



GARY POLLOCK, Mayor
JONATHAN GOOLSBY, Vice-Mayor
LAURA MOORE DELRIO, Councilwoman
CHRIS MICHELI, Councilman
CR "BETH" SAVEDRA, Councilwoman

JASON PENGELLY, City Manager
SAMANTHA NANCE, City Clerk
PATTI ZANDER, Deputy Clerk

PUBLIC MEETING NOTICE
Of the
CITY OF WELLS BOARD OF COUNCILMEN

The Board of Council of the City of Wells, County of Elko, State of Nevada, will meet in regular session on Tuesday, June 11, 2024, in the Council Chambers of Wells City Hall, 525 Sixth Street, Wells, Nevada
Beginning at 7:00 P.M.

Attached to this Notice is the agenda for said meeting of the Board.

This Notice and Agenda is posted pursuant to N.R.S. 241.020 as amended by the 2013 Legislature. This Notice and Agenda has been posted on or before 9:00 A.M. on the third working day before the meeting at the following locations:

WELLS CITY HALL, 525 Sixth Street, Wells, Nevada
WELLS FIRE STATION, 516 Seventh Street, Wells, Nevada
WELLS POST OFFICE, 201 Castle Street, Wells, Nevada
WELLS RURAL ELECTRIC COMPANY, 1451 Humboldt Avenue, Wells, Nevada
SILVER SAGE SENIOR CITIZEN CENTER, 213 First Street, Wells, Nevada
ROY'S MARKET, 647 Humboldt Avenue, Wells, Nevada

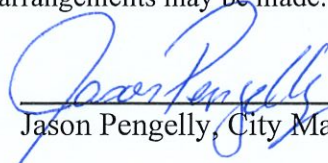
Supporting materials for this meeting may be reviewed at the office of the City Clerk, Wells City Hall, 525 Sixth Street, Wells, Nevada.

This institution is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office or call (866) 632-9992 to request the form. You may also write a letter containing all the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, and 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

NOTICE TO PERSONS WITH DISABILITIES

Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the City Manager, City of Wells, in writing at P.O. Box 366, 525 Sixth Street, Wells, Nevada 89835-0366, or by calling 775-752-3355 at least two (2) days in advance so that arrangements may be made.


Jason Pengelly, City Manager

TEL 775.752.3355

FAX 775.752.3419

finance@cityofwellsnv.com

MAILING P.O. BOX 366 • WELLS, NEVADA 89835 PHYSICAL 525 6TH STREET • WELLS, NEVADA 89835

The City of Wells is an equal opportunity employer

**AGENDA
REGULAR MEETING
CITY OF WELLS BOARD OF COUNCIL
TUESDAY, JUNE 11, 2024 7:00 P.M.
COUNCIL CHAMBERS, WELLS CITY HALL
525 SIXTH STREET WELLS, NEVADA**

Breaks and Recess Actions shall be called for at the pleasure of the Board rather than by agenda schedule.

Pursuant to N.R.S. 241.020, 6, notice is hereby given that items on the agenda may be taken out of order, that the Board may combine two or more agenda items for consideration, and that the Board may remove an item from the agenda or delay discussion relating to an item on the agenda any time and if the agenda is not completed, to recess the meeting and continue on another specified date and time.

Pursuant to N.R.S. 241.020, 7, any restriction on comments by the general public must be reasonable and may be restricted to the time, place and manner of the comments, but may not restrict comments based on viewpoint. Citizens will be allowed to make public comment during each agenda item as well as at the formal Citizens to Address the Board of Councilmen agenda item at the beginning of the meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of minutes of previous meeting(s) **FOR POSSIBLE ACTION**

DELEGATION:

5. Citizens to address the Council
Pursuant to N.R.S. 241.020,2 (c) (3), this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item

OLD BUSINESS:

6. Review, discussion, and second reading of Ordinance No. 243, **AN ORDINANCE AMENDING TITLE 6, CHAPTER 5, SECTION 3 OF THE WELLS CITY CODE, ENTITLED NUISANCES, DUTY OF MAINTAINING PROPERTY; OFFENSES; REMEDIES, BY ADDING “F” THEREIN TO PROVIDE FOR CIVIL PENALTIES TO BE SET BY COUNCIL RESOLUTION. FOR POSSIBLE ACTION**

NEW BUSINESS

7. Presentation by Nevada Public Agency Insurance POOL and possible action for approval or denial of insurance renewal for Fiscal Year 2024-2025. **FOR POSSIBLE ACTION**
8. Discussion and possible action to approve Resolution 24-04, a **RESOLUTION APPROVING TRANSFERS FROM CERTAIN CITY FUNDS TO OTHER FUNDS DURING THE FISCAL YEAR. FOR POSSIBLE ACTION**

9. Review, discussion, and first reading of Ordinance No. 244, **AN ORDINANCE AMENDING TITLE 3, CHAPTER 6 OF THE WELLS CITY CODE ENTITLED WELLS BROTHEL CODE. FOR POSSIBLE ACTION**

10. Claims Committee Report and possible action to approve financial statement.
FOR POSSIBLE ACTION

11. Councilmen's Report

This time is devoted to comments by Board members for general information or update Purposes and may include reports of involvement in liaison actives/meetings with matter raised under this item of the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item.

12. Staff reports

This time is devoted to comments by city Staff for general information or updates purpose. No action maybe taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a successive agenda and identified to be action item

13. Citizens to address the Council

Pursuant to N.R.S. 241.020,2 (c) (3), this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item.

