



## STAFF REPORT

**Report To:** Board of Supervisors **Meeting Date:** July 21, 2022

**Staff Contact:** Stephanie Hicks, Deputy City Manager

**Agenda Title:** For Possible Action: Discussion and possible action regarding a recommendation of the Charter Review Committee that section 2.110 of the Carson City Charter be amended: (1) to require the Board of Supervisors to adopt or reject a proposed ordinance or amendment thereto within 60 days after the publication required by section 2.110(1); (2) to require the Carson City Clerk to complete publication required by section 2.110(4) not later than 14 days after adoption of the ordinance; and (3) to remove the requirement of section 2.110(4) requiring publication of an approved ordinance prior to its effective date. (Jason Woodbury, jwoodbury@carson.org and Stephanie Hicks, Deputy City Manager)

Staff Summary: Under certain circumstances, the publication timing requirements established by the Carson City Charter create impracticalities which are disruptive to the ordinance review process. The proposed amendments would allow greater flexibility in the timing requirements for the Board of Supervisors to complete its review and ultimate adoption or rejection of a proposed ordinance, and allow the Board of Supervisors to establish an effective date in advance of publication of the ordinance by title if circumstances necessitate.

**Agenda Action:** Formal Action / Motion **Time Requested:** 5 min

---

### **Proposed Motion**

I move to accept the recommendation as presented and direct staff to include the amendment in a bill draft request for the 2023 Nevada Legislative Session.

### **Board's Strategic Goal**

Efficient Government

### **Previous Action**

N/A

### **Background/Issues & Analysis**

The Carson City Charter requires publication of a notice in the Nevada Appeal after an ordinance has been proposed and filed with the Carson City Clerk indicating that the proposed ordinance has been filed. Section 2.110(1) of the Charter requires adoption or rejection of the ordinance within 45 days of the publication. The Nevada Appeal's publication schedule and submission deadlines periodically misalign with the Board of Supervisors' regular meeting schedule in a way as to make the 45 day deadline impractical. Staff recommends extending the current 45 day deadline to 60 days.

Similarly, section 2.110(4) of the Carson City Charter requires publication of an ordinance by title in the Nevada Appeal following passage. The current provision prohibits the ordinance from becoming effective until after such publication. On occasion, this can delay the effective date for a time sensitive ordinance or create confusion

about when the ordinance actually becomes effective. Staff recommends removing this prohibition from section 2.110(4) which would give the Board of Supervisors discretion over an ordinance's effective date. The Charter's requirement for publication of an adopted ordinance by title would be undisturbed by this amendment.

Additionally, the amendment would expressly require publication of an ordinance not later than 14 days after its adoption.

**Applicable Statute, Code, Policy, Rule or Regulation**

Carson City Charter §2.110

**Financial Information**

**Is there a fiscal impact?** No

**If yes, account name/number:**

**Is it currently budgeted?**

**Explanation of Fiscal Impact:**

**Alternatives**

Do not accept the proposed amendment as recommended by the Charter Review Committee.

**Attachments:**

[Section 2.110 Proposed Amendment \(FINAL\) as revised 20220510.pdf](#)

**Board Action Taken:**

Motion: _____	1) _____	Aye/Nay
	2) _____	_____
		_____
		_____
		_____

\_\_\_\_\_  
(Vote Recorded By)

**Sec. 2.110 Ordinances: Enactment procedure; emergency ordinances.**

1. All proposed ordinances when first proposed must be read to the Board by title, after which an adequate number of copies of the proposed ordinance must be filed with the 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 Carson City at least 10 days before the adoption of the ordinance. The Board shall adopt or reject the ordinance or an amendment thereto, within [45] **60** days after the date of publication.
2. At a regular meeting or adjourned meeting of the Board following the proposal of an ordinance it must be read as first introduced, 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 Board, final action may be taken immediately or at a special meeting called for that purpose, and no notice of the filing of copies of the proposed ordinance with the Clerk need be published.
4. All ordinances must be signed by the Mayor, attested by the Clerk and published by title, together with the names of the Supervisors voting for or against passage, in a newspaper qualified pursuant to the provisions of chapter 238 of NRS and published in Carson City for at least one publication[~~-, before the ordinance becomes effective~~] **not later than 14 days after adoption**. The Board may, by majority vote, order the publication of the ordinance in full in lieu of publication by title only.
5. The Clerk shall record all ordinances in a book kept for that purpose together with the affidavits of publication by the publisher.