio City Assessor of the City. The County Assessor shall perform such duties for the City without additional compensation.

2. Upon request of the ex officio City Assessor, the City Council may appoint and set the salary of a Deputy City Assessor to perform such duties relative to city assessments as may be deemed necessary.

(Ch. 662, [Stats. 1971 p. 1975](#); A—Ch. 349, [Stats. 2013 p. 1827](#))

Sec. 3.090 County Treasurer to be ex officio City Treasurer; duties.

1. The Treasurer of the County shall be ex officio City Treasurer and Tax Receiver of the City. The County Treasurer shall perform such duties for the City without additional compensation.

2. The City Treasurer shall, with the consent of the City Council, appoint the City Clerk or other city officer as Deputy City Treasurer to perform such duties as may be designated by the City Council.

3. The City shall compensate the County annually in an amount agreed upon by the City Council and the Board of County Commissioners of the County for the services rendered by the Treasurer of the County under this section.

(Ch. 662, [Stats. 1971 p. 1975](#); A—Ch. 414, [Stats. 1975 p. 607](#); Ch. 349, [Stats. 2013 p. 1827](#))

Sec. 3.120 City officers: Duties restricted and altered. The City Council may prescribe by ordinance the powers and duties of all city officers, where such powers and duties have not been established by this Charter, and may add to, alter or restrict such powers and duties.

(Ch. 662, [Stats. 1971 p. 1976](#))

Sec. 3.130 City officers: Collection and disposition of moneys.

1. All taxes, fines, forfeitures or other moneys collected or recovered by any officer or person pursuant to the provisions of this Charter or of any valid ordinance of the City shall be paid by the officer or person collecting or receiving them to the City Clerk, who shall dispose of them in accordance with the ordinances, regulations and procedures established by the City Council.

2. The City Council may by proper legal action collect all moneys which are due and unpaid to the City or any office thereof, and the City Council may pay from the General Fund all fees and expenses necessarily incurred by it in connection with the collection of such moneys.

(Ch. 662, [Stats. 1971 p. 1976](#))

Sec. 3.140 Interference and direction by City Council.

1. The Mayor or Council Members shall not dictate the appointment, suspension or removal of any appointive employee. No person covered by the rules and regulations of the Commission may be appointed, suspended or removed except as provided in those rules and regulations.

2. Any action directed by the City Council in a public meeting shall be deemed to be direction to the City Manager and not to any subordinate of the City Manager. The City Council or its members shall not:

(a) Deal directly with an appointive employee on a matter pertaining to City business, except for the purpose of inquiry, but shall deal through the City Manager; or

(b) Give any order, publicly or privately, to any subordinate of the City Manager.

(Ch. 662, [Stats. 1971 p. 1976](#); A—Ch. 210, [Stats. 1997 p. 737](#); Ch. 349, [Stats. 2013 p. 1827](#); Ch. 163, [Stats. 2015 p. 773](#))

Sec. 3.150 Removal of elective officers. If any elective officer is adjudged guilty of nonfeasance, misfeasance or malfeasance in office by any court of competent jurisdiction, the City Council may declare the office vacant and fill the vacancy so caused, as provided by law.

(Ch. 662, [Stats. 1971 p. 1976](#))

ARTICLE IV - Judicial Department

Sec. 4.010 Municipal Court.

1. The Municipal Court must include one department and may include additional departments in the discretion of the City Council. If the City Council determines to create additional departments, it shall do so by resolution and may appoint additional Municipal Judges to serve until the next election.

2. The City Council may not reduce the term of office of any appointed or elected Municipal Judge.

(Ch. 662, [Stats. 1971 p. 1976](#); A—Ch. 553, [Stats. 1973 p. 881](#); Ch. 373, [Stats. 1979 p. 645](#); Ch. 208, [Stats. 1985 p. 675](#); Ch. 9, [Stats. 1993 p. 21](#); Ch. 349, [Stats. 2013 p. 1828](#))

Sec. 4.020 Municipal Court: Qualifications of Municipal Judge; salary.

1. A Municipal Judge must be:

(a) An attorney licensed to practice law in the State.

(b) A qualified elector within the City.

2. A Municipal Judge shall not engage in the private practice of law.

3. The salary of a Municipal Judge must be:

(a) Fixed by resolution of the City Council.

(b) Uniform for all judges in the Municipal Court.

(Ch. 662, [Stats. 1971 p. 1976](#); A—Ch. 343, [Stats. 1973 p. 422](#); Ch. 553, [Stats. 1973 p. 881](#); Ch. 98, [Stats. 1977 p. 211](#); Ch. 561, [Stats. 1977 p. 1395](#); Ch. 208, [Stats. 1985 p. 675](#); Ch. 599, [Stats. 1993 p. 2501](#); Ch. 327, [Stats. 1999 p. 1369](#); Ch. 349, [Stats. 2013 p. 1828](#))

Sec. 4.030 Disposition of fines. All fines and forfeitures for the violation of ordinances shall be paid to the City Clerk in the manner to be prescribed by ordinance.

(Ch. 662, [Stats. 1971 p. 1977](#))

Sec. 4.040 Procedure; additional judges. The practice and proceedings in the Court must conform as nearly as practicable to that of justices' courts in similar cases. Upon the written request of the City Manager an additional temporary Municipal Judge may be provided for so long as the City Council authorizes additional compensation for such a Judge.

(Ch. 662, [Stats. 1971 p. 1977](#); A—Ch. 553, [Stats. 1973 p. 882](#); Ch. 182, [Stats. 1983 p. 434](#); Ch. 208, [Stats. 1985 p. 676](#); Ch. 349, [Stats. 2013 p. 1828](#))

ARTICLE V - Elections

Sec. 5.010 General elections.

1. On the date fixed by the election laws of the State for the statewide general election in November 2002, and at each successive interval of 6 years, there must be elected by the qualified voters of the City, at the general election, a Municipal Judge, who holds office for a term of 6 years and until his or her successor has been elected and qualified.

2. On the date fixed by the election laws of the State for the statewide general election in November 2002, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at the general election, a Mayor, Council Members from the second and fourth wards, and a City Attorney, all of whom hold office for a term of 4 years and until their successors have been elected and qualified.

3. On the date fixed by the election laws of the State for the statewide general election in November 2004, and at each successive interval of 6 years, there must be elected by the qualified voters of the City, at the general election, one or more Municipal Judges, other than the Municipal Judge referred to in subsection 1, all of whom hold office for a term of 6 years and until their successors have been elected and qualified.

4. On the date fixed by the election laws of the State for the statewide general election in November 2004, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at the general election, Council Members from the first, third and fifth wards and one Council Member at large, all of whom hold office for a term of 4 years and until their successors have been elected and qualified.

(Ch. 662, [Stats. 1971 p. 1977](#); A—Ch. 561, [Stats. 1977 p. 1395](#); Ch. 373, [Stats. 1979 p. 645](#); Ch. 9, [Stats. 1993 p. 21](#); Ch. 87, [Stats. 2001 p. 557](#); Ch. 349, [Stats. 2013 p. 1828](#))

Sec. 5.020 Primary elections; declaration of candidacy.

1. A candidate for any office to be voted for at an election must file a declaration of candidacy with the City Clerk. All filing fees collected by the City Clerk must be deposited to the credit of the General Fund of the City.

2. If for any general election, there are three or more candidates for any office to be filled at that election, a primary election for any such office must be held on the date fixed by the election laws of the State for statewide elections, at which time there must be nominated candidates for the office to be voted for at the next general election. If for any general election there are two or fewer

candidates for any office to be filled at that election, their names must not be placed on the ballot for the primary election but must be placed on the ballot for the general election. The general election must be held on the date fixed by the election laws of the State for the statewide general election.

3. In the primary election:

(a) The names of the two candidates for Municipal Judge, City Attorney or a particular City Council seat, as the case may be, who receive the highest number of votes must be placed on the ballot for the general election.

(b) Candidates for Council Member who represent a specific ward must be voted upon only by the registered voters of that ward.

(c) Candidates for Mayor and Council Member at large must be voted upon by all registered voters of the City.