14. Adjournment

**MINUTES OF WELLS CITY COUNCIL
MEETING OF MAY 28, 2024**

CALL TO ORDER

Date: Tuesday, May 28, 2024
Time: 7:00 P.M.
Place: Council Chambers, Wells City Hall
525 Sixth Street Wells, Nevada
Type of Meeting: Regular Meeting of City of Wells Board of Councilmen
Presiding Officer: Gary Pollock, Mayor

ROLL CALL

Present: Gary Pollock, Mayor
Jonathan Goolsby, Vice-Mayor
Laura Moore-DelRio, Councilwoman
Chris Micheli, Councilman
CR Beth Savedra, Councilwoman

Absent: None

Quorum: Yes

Staff Present: Samantha Nance, City Clerk
Jason Pengelly, City Manager
Patti Zander, Deputy Clerk

PLEDGE OF ALLEGIANCE

Mayor Pollock led everyone in the Pledge of Allegiance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Savedra made a motion to approve the meeting minutes dated May 14, 2024. Micheli provided the second and the motion passed unanimously.

CITIZENS TO ADDRESS THE COUNCIL

There were none.

**REVIEW, DISCUSSION AND FIRST READING OF ORDINANCE NO. 243, AN
ORDINANCE AMENDING TITLE 6, CHAPTER 5, SECTION 3 OF THE WELLS
CITY CODE ENTITLED NUISANCES, DUTY OF MAINTAINING PROPERTY;**

Minutes of Wells City Council
Meeting of May 28, 2024

OFFENSES; REMEDIES BY ADDING “F” THEREIN TO PROVIDE FOR CIVIL PENALTIES TO BE SET BY COUNCIL RESOLUTION

Pengelly began the first reading had already been done once. It is being done again because Pengelly was researching Wendover and Carlin code enforcement, and it wasn't lining up with the posting of the ordinance. Wendover does not have a fee structure for code enforcement nor does code enforcement get used a lot. Wendover's code reads the same as our code, the fine is under \$1,000. Carlin is totally different; all their nuisances are under one fine and are not broken down. The first offense is \$150, the second offense is \$250, and the third offense is going to court.

After the second reading, the fee schedule will be set by resolution. Savedra asked if it might be more if a vehicle is removed. Pengelly stated the first fee will be charged and if there is no improvement, the second fee is charged. If the city cleans up the property, the ticket will still need to be paid and the resident will pay whatever it costs the city to abate the property. Pollock added hopefully the city will never have to issue a fine. Goolsby stated along with the fine there should be a set amount of time to remedy the problem. DelRio made a motion to approve the first reading of Ordinance No. 243, an ordinance amending Title 6, Chapter 5, Section 3 of the Wells City Code, entitled Nuisances, duty of maintaining property; offenses; remedies by adding “F” therein to provide for civil penalties to be set by council resolution. Savedra provided the second and motion passed with Goolsby abstaining.

DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL BUDGET FOR FISCAL YEAR 2024-2025

Nance stated there have been no changes from the last meeting. What was in the street budget was left the same for the Shoshone Project since we don't know what the bids will be. Goolsby made a motion to approve the final budget for fiscal year 2024-2025. DelRio provided the second and the motion passed unanimously.

REVIEW, DISCUSSION AND FIRST READING OF ORDINANCE NO. 244, AN ORDINANCE AMENDING TITLE 3, CHAPTER 6 OF THE WELLS CITY CODE ENTITLED WELLS BROTHEL CODE

Pollock stated he did not receive the ordinance until 4 p.m. and doesn't feel he has had enough time to review this and would like more time. Savedra agreed. Savedra made a motion to table the ordinance for amending Title 3, Chapter 6 of the Wells City Code entitled Wells Brothel Code. Micheli provided the second and the motion passed unanimously.

CLAIMS COMMITTEE REPORT: ACTION TO APPROVE FINANCIAL STATEMENTS

Micheli made a motion to approve the Warrant Register dated May 16, 2024 through May 28, 2024 in the amount of \$ 140,598.48. Goolsby provided the second and the motion passed unanimously.

COUNCILMEN'S REPORTS

Savedra attended the Elko County School District board meeting on May 21, 2024. There was discussion about ECSD offering 2% of their property tax revenue. Savedra thought if ECSD offered their 2%, it would be easier to go to municipalities or other entities to get them to offer some too. Nothing was approved. Dr. Byers was not going to approve anything until he checked into it a lot more. Savedra brought up the list she sent them but also talked about not having an ADA bathroom at the Elementary School, which they didn't realize. Savedra stated there is a bathroom that is not being used that is apparently broken. Savedra also mentioned the lunch situation at the high school with the kids not having anywhere to go and being locked out of the school during lunch.

Savedra attended the NNRDA meeting on May 22, 2024 and there was not a quorum. Sheldon Mudd went over the new budget and explained some things. Savedra thanked Mudd for all his hard work. Mudd has good thoughts about the Penny-Wise Project and is hopeful. Savedra stated that Paul Bottari spoke about the way Elko County property is in a checkerboard pattern. There are some entities that own private property that won't allow hunters or tourists to cross their land to get to certain parts. It also prevents businesses coming to our area. Bottari has contacted the Cattlemen's Association, the Farm Bureau, County Commissioners, the Nevada Association of Counties and the NNRDA Governor's office and Assemblyman Gurr. They have written something up and Savedra had copies and more copies can be made. Savedra thanked the city crew for the work done on the tennis court. Savedra asked about the Crisi grant that was discussed at the last meeting. Pengelly stated the deadline was too soon. Pengelly stated that Paul with Rail Pros was going to be asked to help write the grant and he said the timeline was too narrow. Pengelly added that other options were going to be investigated.

