

## **ORDINANCE NO. 3179**

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL AMENDING ORDINANCE NO. 2551 BY REVISING SUBSECTION A OF SECTION 13.02.010 OF THE NORTH LAS VEGAS MUNICIPAL CODE (NLVMC) TO REQUIRE THE SUNRISE MANOR RESIDENT MEMBERS OF THE UTILITY ADVISORY BOARD TO RESIDE IN THE CITY'S WATER SERVICE AREA AND AMENDING ORDINANCE NO. 2862 BY DELETING SUBSECTION D OF SECTION 13.02.020 OF THE NLVMC TO REMOVE THE UTILITY ADVISORY BOARD'S LIMITATION ON CITIZEN SERVICE PROVISION AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Ordinance No. 2551 enacted by the North Las Vegas City Council on July 7, 2010 amended North Las Vegas Municipal Code (NLVMC) Section 13.02.010 related to the members of the Utility Advisory Board (UAB);

WHEREAS, the City desires to amend NLVMC Section 13.020.010 to require that the Sunrise Manor resident members of the UAB reside in the City's water service area;

WHEREAS, Ordinance No. 2862 enacted by the North Las Vegas City Council on February 7, 2018 prohibited members of the Utility Advisory Board from simultaneously serving on another City board, commission, or committee; and

WHEREAS, the City desires to remove the limitation of citizen service provision from NLVMC Section 13.02.020 in order to allow members of the Utility Advisory Board to serve on another City board, commission, or committee.

NOW, THEREFORE, the City Council of the City of North Las Vegas does ordain:

**SECTION 1:** Subsection (a) of Section 13.02.010 of the North Las Vegas Municipal Code (NLVMC) shall be deleted in its entirety and replaced with the following language:

- a. The seven members of the Utility Advisory Board are appointed by the City Council. The City Council will appoint five members who live in and represent the City and two members who live in and represent the Sunrise Manor area of Clark County. Portions of Sunrise Manor are in the water service area of the City of North Las Vegas. Any individuals appointed to the two Sunrise Manor member positions on the Utility Advisory Board after April 5, 2023 must reside at an address in Sunrise Manor that is in the City's water service area.

**SECTION 2:** Subsection (d) of Section 13.02.020 of the NLVMC shall be deleted in its entirety.

**SECTION 3:** NON-INFRINGEMENT OF RIGHTS. The North Las Vegas City Council has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information the City Council is adopting this ordinance in good faith with a reasonable belief that the actions taken by the City Council are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

**SECTION 4:** SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

**SECTION 5:** EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council, and after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

**SECTION 6:** PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmembers voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2023.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

\_\_\_\_\_  
Pamela A. Goynes-Brown, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Rodgers  
City Clerk