4. The Mayor and all Council Members must be voted upon by all registered voters of the City at the general election.

(Ch. 662, [Stats. 1971 p. 1977](#); A—Ch. 9, [Stats. 1993 p. 22](#); Ch. 462, [Stats. 1993 p. 1468](#); Ch. 210, [Stats. 1997 p. 738](#); Ch. 570, [Stats. 1997 p. 2791, 2796](#); Ch. 686, [Stats. 1997 p. 3481](#); Ch. 100, [Stats. 1999 p. 274](#); Ch. 376, [Stats. 2005 p. 1438](#); Ch. 349, [Stats. 2013 p. 1829](#))

Sec. 5.030 Applicability of state election laws; elections under City Council control.

1. All elections held pursuant to this Charter must be governed by the provisions of the election laws of this State, so far as those laws can be made applicable and are not inconsistent herewith.

2. The conduct of all elections must be under the control of the City Council. For the conduct of elections, for the prevention of fraud in those elections, and for the recount of ballots in cases of doubt or fraud, the City Council shall adopt by ordinance all regulations which it considers desirable and consistent with law and this Charter.

(Ch. 662, [Stats. 1971 p. 1978](#); A—Ch. 9, [Stats. 1993 p. 23](#))

Sec. 5.040 Qualifications, registration of voters.

1. Every person who resides within the City at the time of holding any election, and whose name appears upon the official register of voters in and for the City, is entitled to vote at each election, whether special, primary or general, and for all officers to be voted for and on all questions that may be submitted to the people at any primary, general or special election, except as otherwise provided in this article.

2. The City Council may provide for supplemental registration.

(Ch. 662, [Stats. 1971 p. 1978](#); A—Ch. 561, [Stats. 1977 p. 1396](#); Ch. 9, [Stats. 1993 p. 23](#))

Sec. 5.050 Names on ballots.

1. The full names of all candidates, except those who have withdrawn, died or become ineligible, must be printed on the official ballots without party designation or symbol.

2. If two or more candidates have the same surname or surnames so similar as to be likely to cause confusion and:

(a) None of them is an incumbent, their middle names or middle initials, if any, must be included in their names as printed on the ballot; or

(b) One of them is an incumbent, the name of the incumbent must be listed first and must be printed in bold type.

(Ch. 662, [Stats. 1971 p. 1978](#); A—Ch. 312, [Stats. 2003 p. 1730](#))

Sec. 5.060 Ballots for ordinances and Charter amendments. An ordinance or Charter amendment to be voted on in the City shall be presented for voting by ballot title. The ballot title of a measure may differ from its legal title and shall be a clear, concise statement describing the substance of the measure without argument or prejudice. Below the ballot title shall appear the following question: "Shall the above described (ordinance) (amendment) be adopted?" The ballot or voting machine or device shall be so marked as to indicate clearly in what manner the voter may cast his or her vote, either for or against the ordinance or amendment.

(Ch. 662, [Stats. 1971 p. 1978](#); A—Ch. 669, [Stats. 1971 p. 2055](#))

Sec. 5.070 Availability of lists of registered voters. If, for any purpose relating to an election or to candidates or issues involved in that election, any organization, group or person requests a list of registered voters of the City, the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in [NRS 293.5002](#) and [293.558](#), permit the organization, group or person to copy the voters' names and addresses from the official register of voters or furnish such a list upon payment of the cost established by the election laws of the State.

(Ch. 662, [Stats. 1971 p. 1979](#); A—Ch. 561, [Stats. 1977 p. 1396](#); Ch. 9, [Stats. 1993 p. 23](#); Ch. 581, [Stats. 2001 p. 2972](#); Ch. 470, [Stats. 2005 p. 2304](#); Ch. 349, [Stats. 2013 p. 1830](#))

Sec. 5.080 Watchers and challengers. A candidate is entitled upon written application to the election authorities at least 5 days before the election to appoint two persons to represent him or her as watchers and challengers at each polling place where voters may cast their ballots for him or her. A person so appointed has all the rights and privileges prescribed by watchers and challengers under the election laws of this State. The watchers and challengers may exercise their rights throughout the voting and until the ballots have been counted.

(Ch. 662, [Stats. 1971 p. 1979](#))

Sec. 5.090 Voting machines. The City Council may provide for the use of mechanical or other devices for voting or counting the votes not inconsistent with law or regulations of the Secretary of State.

(Ch. 662, [Stats. 1971 p. 1979](#))

Sec. 5.100 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

1. The election returns from any special, primary or general election must be filed with the City Clerk, who shall immediately place those returns in a safe or vault, and no person may handle, inspect or in any manner interfere with those returns until canvassed by the City Council.

2. The City Council and City Manager shall meet within 10 days after any election and canvass the returns and declare the result. The election returns must then be sealed and kept by the City Clerk for 6 months, and no person may have access thereto except on order of a court of competent jurisdiction or by order of the City Council.

3. The City Clerk, under his or her hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers elected shall qualify and enter upon the discharge of their respective duties at the first regular City Council meeting following their election.

4. If any election results in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie

as provided in this subsection. The City Clerk shall provide and open in the presence of the candidates who received the tie vote an unused 52-card deck of playing cards, removing any jokers and blank cards. The City Clerk shall shuffle the cards thoroughly and present the shuffled deck to the City Manager, or to the person designated by the City Manager for this purpose. One of the candidates who received the tie vote shall then draw one card from the deck, and the City Clerk shall record the suit and number of the card. The card then must be returned to the deck, and the City Clerk shall shuffle the cards thoroughly and present the shuffled deck to the City Manager, or to the person designated by the City Manager for this purpose, and another of the candidates who received the tie vote shall draw one card from the deck. This process must be repeated until each of the candidates who received the tie vote has drawn one card from the deck and the result of each draw has been recorded. The candidate who draws the high card shall be deemed the winner of the election. For the purposes of this subsection, aces are high and twos are low. If the candidates draw cards of otherwise equal value, the card of the higher suit is the high card. Spades are highest, followed in descending order by hearts, clubs and diamonds. The City Clerk shall issue to the winner a certificate of election.

(Ch. 662, [Stats. 1971 p. 1979](#); A—Ch. 561, [Stats. 1977 p. 1396](#); Ch. 373, [Stats. 1979 p. 646](#); Ch. 9, [Stats. 1993 p. 24](#); Ch. 349, [Stats. 2013 p. 1830](#))

Sec. 5.110 Contest of election. A contested election for any municipal office shall be determined according to the law of the State regulating proceedings in contested elections in political subdivisions.

(Ch. 662, [Stats. 1971 p. 1979](#))

ARTICLE VI - Local Improvements

Sec. 6.010 Local improvement law. Except as otherwise provided in subsection 2 of section 2.140 and section 2.150, the City Council, on behalf of the City and in its name, without any election, may from time to time acquire, improve, equip, operate and maintain, convert to or authorize:

1. Curb and gutter projects;
2. Drainage projects;
3. Off-street parking projects;
4. Overpass projects;
5. Park projects;
6. Sanitary sewer projects;
7. Security walls;
8. Sidewalk projects;
9. Storm sewer projects;
10. Street projects;
11. Underground electric and communication facilities;
12. Underpass projects;
13. Water projects; and
14. Any other projects authorized by the laws of the State, including, without limitation, [chapter 271](#) of NRS.

(Ch. 662, [Stats. 1971 p. 1979](#); A—Ch. 306, [Stats. 1973 p. 384](#); Ch. 361, [Stats. 1983 p. 875](#); Ch. 565, [Stats. 1997 p. 2762](#); Ch. 416, [Stats. 2001 p. 2106](#); Ch. 349, [Stats. 2013 p. 1831](#))

Sec. 6.020 Local improvement law: Collateral powers. The City Council on behalf of the City for the purpose of defraying all the costs of acquiring, improving or converting to any project authorized by section 6.010, or any portion of the cost thereof not to be defrayed with moneys otherwise available therefor, is vested with the powers granted to municipalities by [chapters 271](#) and [704A](#) of NRS, as amended from time to time.

(Ch. 662, [Stats. 1971 p. 1980](#); A—Ch. 306, [Stats. 1973 p. 385](#))

Sec. 6.030 Local improvement law: Assessments on public property. When an assessment is made for any improvement pursuant to sections 6.010 and 6.020 and there is public property located within the district formed and otherwise assessable, the City Council may pay all or any part of the cost of such improvement that would be apportionable to such public property from the General Fund of the City or from any other proper fund.

(Ch. 662, [Stats. 1971 p. 1980](#))

ARTICLE VII - Local Bonds and Franchises

Sec. 7.010 Debt limit.