DelRio stated the school year is winding down and early voting started on Saturday.

Goolsby added that June 22nd is the Wells Family Resource Center annual golf scramble and encouraged everyone to attend. This is a benefit for the WFRC and a good cause.

Pollock stated that little league wrapped up this weekend and has been a lot of fun. Hopefully there will still be a lot of activity at the park. Pollock thanked the staff for the pickle ball/tennis court work that is moving forward. The park is in great shape. Last weekend the park was reported to have been very busy.

STAFF REPORTS

At the last meeting, the city was asked if there were AED units in all public buildings. Pool Pact was contacted to see if there were grants available for these units. Pool Pact

provided six links for different grants. Nance applied for all six. One reply was received for additional information.

The Shoshone Project was rescoped for a smaller base and was put back out to bid on Saturday. It will be out for bid for thirty days.

Last week, Pengelly was notified that the city received the splash pad grant. A meeting will be held tomorrow with Nevada State Park to see what the next step is as far as going out to bid. It is hopeful to start construction this year.

Pengelly is waiting for quotes to get some paving done before July 1st. After July 1st, more can be done after the quotes come in.

Penny-Wise should notify the city in the next couple of weeks of their decision regarding locating in Wells.

Superior came and seal coated the pickle ball court. It is still rough but there are plans to do another seal coat and restripe it. The pickle ball posts and net are here but still waiting on the basketball hoops. Time will be made to get them installed as well as putting up a fence. Pengelly hasn't worked on the lighting yet and will check on that after everything else is done. Work is still being done on the EE grant for new lights in the little league field. There may be a chance to use some of those lights for the pickle ball court. A TAP grant was applied for for more curb, gutter and sidewalk on Lake Avenue. The blinking school zone lights are at the shop and just need the time to install them. They will be installed before the next school year. There will be one on Lake at the top and bottom as well as on Clover and will add a little more every year.

Goolsby mentioned that if we ever need an AED, all troopers have been issued one through a federal grant and if we are in need, give them a call.

CITIZENS TO ADDRESS THE COUNCIL

There were none.

ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

GARY POLLOCK, Mayor

ATTEST:

SAMANTHA NANCE, City Clerk

Minutes of Wells City Council
Meeting of May 28, 2024

Agenda Item #6

Date of Meeting 6-11-24

**CITY OF WELLS
ORDINANCE NO. 243**

AN ORDINANCE AMENDING TITLE 6, CHAPTER 5, SECTION 3 OF THE WELLS CITY CODE, ENTITLED NUISANCES, DUTY OF MAINTAINING PROPERTY; OFFENSES; REMEDIES, BY ADDING "F" THEREIN TO PROVIDE FOR CIVIL PENALTIES TO BE SET BY COUNCIL RESOLUTION

WHEREAS the Wells Board of Council Members desire to provide for civil penalties for nuisance violations to be set by resolution of the board.

NOW THEREFORE, THE WELLS BOARD OF COUNCIL MEMBERS DO ORDAIN as follows:

(For purposes of this amendment, words which are bold and underlined are additions to the Code and words which are bold and in brackets are deletions to the Code.)

SECTION 1: Title 6, Chapter 5, Section 3 is hereby amended by adding Section F to read as follows:

6-5-3: DUTY OF MAINTAINING PROPERTY; OFFENSES; REMEDIES:

A. No person owning, leasing, occupying, or having charge or control of any premises or property shall maintain, keep, or permit to be maintained or kept, a nuisance thereon, nor shall any such person keep, maintain, or permit to be maintained or kept, such premises in a manner causing substantial diminution in the value of the other property in the neighborhood in which such premises are located.

B. It shall be unlawful for any person or entity to commit or maintain a public nuisance or wilfully refuse to perform any legal duty relating to the removal of such public nuisance, and it shall be unlawful for any person or entity to rent or lease, or permit to be used, any building or portion thereof, knowing that the same is intended to be or is being used for, committing or maintaining any such nuisance. Said crime shall be a misdemeanor offense punishable as provided in section 1-4-1 of this code, in addition to any other penalties, abatement orders, injunctive relief and fines provided herein. Such punishment shall include, without limitation, a fine not to exceed one thousand dollars (\$1,000.00), or by a sentence of confinement in the city or county jail not to exceed six (6) months, or both such fine and imprisonment, in addition to any other penalties and fines authorized in this Chapter.

C. The remedies provided herein are cumulative and the City may proceed under one or more such remedies. A Court of competent jurisdiction for a violation hereof shall have full authority to order all measures of abatement, civil penalty, criminal penalty, injunctive relief, assessment, costs, liens and abatement by the City as part of any sentencing or civil remedies as may be made consistent such matters found in this Chapter. Each day a violation continues, whether pursued criminally or civilly, constitutes a separate violation and/or offense.

D. The transfer of the property interests of any person receiving notice herein shall not relieve that party from liability hereunder.

E. A civil fine may be imposed in any court or administrative action to enforce the provisions of this chapter for up to \$500/day for each day of a continuing violation after notice of violation and the expiration of the time set forth therein to abate said violation. (Ord. 238, 8-23-2024).

