

Chapter 2.100 REGISTRATION AND REGULATION OF LOBBYISTS*

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2.100.010 Definitions.

- A.** "Lobbyist" means, except as limited by subsection B., a person who:
1. Appears in city hall including the city council chambers or any other building in which the city council or the planning commission, or any of their standing committees, hold meetings or any other location an appointment to meet has been set; and
 2. Communicates directly with a member of the city council, the planning commission and/or city staff on behalf of an individual, group or entity and will lobby for their interests or benefit to influence staff, legislative or council action; and
 3. Receives a salary from an employer or compensation from that individual, group or entity and will lobby for their interests or benefit to influence legislative action or decisions made by city staff, the city council or the planning commission.
- B.** "Lobbyist" does not include:
1. Persons who confine their activities to formal appearances before the city council, the planning commission and/or city staff and who clearly identify themselves and the interest or interests for whom they are testifying; or
 2. Employees of bona fide news medium who meet the definition of "lobbyist" only in the course of their professional duties and who contact members of the city council, the planning commission and/or city staff for the sole purpose of carrying out their news-gathering function; or
 3. Employees of departments or divisions of municipal government who appear before the city council, planning commission and/or city staff only to explain the effect of legislation related to their departments or divisions; or

***Editor's note**—Ord. No. 2952, § 1, adopted January 13, 2012, amended chapter 2.100 in its entirety to read as herein set out. Formerly, chapter 2.100, §§ 2.100.010—2.100.030 pertained to similar subject matter and derived from Ord. No. 1711, § 1(part), adopted in 1996.

4. Representatives of other municipal governments, the State of Nevada or the federal government who confine their lobbying activities to issues directly related to the scope of the office to which they were elected and who are not receiving compensation from another source for those lobbying activities; or
 5. Representatives of employee bargaining units engaged in negotiation with city staff; or
 6. Persons who contact the mayor or members of the city council who are elected for the ward in which they reside; or
 7. Attorneys licensed by the State Bar of Nevada communicating with attorneys in the city attorney's office on criminal or civil matters in litigation or on agreements between the city and the person or entity they represent as an attorney.
- (Ord. No. 3057, § 1, 9-3-2013; Ord. No. 2952, § 1, 1-3-2012)

2.100.020 Lobbying.

A. Registration—Time for filing. Every person who acts as a lobbyist shall complete a registration form with the city clerk prior to personal communication with city council, planning commission and/or city staff at the beginning of every calendar year, or if they have not registered as a lobbyist in the city for the preceding two calendar years, within five days of their first communication as a lobbyist. Registration may be accomplished by electronic mail, fax machine, or hard copy; and

B. Registration—Form for filing. The registration form shall contain the following information:

1. The lobbyist's full name, permanent address, place of business and business address while lobbying; and
2. The full name and complete address of each person, if any, by whom the lobbyist is retained or employed or on whose behalf the registrant appears; and
3. A description of the principal areas of interest on which the lobbyist expects to lobby, including the names and addresses of any employer, individual or entity from which the lobbyist will receive a salary or compensation to influence legislative action or decisions made by city staff, the city council or the planning commission.

The registration form shall be a public document and shall be maintained by the city clerk.

C. Identification Badge—The city clerk shall furnish an appropriate identification badge to each lobbyist who files a registration form under this subsection. The identification badge must be worn by the lobbyist whenever he or she is engaged in lobbying activity with city council, planning commission and/or city staff.

Persons who engage in lobbying activity on a regular basis may obtain an annual badge from the city clerk who shall register the lobbyist's full name, permanent address, place of business and business address while lobbying.

D. Disclosure form for city council or planning commission communication—Time for filing. Within five working days of a lobbyist's communication with city council or the planning commission, a lobbyist shall complete a disclosure form for each individual contact and communication item. The disclosure form must be filed with the city clerk by electronic mail, fax machine, Contact Henderson, or hard copy.

1. *Disclosure form for filing.* The disclosure form must contain the name of the lobbyist, the name of the individual or entity the lobbyist is appearing on behalf of, the name of the member of city council or the planning commission with whom the communication was had, a brief description of the communication item and the date of the communication.

E. Disclosure form for city staff communication—Time for filing. Within five working days of the end of every month during which a lobbyist communicated with city staff, a lobbyist shall complete one disclosure form containing the names of all city staff the lobbyist communicated with during the month for each communicated item. The disclosure form must be filed with the city clerk by electronic mail, fax machine, Contact Henderson, or hard copy.

1. *Disclosure form for filing.* The disclosure form must contain the name of the lobbyist, the name of the individual or entity the lobbyist is appearing on behalf of, the names of all city staff with whom the lobbyist communicated for the month, a brief description of the communicated item and the month and year of the communication.
2. *Non-reportable communications.* Communications which are administrative or clerical and are not intended to influence legislative action or decisions made by city staff, the city council or the planning commission, or legal discussions between attorneys as described in subsection 2.100.010(B)7 are not subject to this disclosure form requirement.

(Ord. No. 3057, § 1, 9-3-2013; Ord. No. 2952, § 1, 1-3-2012)

2.100.030 Cooling off period.

A. For a period of 12 months following termination of service or period of employment with the city, no public servant, as defined in subsection 2.40.020(A), shall:

1. Act as a lobbyist for a private person or business entity before the city council or the planning commission or any agency or department of the city.

2. Represent or counsel for compensation a private person upon any matter that was under consideration by the city during the public servant's service with the city. As used in this paragraph, "matter" includes a case, agenda item, proceeding, application, contract or approval, but does not include the proposal or consideration of an ordinance or resolution.

(Ord. No. 3057, § 1, 9-3-2013; Ord. No. 2952, § 1, 1-3-2012)

2.100.040 Licensed attorneys.

A lobbyist who is also a licensed attorney in the State of Nevada may not make communications subject to disclosure in subsections 2.100.020(D) and (E) of this chapter without an attorney from the city attorney's office present if the lobbyist has received instruction from the city attorney's office not to do so on a particular matter.

(Ord. No. 3057, § 1, 9-3-2013)

2.100.050 Violations and penalties.

A. Any person who knowingly violates any of the provisions of this chapter may be assessed a civil penalty in the amount of \$500.00 for each occurrence by the city attorney.

B. Any person who has been assessed a civil penalty under this chapter may appeal their civil penalty to the municipal court if an appeal is filed within ten days after the civil penalty has been assessed.

(Ord. No. 3057, § 1, 9-3-2013; Ord. No. 2952, § 1, 1-3-2012)

Editor's note—Ord. No. 3057, § 1, adopted September 3, 2013, redesignated the former section 2.100.040 as section 2.100.050. The historical notation has been preserved for reference purposes.