1. The City shall not incur an indebtedness in excess of 15 percent of the total assessed valuation of the taxable property within the boundaries of the City, as shown on the tax list or assessment roll in effect as of the date of issuance of the municipal securities constituting the debt.

2. In determining any debt limitation under this section, there shall not be counted as indebtedness:

- (a) Warrants or other securities which are payable upon presentation or demand or within 1 year from the date thereof.
- (b) Securities payable from special assessments against benefited property, whether issued pursuant to any general or special law and irrespective of whether such special assessment securities are payable from general ad valorem taxes.
- (c) Securities issued pursuant to any general or special law the principal and interest of which are payable solely from revenues of the City derived from other than general ad valorem taxes.

(Ch. 662, [Stats. 1971 p. 1980](#); A—Ch. 349, [Stats. 2013 p. 1831](#))

Sec. 7.020 Acquisition, operation of municipal utilities. Except as otherwise provided in subsection 2 of section 2.140 and 2.150, the City may, in the manner and for the purposes provided in this Charter and Nevada Revised Statutes as they apply to cities, grant franchises and acquire in any manner any public utility and hold, manage and operate it, either alone or jointly, with any level of government or instrumentality or subdivision thereof.

(Ch. 662, [Stats. 1971 p. 1980](#); A—Ch. 565, [Stats. 1997 p. 2763](#); Ch. 416, [Stats. 2001 p. 2106](#))

Sec. 7.030 Borrowing money.

1. Subject to the limitations imposed by this article, the City may borrow money for any corporate purpose, including, without limitation any purpose authorized by this Charter or by Nevada Revised Statutes for a city, and for such purpose may issue bonds or

other securities. The Local Government Securities Law, as amended from time to time, applies to all securities so issued, except for securities issued under section 6.020.

2. Any property tax levied to pay the principal of or interest on such indebtedness must be levied upon all taxable property within the City.

3. Any ordinance pertaining to the sale or issuance of bonds or other securities, including without limitation securities issued under section 6.020, may be adopted in the same manner as is provided for cases of emergency. A declaration by the City Council in any ordinance that it is of this kind is conclusive in the absence of fraud or gross abuse of discretion.

(Ch. 662, [Stats. 1971 p. 1980](#); A—Ch. 482, [Stats. 1981 p. 975](#))

Sec. 7.050 Investment of funds.

1. The City Council may, by resolution, direct the City Manager to invest any part of the funds of the City in obligations of any kind issued by the United States of America.

2. All such funds so invested shall be considered as part of the fund from which it was taken.

(Ch. 662, [Stats. 1971 p. 1981](#); A—Ch. 561, [Stats. 1977 p. 1397](#))

Sec. 7.060 Investment of money realized from bond sales.

1. The City Council may direct the City Manager to invest, in a manner authorized by the laws of this state, all money realized from the sale of bonds issued by the City in bonds or other securities until such money is required for the purposes for which the bonds were issued.

2. All interest received from such investments must be used only for the purposes for which the bonds were issued and for payment of principal or interest on those bonds.

(Ch. 662, [Stats. 1971 p. 1981](#); A—Ch. 561, [Stats. 1977 p. 1397](#); Ch. 178, [Stats. 2001 p. 887](#))

Sec. 7.070 Refunding bonds.

1. The City Council may, by ordinance, refund any municipal bonded indebtedness and issue refunding bonds.

2. The ordinance shall set forth fully and in detail the bonded indebtedness to be refunded and the terms, amount, maximum rate of interest and time within which redeemable, and on what fund. Such ordinance shall also set forth substantially the form of the refunding bonds to be issued but need not provide for the manner of their sale, or for any other matter, except as specified in this Charter.

3. Such ordinance may be passed and adopted in accordance with the provisions of section 2.100 without election. The City Council may in a like manner issue bonds in place of or to supply means to meet maturing bonds.

(Ch. 662, [Stats. 1971 p. 1981](#))

ARTICLE VIIA - Financing by Tax Increment

Sec. 7A.010 Definitions. Except as otherwise provided in this article or where the context otherwise requires, terms used or referred to in this article are as defined in the City Bond Law, as from time to time amended, and except as otherwise provided in such Law, as defined in the Local Government Securities Law, as from time to time amended; but the definitions and related substantive requirements provided in sections 7A.020 to 7A.120, inclusive, except where the context otherwise requires, govern the construction of this article.

(Added—Ch. 460, [Stats. 1979 p. 860](#))

Sec. 7A.020 “Cost of the undertaking” defined. “Cost of the undertaking,” or any phrase of similar import, means the “cost of any project” as the latter phrase is defined in the Local Government Securities Law.

(Added—Ch. 460, [Stats. 1979 p. 860](#))

Sec. 7A.040 “Engineer” defined. “Engineer” means the Director of Public Works, the City Engineer or a firm of engineers employed by the City in connection with any undertaking, any project or the exercise of any power authorized in this article.

(Added—Ch. 460, [Stats. 1979 p. 860](#); A—Ch. 349, [Stats. 2013 p. 1832](#))

Sec. 7A.050 “Facilities” defined.

1. “Facilities” means buildings, structures, utilities or other properties pertaining to any undertaking or any project authorized in this article, including, without limitation, income-producing facilities and facilities acquired with the proceeds of bonds or other securities.

2. Facilities may consist of all properties, real, personal, mixed or otherwise acquired by the City, by any undertaking for any one or more projects through purchase, condemnation, construction or otherwise, and used in connection with any such project and related services or in any way pertaining thereto, whether situated within or without or both within and without the territorial limits of the City.

3. The City shall not acquire as a part of its facilities any properties which at the time of their acquisition compete in any area with then-existing properties of a public body providing the same or a similar function or service therein, but the facilities of the City may complement such existing properties of a public body by providing in such an area supplemental functions or services if such existing properties provide inadequate functions or services.

4. The City may acquire properties of any public body situate in the City as one undertaking or a project of the City or an interest therein.

(Added—Ch. 460, [Stats. 1979 p. 860](#))

Sec. 7A.060 “Mailed notice,” “notice by mail” defined.

1. “Mailed notice” or “notice by mail,” means the giving by the Engineer, City Clerk, or any deputy thereof, as determined by the City Council, of any designated written or printed notice addressed to the last-known owner or owners of each tract in a tax increment area or other designated person at his, her or their last-known address or addresses by deposit, at least 20 days prior to the designated hearing or other time or event, in the United States mail, postage prepaid as first-class mail.

2. The names and addresses of such property owners shall be obtained from the records of the County Assessor or from such other source or sources as the City Clerk or the Engineer deems reliable. Any list of such names and addresses pertaining to any tax increment area may be revised from time to time, but such a list need not be revised more frequently than at 12-month intervals if any such list is needed for a period longer than 12 months.

3. Any mailing of any notice required in this article shall be verified by the affidavit or certificate of the Engineer, City Clerk, deputy, or other person mailing the notice, which verification shall be retained in the records of the City at least until all bonds and any other securities pertaining to a Tax Increment Account have been paid in full, or any claim is barred by a statute of limitations.

4. Such verification of mailing is prima facie evidence of the mailing of such notice in accordance with the requirements of this section.

(Added—Ch. 460, [Stats. 1979 p. 860](#))

Sec. 7A.070 “Newspaper” defined. “Newspaper” means a newspaper printed in the English language at least once each calendar week and published and of general circulation in the City.

(Added—Ch. 460, 1979 p. 861)

Sec. 7A.080 “Posting” defined.

1. “Posting” means posting in three public places at or near the site of the undertaking or any project designated at least 20 days prior to the designated hearing or other time or event.

2. Any posting of any notice required in this article shall be verified by the affidavit or certificate of the Engineer, City Clerk, deputy, or other person posting the notice, and filed with the City Clerk, which verification shall be retained in the records of the City at least until the bonds and other securities pertaining to a tax increment account have been paid in full, or any claim is barred by a statute of limitations.

3. Such verification of posting is prima facie evidence of the posting of such notice in accordance with the requirements of this section.

(Added—Ch. 460, [Stats. 1979 p. 861](#))

Sec. 7A.090 “Publication,” “publish” defined.

1. “Publication” or “publish” means publication in at least one newspaper.

2. Except as otherwise expressly provided or necessarily implied in this article, “publication” or “publish” also means publication for at least once a week for 3 consecutive weeks by three weekly insertions, the first publication being at least 15 days prior to the designated time or event. Unless otherwise so stated, it is not necessary that publication be made on the same day of the week in each of the 3 calendar weeks, but not less than 14 days must intervene between the first publication and the last publication.