F. The city council may provide for and establish any other civil penalties for persons responsible for such nuisance as the city council deems proper, by resolution.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

SECTION 3: If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, the invalidity, unenforceability of such section, paragraph, clause or provision shall not affect any remaining provisions of this Ordinance.

SECTION 4: That upon adoption, the City Clerk of the City of Wells is hereby directed to have this Ordinance published, by title only, together with the Councilmen voting for or against its passage, in a newspaper of general circulation printed and published in the County of Elko, for at least one publication.

SECTION 5: This Ordinance shall be effective upon the publication mentioned in Section 4 herein.

APPROVED this ____ day of _____, 2024.

CITY OF WELLS

By: _____
GARY POLLOCK, Mayor

ATTEST:

SAMANTHA NANCE, City Clerk

The foregoing Ordinance was introduced in written form on _____, 2024, and read aloud on _____, 2024, at which time Motion to Adopt

was made by Councilman _____ seconded by Councilman _____, and
passed with the following vote:

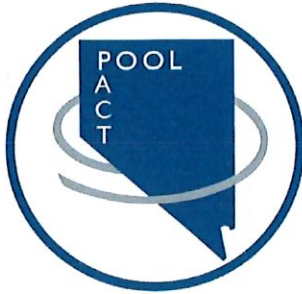
AYES: _____

NAYES: _____

ABSENT: _____

Agenda Item #7

Date of Meeting 6-11-24



Nevada Public Agency Insurance Pool
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

MEMORANDUM

DATE: April 15, 2024 Sent VIA Email

TO: Jason Pengelly
Wells, City of
citymanager@cityofwellsnv.com

FROM: Wayne Carlson, MBA, CPCU, ARM
Executive Director

RE: POOL Renewal Proposal Presentation

We are planning our June renewal presentation schedule and would appreciate your scheduling the following item on your **JUNE** agenda. Stephen Romero, Marshall Smith, Jarrod Hickman, Alan Kalt or I will present the renewal in conjunction with your local agent. Due to multiple board meetings on some days, scheduling us at or near the requested time will facilitate travel between meeting locations. **If your meeting will be held virtually, please send us the meeting information and time slot.** Your cooperation is appreciated.

DATE: 6/11/2024 Time: 7:00 PM

The requested item should be listed as an action item and worded like the following:

Action Item: Acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2024 - 2025 funds.

Please confirm the meeting date and time by emailing your response to jenniferturner@poolpact.com. **I need a response as soon as possible.** Because renewal program presentation materials are still being prepared, your board packet information may be delayed. We appreciate your understanding and will get them to you as soon as we can. If you should have any questions, feel free to call our office. Thanks for your assistance.

E-Mail to jenniferturner@poolpact.com; waynecarlson@poolpact.com

RE: Board Meeting Schedule

The item will be placed on the agenda as requested

Please note these changes: _____



poolpact.com
The Power of the POOL

NEVADA PUBLIC AGENCY INSURANCE POOL MEMBER COVERAGE SUMMARY

Prepared For:
Wells, City of

Prepared By:
Gregory Insurance

**THANK YOU FOR
YOUR
MEMBERSHIP!**

This summary is intended for reference only. For specific terms, conditions, limitations and exclusions, please refer to the POOL Coverage Form and Cyber Risk Coverage Form edition July 1, 2024.



Dear POOL Member:

Thank you for your continuing leadership commitment to serving your communities by fulfilling your public service mission. The POOL continues to offer programs, services and support for Members' financial security and collaborating with you in support of your mission.

This Member Coverage Summary reflects the successful negotiations with multiple markets to obtain cost-effective terms, conditions and pricing for approval by the POOL Board on behalf of all Members.

As owners of the POOL, you approved the extensive risk management services, such as POOL/PACT HR services including its training courses and ELearning modules on important HR topics. Enrollment in POOL's ELearning programs including Target Solutions Fire/EMS training, KnowBe4 email security training continues to reach an increasing number of employees for convenient and cost-effective learning. Our ongoing focus on law enforcement policies and practices targeted jail and road operations with onsite and virtual assessments and sample policies.

We encourage you to discuss the POOL's services with staff and your agent. We regularly update our website and encourage you to visit www.poolpact.com to utilize a growing base of HR and risk management information in the resource libraries. While there, look for the POOL Coverage documents, board and committee agendas and minutes.

Thanks to all Member volunteers who serve on our boards and committees. These volunteers do a superb job of representing the interests of the Members of your POOL.

Sincerely,

Wayne Carlson
Executive Director
Nevada Public Agency Insurance Pool



NEVADA PUBLIC AGENCY INSURANCE POOL COVERAGE SUMMARY

RENEWAL PROPOSAL	COVERAGE PERIOD	NAMED ASSURED	MAINTENANCE DEDUCTIBLE
	07/01/2024 – 07/01/2025 Standard Time	Wells, City of	\$ 500

Property Coverage

Coverage	Limit per Loss	
Property	\$300,000,000	Per Schedule of Locations

The following sub-limits apply to Section V. C. Extensions of Property Coverage:

Accounts Receivable	\$5,000,000 per loss
Arson Reward	10% up to \$25,000 per loss
Debris Removal - Mold/ Asbestos	\$100,000
Earthquake	\$150,000,000 aggregate
Flood	\$150,000,000 aggregate \$25,000,000 aggregate - Flood Zone A
Equipment Breakdown	\$100,000,000 per loss
<ul style="list-style-type: none"> Loss of Income & Extra Expense 	included
<ul style="list-style-type: none"> Hazardous Substance Coverage 	\$250,000 per loss
<ul style="list-style-type: none"> Spoilage Coverage 	\$250,000 per loss
<ul style="list-style-type: none"> Data Restoration 	\$100,000 per loss
<ul style="list-style-type: none"> Electrical Risk Improvements 	\$10,000
Expediting Expenses	\$25,000 per loss
Unintentional Errors and Omissions	\$5,000,000 per loss
Money and Securities	\$500,000 per loss
Ordinance or Law – LEED Building	\$500,000
Agreed Value Vehicles	Per Attachment D, if applicable



NEVADA PUBLIC AGENCY INSURANCE POOL COVERAGE SUMMARY

Liability Coverage

The Limits of Liability are as *follows*:

Coverage	Limit per Named Assured	Annual Aggregate Limit per Named Assured
Per Event	\$10,000,000	\$10,000,000
<i>All Sublimits are a part of and not in addition to the Limits of Liability.</i>		
<i>Liability Sublimits:</i>		
<ul style="list-style-type: none"> Additional Assured (Lessors) (Section I, item 2) 	\$2,000,000	
<ul style="list-style-type: none"> Weed Spray Property Damage (Section IV, item 3 (B) (2) (ix)) 	\$250,000	\$250,000
<ul style="list-style-type: none"> Emergency Response to Pollution (Section IV, item 3 (B) (2) (v)) 	\$1,000,000	\$1,000,000
<ul style="list-style-type: none"> Criminal Defense Fees and Costs (Section VI, part C, item 4) 	\$50,000	\$50,000
<ul style="list-style-type: none"> Defense for Regulatory Agency Actions (Section VI, part C, item 16) 	\$50,000	
Sexual Abuse Sublimit (Section VI, part C, item 21)	\$2,500,000	\$2,500,000
<i>Retroactive Date</i>		<i>May 1, 1987 except as shown in Attachment C</i>



NEVADA PUBLIC AGENCY INSURANCE POOL COVERAGE SUMMARY

Cyber Risk Coverage Form

CYBER SECURITY RISK COVERAGE			
PART ONE: Terms and Conditions			
SECURITY RISK COVERAGE LIMITS	Limit per Named Assured Per PRIVACY OR SECURITY EVENT	Annual Aggregate Limit Per All Named Assureds	
PART TWO: Privacy or Security Liability Limits	\$1,000,000	\$ 1,000,000 up to \$15,000,000 aggregate all POOL Members combined	
<i>The following sub-limits are a part of and not in addition to the Limits of Liability:</i>			
PART THREE: Security Failure/Privacy Event Management Coverage	\$100,000		
PART FOUR: Network Interruption Coverage	\$250,000		
Proof of Loss Preparation Costs (as defined), (Separate Limit)	\$50,000		
Retroactive Date	July 1, 2013		



NEVADA PUBLIC AGENCY INSURANCE POOL COVERAGE SUMMARY

Environmental Liability Coverage

The Limits of Liability are as follows:

Coverage A	Third Party Claims for Bodily Injury, Property Damage or Remediation Expense
Coverage B	First Party Remediation Expense
Coverage C	Emergency Response Expense
Coverage D	Business Interruption

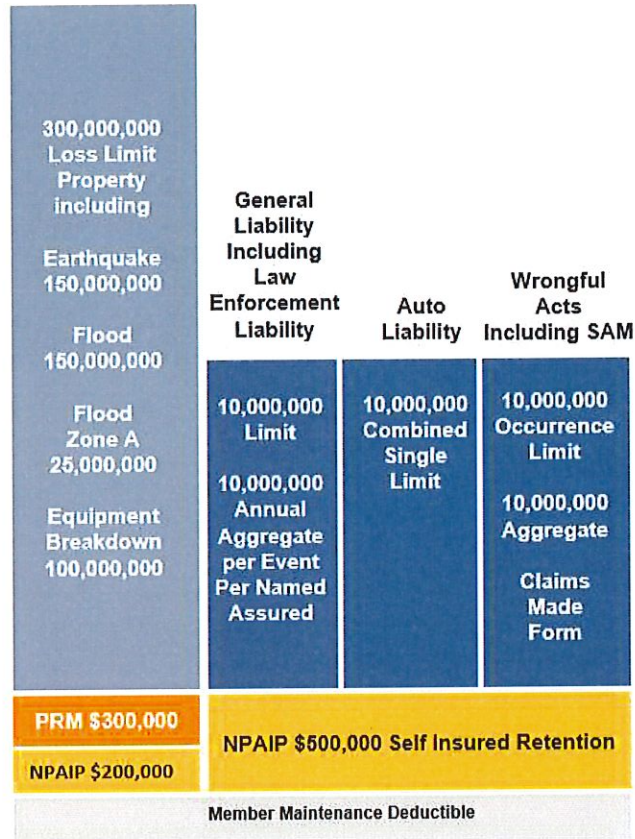
COVERAGE	DEDUCTIBLE	EACH INCIDENT LIMIT	AGGREGATE LIMIT
A,B,C	\$25,000	\$2,000,000	\$10,000,000