3. Publication is complete on the day of the last publication.

4. Any publication required in this article shall be verified by the affidavit of the publisher and filed with the City Clerk, which verification shall be retained in the records of the City at least until all the bonds and any other securities pertaining to a Tax Increment Account have been paid in full, or any claim is barred by a statute of limitations.

5. Such verification of publication is prima facie evidence of the publication of such notice in accordance with the requirements of this section.

(Added—Ch. 460, [Stats. 1979 p. 861](#))

Sec. 7A.100 “Tax Increment Account” defined. “Tax Increment Account” means a special Account created pursuant to subsection 3 of section 7A.180 and other provisions in this article supplemental thereto.

(Added—Ch. 460, [Stats. 1979 p. 862](#))

Sec. 7A.110 “Tax increment area” defined. “Tax increment area” means the area specially benefited by an undertaking hereunder, designated by ordinance as provided in subsection 3 of section 7A.180, and in which is located the taxable property the assessed valuation of which is the basis for the allocation of tax proceeds to the Tax Increment Account under section 7A.190.

(Added—Ch. 460, [Stats. 1979 p. 862](#))

Sec. 7A.120 “Undertaking” defined. “Undertaking” means any enterprise to acquire, develop, improve or equip, or any combination thereof, any project or projects authorized in the City Bond Law or which is a mixed-use or transit-oriented community, and to defray the cost of such enterprise wholly or in part by the issuance of the City’s bonds or other securities payable wholly or in part from tax proceeds allocated to the Tax Increment Account pertaining to such enterprise pursuant to section 7A.190.

(Added—Ch. 460, [Stats. 1979 p. 862](#); A—Ch. 404, [Stats. 2005 p. 1596](#))

Sec. 7A.130 Authorization of tax increment area.

1. Except as provided in subsections 2 and 3 of this section, the City Council, on the behalf and in the name of the City, may at any time designate a tax increment area within the City for the purpose of creating a special account for the payment of bonds or other securities issued to defray the cost of the acquisition, improvement or equipment (or any combination thereof) of a project or projects authorized in the City Bond Law, as from time to time amended (including, without limitation, the condemnation of property for any such undertaking), as supplemented by the Local Government Securities Law, except as otherwise provided in this article.

2. A tax increment area may not be created by the City Council if the total land area of tax increment areas exceeds, or will thereby exceed, 5 percent of the total land area of the City, or if the total initial assessed valuation of tax increment areas exceeds, or will thereby exceed, 5 percent of the total assessed valuation of taxable property situated within the City. As used in this subsection, “initial assessed valuation” means the assessed value as shown upon the assessment roll last equalized prior to the designation of the area.

3. The right-of-way property of a railroad company which is under the jurisdiction of the Interstate Commerce Commission shall not be included in a tax increment area unless the inclusion of such property is mutually agreed upon by the City Council and the railroad company.

(Added—Ch. 460, [Stats. 1979 p. 862](#))

Sec. 7A.140 Initiating procedure.

1. Whenever the City Council is of the opinion that the interest of the City requires any undertaking, the City Council, by resolution, shall direct the Engineer to prepare:

(a) Preliminary plans and a preliminary estimate of the cost of the undertaking, including without limitation, all estimated financing costs to be capitalized with the proceeds of the City’s securities and all other estimated incidental costs relating to the undertaking;

(b) A statement of the proposed tax increment area pertaining thereto, the last finalized amount of the assessed valuation of the taxable property in such area, and the amount of taxes (including in such amount the sum of any unpaid taxes, whether or not

delinquent) resulting from the last taxation of such property, based upon the records of the County Assessor and the County Treasurer; and

(c) A statement of the estimated amount of the tax proceeds to be credited annually to the Tax Increment Account during the term of the proposed securities payable therefrom.

2. The resolution shall describe the undertaking in general terms.

3. The resolution shall state:

(a) What part or portion of the expense thereof shall be paid with the proceeds of securities issued by the City in anticipation of tax proceeds to be credited to the Tax Increment Account and payable wholly or in part therefrom;

(b) How the remaining part or portion of such expense, if any, is to be financed; and

(c) The basic security and any additional security for the payment of securities of the City pertaining to the undertaking.

4. The resolution need not describe minutely each particular tract of taxable real property proposed to be included within the tax increment area, but simply designate the tax increment area or its location, so that the various tracts of taxable real property and any taxable personal property can be ascertained and determined to be within or without the proposed tax increment area.

5. The Engineer shall forthwith file with the City Clerk such preliminary plans, estimate of cost and statements.

6. Upon their filing, the City Council shall examine them, and if it finds them to be satisfactory, it shall by resolution provisionally order the undertaking.

(Added—Ch. 460, [Stats. 1979 p. 863](#))

Sec. 7A.150 Provisional order resolution; notice.

1. In the provisional order resolution the City Council shall set a time at least 20 days thereafter and place when and where any representative of the Federal Government, the State or any public body, or any person resident of the City or owning taxable personal or real property therein, or any representative of any such person, may appear before the City Council and be heard as to the propriety and advisability of the undertaking.

2. Notice shall be given:

(a) By mail;

(b) By posting; and

(c) By publication.

3. The notice shall:

(a) Describe the undertaking and the project or projects relating thereto (without mentioning minor details or incidentals);

(b) State the preliminary estimate of the cost of the undertaking, including all incidental costs, as stated in the Engineer's report filed with the City Council under the next preceding section;

(c) Describe the proposed tax increment area pertaining to the undertaking, the last finalized amount of the assessed valuation of the taxable property in such area, and the amount of taxes (including in such amount the sum of any unpaid taxes, whether or not delinquent) resulting from the last taxation of such property, based upon the records of the County Assessor and the County Treasurer;

(d) State what part or portion of the expense of the undertaking shall be paid with the proceeds of securities issued by the City in anticipation of tax proceeds to be credited to the Tax Increment Account and payable wholly or in part therefrom, and state the basic security and any additional security for the payment of securities of the City pertaining to the undertaking;

(e) State how the remaining part or portion of such expense, if any, is to be financed;

(f) State the estimated amount of the tax proceeds to be credited annually to the Tax Increment Account pertaining to the undertaking during the term of the proposed securities payable from such tax proceeds, and the estimated amount of any net revenues derived annually from the operation of the project or projects pertaining to the undertaking and pledged for the payment of such securities;

(g) State the estimated aggregate principal amount to be borrowed by the issuance of such securities (excluding proceeds thereof to fund or refund outstanding securities), and the estimated total bond requirements of the securities;

(h) Find, determine and declare that the estimated tax proceeds credited to the Tax Increment Account and any such net pledged revenues shall be fully sufficient to pay the bond requirements of such securities as the same become due; and

(i) State the time and place when and where the City Council will consider the ordering of the undertaking and hear all complaints, protests, objections and other relevant comments concerning the undertaking which may be made in writing by any individual or body corporate designated in subsection 1 of this section and filed with the City Clerk at least 3 days prior thereto, or made orally at the hearing by any person designated in subsection 1.

4. All proceedings may be modified or rescinded wholly or in part by resolution adopted by the City Council at any time prior to the passage of the ordinance ordering the undertaking and creating the tax increment area and the Tax Increment Account pertaining thereto.

5. No substantial change in the undertaking, the preliminary estimates, the proposed tax increment area or other statements relating thereto shall be made after the first publication, posting or mailing of notice to property owners, whichever occurs first, except for the deletion of a portion of the undertaking and property from the proposed tax increment area, unless the City Council after ordering such a change provides for another provisional order hearing on all matters in the premises and for notice of the hearing in the same manner as provided for the initial hearing, but a subsequent final determination of the amount of assessed valuation of taxable property in the tax increment area or a subsequent levy of taxes does not adversely affect proceedings taken under this article.

6. The Engineer also may make minor changes in and develop the undertaking as to the time, plans and materials entering into the undertaking at any time before its completion.

(Added—Ch. 460, [Stats. 1979 p. 863](#))

Sec. 7A.160 Provisional order hearing.

1. At the time and place of the hearing, or at any adjournment thereof, the City Council shall proceed to cause to be read and to consider all written complaints, protests, objections and other relevant comments properly made and so filed with the City Clerk and to hear all verbal comments relating to the undertaking.

2. After the hearing has been concluded, after all written complaints, protests, objections and other relevant comments have been read and duly considered, and after the City Council has heard and considered all oral comments made by persons having an interest and also has considered any other relevant material put forth, if the City Council determines that the undertaking, or a part thereof, is not in the public interest, the City Council by resolution shall make an order to that effect and may modify the proposed tax increment area to conform to that order. Thereupon the undertaking or any such part must stop and must not be begun again until the adoption of a new resolution.

3. Any complaint, protest or objection to the regularity, validity and correctness of the proceedings taken and the instruments

made prior to the date of the hearing shall be deemed waived unless presented in writing at the time and in the manner specified in this article.

(Added—Ch. 460, [Stats. 1979 p. 865](#))

Sec. 7A.170 Appeal from adverse order. The Federal Government, the State, any public body or any person filing a written complaint, protest or objections in the manner and within the time provided in section 7A.150 may within 30 days after the City Council has finally passed on such complaint, protest or objection by resolution pursuant to subsection 2 of section 7A.160 or by ordinance pursuant to subsection 3 of section 7A.180, commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings are perpetually barred.

(Added—Ch. 460, [Stats. 1979 p. 865](#))

Sec. 7A.180 Final order of undertaking.

1. After the provisional order hearing and the consideration of all matters in the premises, and in the event of any material changes other than the deletion of a part of the undertaking and any modification of the tax increment area to conform to such modification under subsection 2 of section 7A.160, after the supplemental provisional order hearing and the consideration of any supplemental matters in the premises, the City Council shall determine whether to proceed under this article. If it has ordered any modification and desires to proceed, it shall direct the Engineer to modify appropriately the plans, estimates and statements filed by him or her with the City Clerk under subsection 5 of section 7A.140.

2. The Engineer, if so directed, shall appropriately modify them and shall forthwith file the modified plans, estimates and statements with the City Clerk.

3. When such plans, estimates and statements are prepared, filed with the City Clerk and are satisfactory to the City Council, it shall by ordinance overrule all complaints, protests and objections not otherwise acted upon, unconditionally order the undertaking, as modified if modified, describe the tax increment area pertaining thereto, and create the Tax Increment Account therefor.

4. The ordinance may be adopted in the same manner as is provided in cases of emergency or may be introduced and adopted as a regular measure.

(Added—Ch. 460, [Stats. 1979 p. 865](#))

Sec. 7A.185 Amendment of ordinance.

1. The City Council may amend an ordinance adopted pursuant to section 7A.180 by adopting a supplemental ordinance, introduced and adopted as a regular measure, to:

(a) Modify the undertaking by specifying new projects or removing or modifying projects specified in the original ordinance;

(b) Add areas to or remove areas from a tax increment area; and

(c) Make such other changes, additions or deletions as the City Council determines will further its objectives within the tax increment area.

2. If such a proposed amendment would add any area to or remove any area from a tax increment area, notice by mail of the meeting at which the proposed amendment will be considered must be given to the last known owner or owners of each tract of land proposed to be added or removed.

3. The amount of taxes to be allocated to a tax increment account pursuant to section 7A.190 must be computed separately for the original tax increment area and each addition of land thereto.

(Added—Ch. 577, [Stats. 1981 p. 1241](#))

Sec. 7A.190 Allocation, division and disposition of tax proceeds. After the effective date of the ordinance (including any supplemental ordinance adopted pursuant to section 7A.185) unconditionally ordering the undertaking and providing for financing by tax increment, any taxes levied upon taxable property in the tax increment area each year by or for the benefit of the State, the City and any public body must be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of those taxing agencies upon the total sum of the assessed value of the taxable property in the tax increment area as shown upon the assessment roll used in connection with the taxation of the property by the taxing agency, last equalized before the effective date of the ordinance, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for the taxing agencies as taxes on all other property are paid.

2. The portion of the levied taxes each year in excess of that amount must be allocated to and when collected must be paid into the Tax Increment Account pertaining to the undertaking to pay the bond requirements of loans, money advanced to, or indebtedness, whether funded, refunded, assumed, or otherwise, incurred by the City to finance or refinance, in whole or in part, the undertaking. Unless the total assessed valuation of the taxable property in the tax increment area exceeds the total assessed value of the taxable property in the area as shown by the last equalized assessment roll referred to in subsection 1, all of the taxes levied and collected upon the taxable property in the area must be paid into the funds of the respective taxing agencies. When the loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the area must be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

↪ For purposes of this section, the last equalized assessment roll referred to in subsection 1 is the assessment roll in existence on the 15th day of March immediately preceding the effective date of the ordinance.

(Added—Ch. 460, [Stats. 1979 p. 866](#); A—Ch. 577, [Stats. 1981 p. 1241](#))

Sec. 7A.200 Municipal securities.

1. The City may issue, to defray wholly or in part the cost of any undertaking, the following securities:

(a) Notes;

(b) Warrants;

(c) Interim debentures;

(d) Bonds; and

(e) Temporary bonds.

2. Any net revenues derived from the operation of the project or projects acquired, improved or equipped, or any combination thereof, as part of the undertaking must be pledged for the payment of any such securities. The securities must be made payable from any such net pledged revenues as the bond requirements become due from time to time by the bond ordinance, trust indenture or other proceedings which authorize the issuance of the securities or otherwise pertain to their issuance.

3. Additionally, such securities:

(a) Must be made payable from tax proceeds accounted for in the Tax Increment Account; and

(b) May, at the City's option, be made payable from taxes levied by the City against all taxable property within the City, without limitation of rate or amount except for the limitation provided in [Section 2 of Article 10](#) of the Nevada Constitution.

↪ The city may also issue general obligation securities other than the ones authorized by this article which are made payable from taxes without also making the securities payable from any net pledged revenues or tax proceeds accounted for in a Tax Increment Account, or from both of those sources of revenue.

4. Any securities payable only in the manner provided in either paragraph (a) of subsection 3 or both subsection 2 and paragraph (a) of subsection 3, are special obligations of the City, are not in their issuance subject either to the debt limitation in section 7.010, or otherwise imposed by law, and while they are outstanding do not exhaust the City's debt incurring power, and may be issued under the provisions of the Local Government Securities Law, except as otherwise provided in this article, without any compliance with the provisions of [NRS 350.011 to 350.0165](#), inclusive, or [NRS 350.020 to 350.070](#), inclusive, and without any approval or other preliminaries, except as provided in the Local Government Securities Law.

5. Any securities payable from taxes in the manner provided in paragraph (b) of subsection 3, regardless whether they are also payable in the manner provided in paragraph (a) of subsection 3 or in both subsection 2 and paragraph (a) subsection 3, are general obligations of the City, are in their issuance subject to such debt limitation and, while they are outstanding, do exhaust the City's debt incurring power, and may be issued under the provisions of the Local Government Securities Law only after the issuance of city bonds is approved under the provisions of:

(a) [NRS 350.011 to 350.0165](#), inclusive; and

(b) [NRS 350.020 to 350.070](#), inclusive,

↪ except for the issuance of notes or warrants under the Local Government Securities Law which are payable out of the current year's revenues and are not to be funded with the proceeds of interim debentures or bonds in the absence of such bond approval under the two acts designated in paragraphs (a) or (b).

6. In the proceedings for the advancement of money, or the making of loans, or the incurrence of any indebtedness, whether funded, refunded, assumed or otherwise, by the City to finance or refinance, in whole or in part, the undertaking, the portion of taxes mentioned in subsection 2 of section 7A.190 must be irrevocably pledged for the payment of the bond requirements of such loans, advances or indebtedness. The provisions in the Local Government Securities Law pertaining to net pledged revenues are applicable to such a pledge to secure the payment of tax increment bonds.

(Added—Ch. 460, [Stats. 1979 p. 867](#))

Sec. 7A.210 Cooperative powers. The City also has the following powers:

1. To accept contributions or loans from the Federal Government, the State or any public body (or any combination thereof) for the purpose of financing the planning, acquisition, improvement, equipment, maintenance and operation of any enterprise pertaining to an undertaking in which the City is authorized to engage, and to enter into contracts and cooperate with, and accept cooperation from, the Federal Government, the State or any public body (or any combination thereof) in the planning, acquisition, improvement, equipment, maintenance and operation, and in financing the planning, acquisition, improvement, equipment, maintenance and operation of any such enterprise in accordance with any legislation which Congress, the State Legislature or the governing body of any public body (or any combination thereof) may have adopted before or may adopt on or after July 1, 1979, under which aid, assistance and cooperation may be furnished by the Federal Government, the State or public body (or any combination thereof) in the planning, acquisition, improvement, equipment, maintenance and operation or in financing the planning, acquisition, improvement, equipment, maintenance and operation of any such enterprise, including without limitation, costs of engineering, architectural, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures and other action preliminary to the acquisition, improvement or equipment of any project, and to do any and all things necessary in order to avail itself of such aid, assistance and cooperation under any federal or state legislation enacted before, on or after July 1, 1979.