COVERAGE	DEDUCTIBLE	BUSINESS INTERRUPTION LIMIT (Days)	BUSINESS INTERRUPTION LIMIT (\$)
D	3 Days	365	\$2,000,000

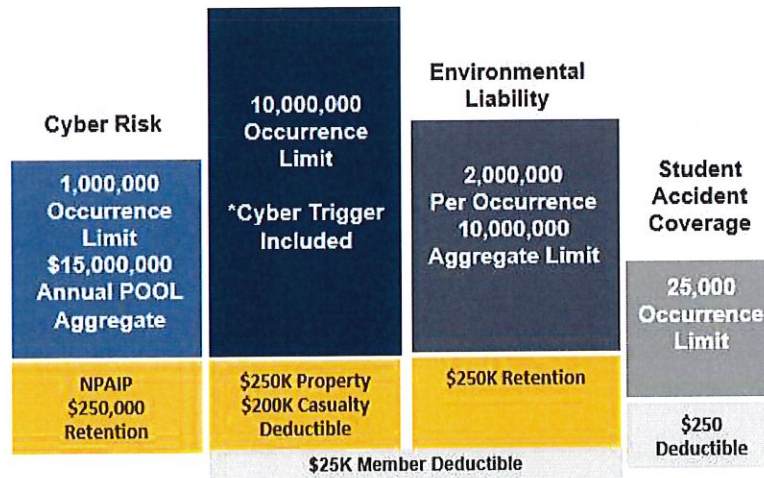


NPAIP 2024 - 2025 Program Structure

Property



Terrorism Property & Casualty



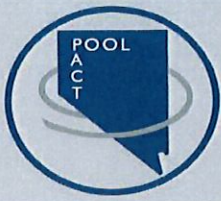
This summary is intended for reference only. For specific terms, conditions, limitations and exclusions, please refer to the POOL Coverage Form and Cyber Risk Coverage Form edition July 1, 2024.



NEVADA PUBLIC AGENCY INSURANCE POOL COVERAGE SUMMARY

Member Contribution:

Total Cost:	\$87,157.96
Agent Compensation:	\$6,098.95
Total Program Cost Including All POOL Services:	\$93,256.90



NEVADA PUBLIC AGENCY INSURANCE POOL COVERAGE SUMMARY

The current market conditions have softened a little over last year and the economic inflation is not as hard felt. With the softening market, contributions are mainly reflecting changes in exposures, such as Total Insured Values, Number of Employees, Amount of Payroll, Number of Law Enforcement, Number of Students, Firefighters, EMT's, and the Number of Vehicles (below is a breakdown of your application exposures year-over-year).

For All Members Property, NPAIP obtained a Flat rate compared to expiring, due to our long-term relationship in the London Market.

Municipality Liability for NPAIP continues to be impacted by adverse loss development related to social inflation, law enforcement and climate change.

The School Liability for NPAIP continues to be impacted by large settlements due to Wrongful Acts including Sexual Abuse and Molestation.

Coverage:

Maintenance Deductible:	\$ 500
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	2023	2024	Percent (%) Change
Program Cost Comparison	\$88,671.25	\$93,256.90	5.17%

Key Exposures:

	2023	2024	Percent (%) Change
Payroll	\$705,511	\$704,161	-0.19%
Total Insured Values	\$25,076,382	\$26,620,610	6.16%
Auto Count	22	24	9.09%
Law Enforcement	0	0	0.00%
Employees	12.5	15	20.00%
EMT's	0	0	0.00%
Student ADA			0.00%
Teachers	0	0	0.00%



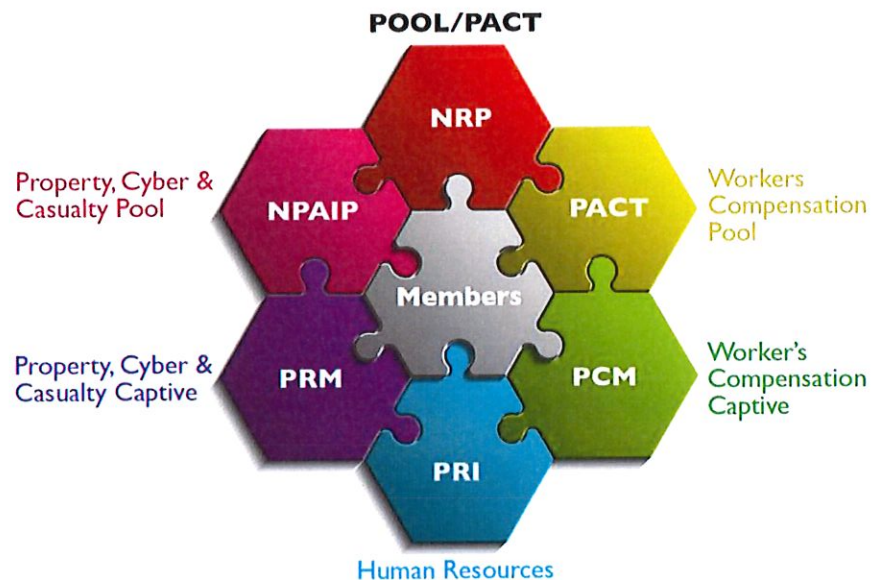
POOL/PACT – HERE FOR YOU

Members Helping Members

In 1987, four Nevada counties formed their own risk sharing pool. Now over thirty years later, the majority of Nevada's public entities remain committed to each other and the mission of their risk pool organization. POOL/PACT continues to excel in providing an unparalleled level of service to our members. Our mission seeks to help members manage their risks so they can serve the public effectively.

The POOL Board is comprised of dedicated, hardworking, and ethical Member leaders focused on public risk management. They continue to do an excellent job of representing the interests of the Member-owners of POOL/PACT.