2. To enter into, without any election, joint operating or service contracts and agreements, acquisition, improvement, equipment or disposal contracts or other arrangements for any term not exceeding 50 years, with the Federal Government, the State and any public body (or any combination thereof), concerning the undertaking, and any project or property pertaining thereto, whether acquired by the City, by the Federal Government, by the State or by any public body, and to accept grants and contributions from the Federal Government, the State, any public body or any person (or any combination thereof) in connection therewith.

3. To enter into and perform, without any election, when determined by the City Council of the City to be in the public interest, contracts and agreements, for any term not exceeding 50 years, with the Federal Government, the State, any public body or any person (or any combination thereof) for the provision and operation by the City of any facilities whether or not pertaining to the undertaking of the City or any project relating thereto and the payment periodically thereby to the City of amounts at least sufficient, if any, in the determination of the City Council, to compensate the City for the cost of providing, operating and maintaining such facilities serving the Federal Government, the State, such public body or such person, or otherwise.

4. To enter into and perform, without any election, contracts and agreements with the Federal Government, the State, any public body or any person (or combination thereof) for or concerning the planning, construction, lease or other acquisition, improvement, equipment, operation, maintenance, disposal and the financing of any property pertaining to the facilities of the City or to any undertaking or any project of the City, or otherwise, including without limitation, any contract or agreement for any term not exceeding 50 years.

5. To cooperate with the act in conjunction with the Federal Government, or any of its engineers, officers, boards, commissions or departments, or with the State, or any of its engineers, officers, boards, commissions or departments, or with any public body or any person in the acquisition, improvement or equipment of any facilities or any project authorized for the City or for any other works, acts or purposes provided for herein, and to adopt and carry out any definite plan or system of work for any such purpose.

6. To cooperate with the Federal Government, the State or any public body (or any combination thereof) by an agreement therewith by which the City may:

(a) Acquire and provide, without cost to the cooperating entity, the land, easements and rights-of-way necessary for the acquisition, improvement or equipment (or any combination thereof) of any properties pertaining to the undertaking or any other facilities;

(b) Hold and save harmless the cooperating entity free from any claim for damages arising from the acquisition, improvement, equipment, maintenance and operation (or any combination thereof) of any facilities;

(c) Maintain and operate any facilities in accordance with regulations prescribed by the cooperating entity; and

(d) Adopt and enforce regulations, if any, concerning the facilities and satisfactory to the cooperating entity.

7. To provide, by any contract for any term not exceeding 50 years, or otherwise, without an election:

(a) For the joint use of personnel, equipment and facilities of the City, the Federal Government, the State and any public body (or any combination thereof), including without limitation, public buildings constructed by or under the supervision of the City Council of the City or the other party or parties to the contract concerned, upon such terms and agreements and within such areas within the

City as may be determined, for the promotion and protection of health, comfort, safety, life, welfare and property of the inhabitants of the City, the Federal Government, the State, any such public body and any persons of interest, as the case may be; and

(b) For the joint employment of city clerks, stenographers and other employees pertaining to the facilities, any project or the undertaking, now existing or hereafter established in the City, upon such terms and conditions as may be determined for the equitable apportionment of the expenses therefrom resulting.

8. In connection with any facilities of the City or any part of the facilities, acquired or proposed in connection with an undertaking, or with any project, to consult with any regulatory or other agency of the Federal Government, the State or any public body and to submit plans, specifications or other instruments or documents (or any combination thereof) to each such governmental agency for its review, recommendations and other comments.

(Added—Ch. 460, [Stats. 1979 p. 868](#))

Sec. 7A.220 Sufficiency of article.

1. This article, without reference to other statutes of the State, except as otherwise expressly provided in this article, constitutes full authority for the exercise of powers granted in this article.

2. No other article of this Charter or other law with regard to the exercise of any power granted in this article that provides for an election, requires an approval, or in any way impedes or restricts the carrying out of the acts authorized to be done applies to any acts taken under this article, except as provided in this article.

3. The powers conferred by this article are in addition and supplemental to, and not in substitution for, and the limitations imposed by this article do not affect the powers conferred by, any other law.

(Added—Ch. 460, [Stats. 1979 p. 870](#))

ARTICLE VIII - Revenue

Sec. 8.010 Municipal taxes.

1. The City Council shall annually, at the time prescribed by law for levying taxes for State and County purposes, levy a tax not exceeding 2 percent upon the assessed value of all real and personal property within the City except as otherwise provided in the Local Government Securities Law and the Consolidated Local Improvements Law, as amended from time to time. The taxes so levied must be collected at the same time and in the same manner and by the same officers, exercising the same functions, as prescribed in the laws of the State for collection of State and County taxes. The revenue laws of the State are, in every respect not inconsistent with the provisions of this Charter, applicable to the levying, assessing and collecting of the municipal taxes.

2. In the matter of the equalization of assessments, the rights of the City and the inhabitants thereof must be protected in the same manner and to the same extent by the action of the County Board of Equalization as are the State and County.

3. All forms and blanks used in levying, assessing and collecting the revenues of the State and counties must, with such alterations or additions as are necessary, be used in levying, assessing and collecting the revenues of the City. The City Council shall enact all such ordinances as it deems necessary and not inconsistent with this Charter and the laws of the State for the prompt, convenient and economical collecting of the revenue.

(Ch. 662, [Stats. 1971 p. 1982](#); A—Ch. 561, [Stats. 1977 p. 1397](#); Ch. 349, [Stats. 2013 p. 1832](#))

Sec. 8.020 Revenue ordinances. The City Council shall have full power to pass and enact all ordinances necessary to carry into effect the revenue laws in the City and to enlarge, fix and determine the powers and duties of all officers in relation thereto.

(Ch. 662, [Stats. 1971 p. 1982](#))

ARTICLE IX - Civil Service

Sec. 9.010 Civil Service: Objectives. The purpose of this article is to provide the City with an efficient workforce, with equity to all persons concerned. To attain this objective:

1. All appointments and promotions to positions in the Civil Service must be made on the sole basis of merit and fitness, without regard to non-job-related considerations.

2. Career and promotional opportunities must be readily available to employees.

3. A high level of performance is required of employees to meet their obligations to the City administration, to the users of City services and to the taxpayers.

(Ch. 662, [Stats. 1971 p. 1982](#); A—Ch. 553, [Stats. 1973 p. 882](#); Ch. 349, [Stats. 2013 p. 1833](#))

Sec. 9.020 Civil Service and exempt positions.

1. A Civil Service System is created for the selection, appointment and promotion of all employees of the City except:

(a) Any elected official described in section 1.060 or person who is appointed to fill a vacancy pursuant to section 1.070.

(b) A person who serves as a member of any board, commission, committee or other body created pursuant to the authority of the City.

(c) An appointive officer or appointive employee.

(d) A person employed by the City for less than 18 hours per week or 234 hours per fiscal quarter, whichever is greater.

(e) A person who is not subject to the provisions of this article pursuant to section 3.020, 3.040 or 3.060.

(f) A person for whose position half or more of the money is provided by a source other than the City.

(g) An employee of the Municipal Court who is hired directly by the Court.

2. The provisions of this article are not applicable to the selection, appointment, promotion, demotion, transfer, suspension, discipline or dismissal of any person described in subsection 1.

3. Any employee whose position was within the provisions of the Civil Service System before June 2, 2013, shall retain all rights and benefits to which he or she would otherwise be entitled under the Civil Service System.

(Added—Ch. 553, [Stats. 1973 p. 884](#); A—Ch. 561, [Stats. 1977 p. 1398](#); Ch. 349, [Stats. 2013 p. 1833](#); Ch. 163, [Stats. 2015 p. 774](#))

Sec. 9.030 Civil Service Commission: Number, appointment, qualifications, terms, compensation of members.

1. A Civil Service Commission is created to carry out the provisions of this article. The Commission consists of seven members appointed by the Mayor with the approval of the City Council.

2. Members must:

(a) Be residents of the City.