Our members continue to see great value in being part of POOL/PACT because of extensive services, which keeps membership retention strong. POOL/PACT encourages you to discuss the services we offer with your insurance agent – its valued partner in the POOL program.



POOL Executive Committee

Josh Foli - Chair (Lyon County)
Geof Stark – Director (Churchill County)
Amanda Osborne - Director (Elko County)
Dan Murphy – Vice Chair (Pershing Co.SD)
Gina Rackley – Fiscal Officer (Humboldt Co)
Ann Cyr - Director (Carson City SD)
Scott Lindgren - Director (TDFPD)

PACT Executive Committee

Paul Johnson - Chair (White Pine CSD)
Mike Giles – Vice Chair (City of Lovelock)
Amana Osborne - Trustee (Elko County)
Josh Foli – Fiscal Officer (Lyon County)
Robyn Dunckhorst - Trustee (Humboldt GH)
Paul Sikora - Trustee (Boulder City)
Joe Westerlund – Trustee (Town of Tonopah)



RISK MANAGEMENT BENEFITS AND SERVICES

POOL/PACT LOSS CONTROL COMMITTEE

Develops, administers, and supervises Risk Management policy, procedure, and planning • Supports innovative risk reduction and/or mitigation programs • Develops and administers risk control techniques to reduce the frequency and severity of losses

ENTERPRISE RISK MANAGEMENT EXCELLENCE PROGRAM

A voluntary program developed to assist POOL/PACT members achieve operational excellence in the delivery of public service through effective risk management • Develops understanding of Enterprise Risk Management – that risk management efforts of one department have a direct impact, either positive or negative, on the enterprise as a whole

RISK MANAGEMENT GRANT PROGRAM

Educational Grants supporting risk management education and training opportunities • Risk Management Grants for risk management/mitigation projects or acquisitions • Visit www.poolpact.com/risk-grant.asp for more information

ONLINE SAFETY TRAINING

Active Shooter Response • Asbestos Awareness Training • Aversive Interventions • Back Safety in the Workplace • Bloodborne Pathogens Awareness • The Complex Quadriplex of Lifeguard Blindness • Cybersecurity Awareness • Ransomware Awareness • Defensive Driving • FERPA • GHS - Hazard Communication • Heat-Related Illness • HIPAA Privacy Rule • Lock-Out, Tag-Out • Mandatory Child Abuse Reporting Laws • MRSA Awareness for Correctional Employees • MRSA Awareness in Hospitals • Nevada Ethics in Government Law • Office Ergonomics • Open Meeting Law • OSHA – Rights and Responsibilities • Pool Chemical Safety • Slips, Trips, and Falls • Strip Search Training • Students in Transition • Sub-Administrator Training • Surviving an Active Shooter • Teaching Science Safely • Transporting Students with Special Needs • MSDSONline (SDS management)

LAW ENFORCEMENT AND FIRE PROTECTION

Partnership with Legal Liability Risk Management Institute (LLRMI) to provide Best-practice Road and Detention Operation Policies and Procedures • Detention Facility Assessments and Reports • Team Approach to Address Individual Needs Through Network of Subject Matter Experts in Law Enforcement, Jails/Corrections, Public Safety, and Criminal Justice • TargetSolutions Fire and EMS Training Platform • Mental Health – Fit for Retirement Wellness

SWIMMING POOL SAFETY POLICIES, INSPECTIONS, AND TRAINING

Aquatic Facility Assessment and Report • Annual Aquatic Risk Management Seminar • Best-practice Aquatic Facility Policy and Lifeguard Manual Templates

CYBERSECURITY TRAINING AND POLICIES

Onsite Passive Network Assessments (PNA) • Best-practice Data Security Policy Templates • Quarterly Cybersecurity Hot-Topic Webinars • Annual Cybersecurity Summit • KnowB4 Phishing Awareness Campaigns and Training • KnowB4 Cybersecurity Newsletter • Cyber Incident Response Plan Templates • Individualized Data- and Cybersecurity Advice and Support

SCHOOL DISTRICT EMERGENCY OPERATIONS PLANS, TRAINING, AND POLICIES

NRS-required Emergency Operation Plans (EOP) • Annual EOP updates • Emergency Management and Response Training • School Safety Training based on FEMA Guide for High Quality School Emergency Operations Plans • Hazard and Vulnerability Assessments and Reports

SITE SAFETY INSPECTIONS, TRAININGS, AND AUDITS

Playground & Parks Safety Surveys • Workstation Ergonomic Evaluations • Confined Space Risk Assessments • Facility Surveys • Fire Extinguisher Education • Respirator Fit Testing and Education • CPR/First Aid/AED • Accident Investigation Training • Back Safety and Lifting • Defensive and Distracted Driver Education • Workplace Violence • Personal Protective Equipment • Emergency Preparedness • OSHA Compliance Training • Written Workplace Safety Plan Training • Safety Committee Formation and Operation • Wellness/Health Education and Training

For More Information, Contact:

Marshall Smith, Risk Manager (marshallsmith@poolpact.com) or Jarrod Hickman, Risk Management Specialist (jarrodhickman@poolpact.com); (775) 885-7475; or visit www.poolpact.com.