(b) Have no other connection with the City government.

- (c) Hold no elective office.
- (d) Serve for terms of five years.
- (e) Receive compensation as provided by City ordinance.

3. One term of office shall begin on the second Monday in July in each successive year. A member shall serve until his or her successor is appointed and qualified. A vacancy occurring during a term must be filled by the Mayor with the approval of the City Council for the remainder of that term.

(Added—Ch. 553, [Stats. 1973 p. 884](#); A—Ch. 373, [Stats. 1979 p. 646](#); Ch. 89, [Stats. 1995 p. 109](#))

Sec. 9.040 Commission meetings. The Commission shall provide by rule for the holding of not less than one regular meeting per month, for special meetings as needed, for the election of one member as Chair, for the election of one member or appointment of a nonmember as Secretary, for public announcement of the time and place of meetings, and for meetings to be open to the public except as provided for by Commission rule. A special meeting of the Commission may be called by the Chair of the Commission.

(Added—Ch. 553, [Stats. 1973 p. 885](#); A—Ch. 349, [Stats. 2013 p. 1833](#))

Sec. 9.050 Authority of Commission. Except as otherwise provided in this Charter, the Commission has authority over and is responsible for:

- 1. All phases of the selection, appointment and promotion of employees in the Civil Service;
- 2. The appeal rights of such employees in regard to dismissal, demotion, suspension and disciplinary actions; and
- 3. The transfer of employees,

↳ together with all responsibilities assigned to the Commission by this article.

(Added—Ch. 553, [Stats. 1973 p. 885](#); A—Ch. 599, [Stats. 1993 p. 2501](#); Ch. 349, [Stats. 2013 p. 1834](#))

Sec. 9.060 Rules.

1. Except as otherwise provided in this section, the Commission shall adopt or amend rules for the Civil Service System, consistent with the provisions of this article. The Commission shall give or cause to be given at least 10 days' notice of the time and place of a public meeting of the Commission on proposed rules by posting the notice and a copy of each proposed rule on the bulletin board of each department and by giving a copy of the notice and each proposed rule to the City Council, the City Manager, each department head, and the president or secretary of each employee organization formally recognized by the City. At the meeting, the Commission shall permit a representative of the City Council or the City Manager, or both, to comment on any proposed rule. Any amendment of the rule governing the number of qualified persons certified to the appointing authority on the Civil Service eligibility list is not effective until the amendment is approved by the City Council.

2. The rules adopted by the Commission must provide for the following matters relating to the Civil Service System:

(a) The review and approval by the Commission of minimum qualifications set out in class specifications for positions.

(b) Procedures for the review by the Commission of the allocation or reallocation of an employee's position pursuant to subsection 4 of section 9.180.

(c) Open and promotional recruitment of employees.

(d) The development and scoring of examinations of candidates for positions.

(e) The development, maintenance and certification of Civil Service eligibility lists, which must include criteria for the use of selective certification as applicable to a position.

(f) Procedures for emergency, temporary, provisional and such other types of appointments as the Commission deems desirable to facilitate the business of the City.

(g) The establishment of probationary periods, procedures for the confirmation of employees into the Civil Service System after completion of any applicable probationary period, and procedures for the dismissal of probationary employees, including, without limitation, the identification of circumstances in which a probationary employee, including, without limitation, a promoted employee, may not be dismissed by the head of a department without right of appeal.

(h) Procedures for the promotion of employees and any right of promoted employees to return to their previous positions.

(i) Procedures for the transfer and layoff of employees.

(j) Procedures for investigating and hearing appeals relating to the discipline or discharge of employees or alleged violations of the rules of the Commission.

3. A copy of all rules adopted and all changes in them must be filed in the Office of the City Clerk. The Commission shall cause the rules and all changes in them to be distributed as it deems necessary, except that the Commission shall cause a copy to be made available to all officers and employees of the City on the City's Internet website or in such other format as the Commission determines is appropriate.

4. The head of each department may adopt procedures for the governance of his or her department not inconsistent with this article or the rules of the Commission adopted thereunder.

5. As used in this section, "selective certification" means the certification of a person for inclusion on a Civil Service eligibility list for a position based upon specialized knowledge, skills or abilities of the person, in addition to those required to meet the minimum qualifications for the position, that are required to perform the duties of the position successfully.

(Added—Ch. 553, [Stats. 1973 p. 885](#); A—Ch. 349, [Stats. 2013 p. 1834](#); Ch. 163, [Stats. 2015 p. 774](#))

Sec. 9.070 Chief Examiner. The Commission shall appoint a Chief Examiner who shall serve at the pleasure of the Commission. The Chief Examiner shall administer the provisions of this article in regard to the selection, appointment and promotion of employees in the Civil Service, under the direction of the Commission and within restrictions established by the Commission.

(Added—Ch. 553, [Stats. 1973 p. 885](#))

Sec. 9.080 Leaves of absence without pay. The City Manager may promulgate rules governing leaves of absence without pay, subject to the approval of the Commission after public hearing.

(Added—Ch. 553, [Stats. 1973 p. 885](#))

Sec. 9.100 Reports of employee performance. The Commission shall have authority to require from time to time reports on the performance and efficiency of employees. Each employee shall be entitled to see all such reports concerning him or her.

(Added—Ch. 553, [Stats. 1973 p. 885](#); A—Ch. 163, [Stats. 2015 p. 775](#))

Sec. 9.110 Agreements. The Commission shall have authority to make agreements to enter into cooperative arrangements with or to obtain assistance from other agencies or persons for the purpose of improving the efficiency or quality of the services it

provides.

(Added—Ch. 553, [Stats. 1973 p. 885](#))

Sec. 9.120 Blanketing into Civil Service. When positions which have not been within the Civil Service are declared by law to be included in the Civil Service, the Commission may by rule:

1. Authorize the noncompetitive appointment to such positions of employees who have held those positions satisfactorily for a period of 1 year. Other employees in such positions may be given temporary or provisional appointments as ordered by the Commission.

2. Waive any requirement that an employee complete a probationary period in the position after the position is included in the Civil Service.

3. Accept prior service acquired in the position before the position was included in the Civil Service as the equivalent of classified service.

4. Provide for other such matters as the Commission deems necessary or appropriate to facilitate the inclusion of a position in the Civil Service.

(Added—Ch. 553, [Stats. 1973 p. 885](#); A—Ch. 163, [Stats. 2015 p. 776](#))

Sec. 9.130 Return to Civil Service. An employee with confirmed Civil Service rating who is appointed to an exempt position shall not lose his or her Civil Service rating while serving in that exempt position.

(Added—Ch. 553, [Stats. 1973 p. 886](#))

Sec. 9.140 Layoff. Whenever in the judgment of the City Council it becomes necessary to reduce the staff of any City department such reduction of staff shall be accomplished pursuant to rules adopted by the Commission designed to encourage interdepartmental transfers and other procedures tending to minimize the impact of layoffs.

(Added—Ch. 553, [Stats. 1973 p. 886](#))

Sec. 9.150 Support. The City Council shall provide such employees, facilities and funds necessary or proper for the purpose of enabling the Commission to accomplish its functions and purposes set forth in this article.

(Added—Ch. 553, [Stats. 1973 p. 886](#))

Sec. 9.160 Prohibited acts.

1. No appointment to or removal from a position in the Civil Service may be affected in any manner by any person's:

(a) Race, color, national origin, age, sex, marital status, sexual orientation, gender identity or expression, disability, membership or nonmembership in an employee organization, religion, religious beliefs or affiliations, or any other characteristic for which such action is prohibited by the law of the State or of the United States, except when based upon a bona fide occupational qualification or otherwise authorized by law.

(b) Political beliefs or affiliations except if that person advocates or is a member of any organization that advocates the overthrow of the government of the United States by other than lawful means.

2. A person shall not practice any deception, fraud or unfair practice with respect to application, examination, employment or any other procedure authorized under this article or Commission rule, or in any information given to the Commission.

(Added—Ch. 553, [Stats. 1973 p. 886](#); A—Ch. 349, [Stats. 2013 p. 1835](#))

Sec. 9.170 Penalties. Any employee who is found by the Commission to have violated any of the provisions of this article or of a Commission rule may be dismissed, demoted, suspended or disciplined by the Commission, pursuant to Commission rules.

(Added—Ch. 553, [Stats. 1973 p. 886](#))

Sec. 9.180 Classification plan: Preparation; requirements; review of classification.

1. The City Manager or his or her designee shall:

(a) Prepare, maintain and, as necessary, revise a classification plan for all positions in the Civil Service.

(b) Allocate each position in the Civil Service to a class set forth in the classification plan.

2. Each class of employees that is set forth in the classification plan must include, without limitation, a title, a definition or statement of the characteristics of the class, a list of typical tasks or examples of the duties of the class, a list of the knowledge, skills and abilities required for employees in the class, a statement that describes the minimum qualifications of employees in the class and any other information that the City Manager determines is necessary for the proper classification and supervision of positions in the Civil Service. The minimum qualifications shall be subject to review and approval by the Commission as part of its responsibility for recruiting and selecting employees.

3. The City Manager shall allocate positions into each class by grouping positions that have similar qualifications and levels of difficulty and responsibility such that the similarities justify similar treatment.

4. Any employee in the Civil Service who is adversely affected by the allocation or reallocation of his or her position to a class pursuant to subsection 1 may request to have the classification reviewed by the Commission. A request for such a review must be submitted to the Commission not more than 30 calendar days after the employee receives notification of the allocation or reallocation of the employee's position by the City Manager.

5. In reviewing the allocation or reallocation of an employee's position pursuant to subsection 4, the Commission shall make findings as to the duties, responsibilities and qualifications of the position. If the Commission finds that a position is not classified correctly, the Commission shall notify the City Council and City Manager of its findings. Upon receiving such notification, the City Council shall review the findings of the Commission and, if approved by the City Council, the City Manager shall allocate or reallocate the position to a class pursuant to the findings of the Commission.

(Added—Ch. 553, [Stats. 1973 p. 886](#); A—Ch. 163, [Stats. 2015 p. 776](#))

Sec. 9.230 Assistance in examinations. It shall be the duty of all departments, officers and employees of the City to assist the Commission in the development and administration of examinations as requested by the Commission.

(Added—Ch. 553, [Stats. 1973 p. 887](#))

Sec. 9.260 Duties and authority of City Manager.

1. All employees in the Civil Service, other than those employed by the Commission, shall hold their positions at the pleasure of the City Manager and shall perform their assigned duties under his or her direction, subject to the provisions of this article. No

employee in the Civil Service shall be suspended, demoted, dismissed or disciplined except as provided in this article.

2. The City Manager or his or her delegate may bring disciplinary action against any employee in the Civil Service who:

(a) Is unable to or fails for any reason to perform his or her duties properly and efficiently.

(b) Is guilty of any actions which reduce his or her effectiveness as an employee or bring discredit on the City service.

(c) Has violated any provision of this article or of Commission rules.

3. The City Manager shall immediately report any suspension of more than 3 days or any action of demotion or termination to the Secretary of the Commission and at the same time deliver to the Secretary and to the affected employee copies of a complaint setting forth the action taken and the reasons for that action, with the name of the original complainant if other than the City Manager.

4. Whenever a written complaint against any employee in the Civil Service is made to the City Manager he or she shall immediately communicate it to the Secretary of the Commission.

5. The City Manager or his or her delegate have the authority to adjust an employee's salary within the salary range for the class on the basis of quality and quantity of the employee's work. The Commission shall by rule provide for appeals from such adjustment on a showing that it was made principally for disciplinary purposes.

(Added—Ch. 553, [Stats. 1973 p. 888](#); A—Ch. 373, [Stats. 1979 p. 646](#))

Sec. 9.270 Appeals to the Commission.

1. An employee in the Civil Service who has been suspended for a period of more than 3 days or who is the subject of an action by the City Manager to demote or terminate him or her may appeal such action to the Commission by serving the Secretary of the Commission with a written notice of appeal within 10 days after such action. The Commission shall set the time for hearing the appeal not less than 5 nor more than 15 days after the date of service of the notice of appeal.

2. The Commission shall adopt a rule for hearing such appeals and making any investigations it deems appropriate. The City Attorney or, if applicable, special counsel retained pursuant to section 3.070 shall represent the interest of the City in appeals to the Commission.

3. In connection with any hearing or investigation contemplated by this article each member of the Commission may administer oaths, secure by subpoena the attendance of witnesses residing within 50 miles of the City and the production of books and papers relevant to the hearing or investigation, compel witnesses to answer and punish for contempt in the same manner as provided by law for the governing of trials before justices of the peace for failure to answer or produce books and other evidence necessary for the hearing. All witnesses must be under oath. The accused has the right to be heard in person and by attorney in his or her own defense and is entitled to secure the attendance of witnesses at the expense of the City if within the reach of the Commission's subpoena and necessary for his or her defense. Upon a showing of necessity an accused may secure from the Commission an order requiring the taking of depositions of witnesses who are necessary to his or her defense and not within the reach of a subpoena. The Commission shall determine to what extent the expense of such depositions will be paid for by the City. Hearings on appeal must be reported and may be transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall render its decision within 7 days after the date of the hearing.

4. The action taken by the City Manager may be affirmed, modified or revoked by the Commission. If the Commission finds that the reason for which the action was taken is insufficient or conflicts with the provisions of this Charter, the Civil Service rules and regulations, or any applicable law, it must modify or revoke the action.

5. The Commission shall adopt a rule for the hearing and disposition of appeals concerning procedures or the content of examinations.

(Added—Ch. 553, [Stats. 1973 p. 889](#); A—Ch. 373, [Stats. 1979 p. 647](#); Ch. 65, [Stats. 1981 p. 162](#); Ch. 349, [Stats. 2013 p. 1836](#); Ch. 163, [Stats. 2015 p. 777](#))

Sec. 9.280 Disciplinary authority of Commission; judicial review.

1. Verified charges may be filed with the Commission setting forth cause for disciplinary action against any Civil Service employee by any resident of the City. The Commission may conduct investigations and hold such hearings as it deems appropriate to determine the facts. If the Commission finds the charges true it may order the suspension, dismissal or discipline of the employee.

2. The Commission on its own initiative may conduct investigations and hearings with respect to violations of this article or rules of the Commission and impose such sanctions as it deems appropriate.

3. Within 180 days after service of the decision, any person who is aggrieved by a final decision of the Commission may petition the district court in the County for relief in the form of a writ of certiorari, mandamus or prohibition where such relief is otherwise authorized by [chapter 34](#) of NRS or other applicable law.

(Added—Ch. 553, [Stats. 1973 p. 889](#); A—Ch. 97, [Stats. 1995 p. 115](#); Ch. 349, [Stats. 2013 p. 1837](#))

Sec. 9.290 Salary of suspended, demoted or disciplined employee. No employee shall be deprived of any salary or wages for the period of time he or she may be suspended, demoted or dismissed pending a hearing and decision unless such disciplinary action or removal shall be sustained by the Commission.

(Added—Ch. 553, [Stats. 1973 p. 890](#))

ARTICLE X - Miscellaneous Provisions

Sec. 10.010 Severability of provisions. If any portion of this Charter is held to be unconstitutional or invalid for any reason by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Charter. The Legislature hereby declares that it would have passed the Charter and each portion thereof, irrespective of the portion which may be deemed unconstitutional or otherwise invalid.

(Ch. 662, [Stats. 1971 p. 1983](#))

Sec. 10.020 Effect of enactment of Charter.

1. All rights and property of every kind and description which were vested in the City prior to the enactment of this Charter shall be vested in the same municipal corporation on the effective date of this Charter. No right or liability, either in favor of or against such corporation existing at the time of becoming incorporated under this Charter, and no action or prosecution shall be affected by such change, but it shall stand and progress as if no change had been made.

2. Whenever a different remedy is given by this Charter, which may properly be made applicable to any right existing at the time of such City so becoming incorporated under this Charter, such remedy shall be cumulative to the remedy before provided, and used accordingly.

3. All ordinances and resolutions in effect in the City prior to the effective date of this Charter shall, unless in conflict with the provisions of this Charter, continue in full force and effect until amended or repealed.

4. The enactment of this Charter shall not effect any change in the legal identity of the City.

5. The enactment of this Charter shall not be construed to repeal or in any way affect or modify:

(a) Any special, local or temporary law.

(b) Any law or ordinance making an appropriation.

(c) Any ordinance affecting any bond issue or by which any bond issue may have been authorized.

(d) The running of the statute of limitations in force at the time this Charter becomes effective.

(e) Any bond of any public officer.

(Ch. 662, [Stats. 1971 p. 1983](#))