PROGRAMS AND SERVICES AVAILABLE TO POOL/PACT MEMBERS



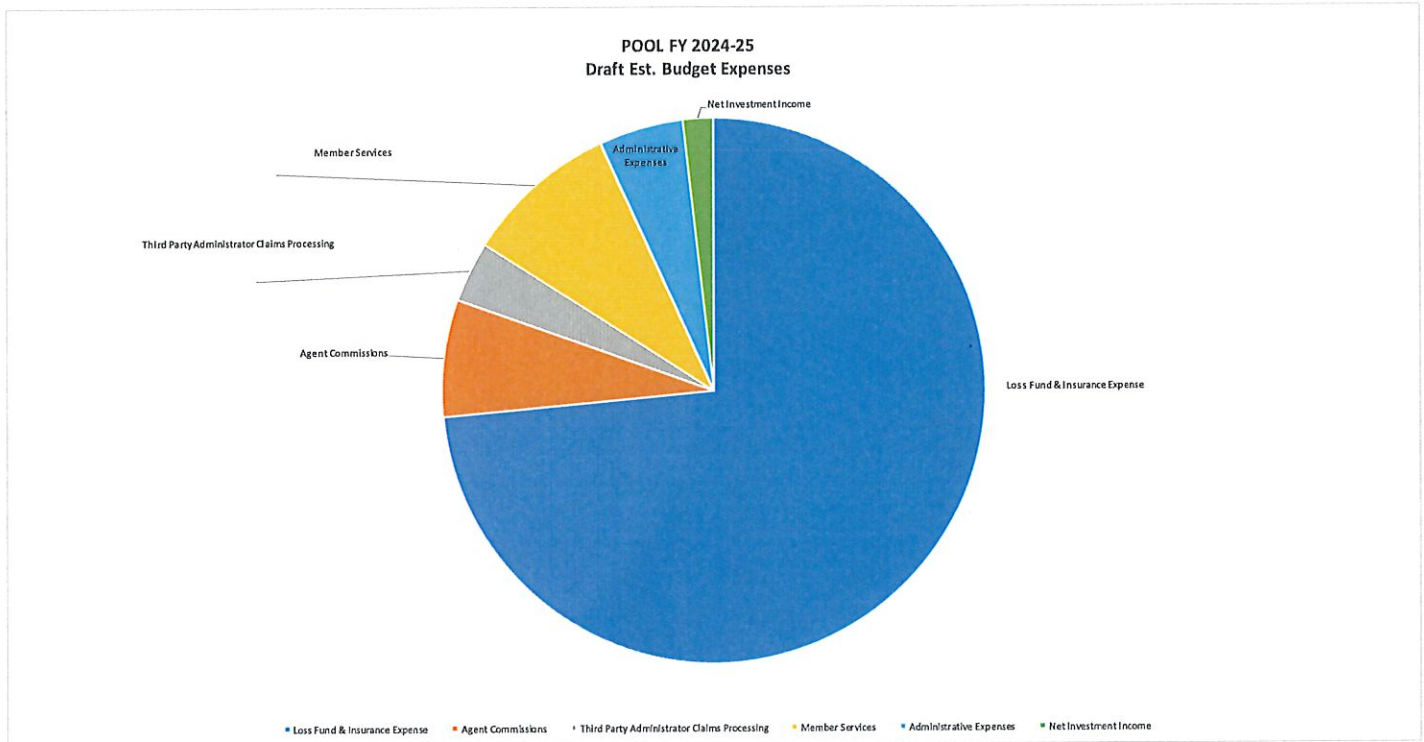
POOL/PACT HUMAN RESOURCES MEMBER SERVICES

A variety of services are offered through POOL/PACT HR. We work with each member individually to address their specific HR-related needs and reduce liability. The basic services include:

- Consultation with members to manage and resolve critical employment-related issues to include identifying options, providing step-by-step guidance, monitoring progress, and answering questions.
- In-person and virtual instructor-led training courses, workshops, and certificate programs.
- eLearning courses available 24/7.
- Webinars on HR-related topics.
- On-site assessments of members' HR practices with recommendations.
- Communication issued as "Alerts" to inform members of significant HR-related law or practice changes.
- On-site HR Briefings tailored to specific needs/requests of members.
- Sample personnel policies which may be adopted for use by members.
- Sample job description templates and numerous HR forms that can be tailored for use by members.
- Salary schedule database available on our website for member reference.
- Summary of HR-related legislation produced each legislative session.
- HR scholarships to assist member HR representatives in attaining nationally recognized HR certifications.
- Annual HR Conference providing HR representatives and CEOs valuable information on communication, leadership, and legal compliance.



POOL 2024-2025 APPROVED BUDGET AND EXPENSES



Pool Budget FY 24-25	Proposed Budget	% Allocation
Loss Fund & Insurance Expense	\$ 22,273,107	78.6%
Agent Commissions	\$ 1,826,871	6.4%
Third Party Administrator Claims Processing	\$ 840,604	3.0%
Member Services	\$ 2,177,451	7.7%
Administrative Expenses	\$ 1,059,471	3.7%
Building Cost	\$ 176,053	0.6%
Total Budget	\$ 28,353,556	100.0%



POOL/PACT CONTACTS

Nevada Risk Pooling (NRP) (775) 885-7475

Wayne Carlson, Executive Director, ext 132
waynecarlson@poolpact.com

Alan Kalt, Chief Financial Officer, ext 128
akalt@poolpact.com

Marshall Smith, Risk Manager, ext 104
marshallsmith@poolpact.com

Jarrold Hickman, Risk Manager, ext 133
jarrodhickman@poolpact.com

Mike Van Houten, eLearning Administrator, ext 101
eLearning@poolpact.com

Stephen Romero, Member Relations Manager, ext 110
stephenromero@poolpact.com

Jennifer Turner, Admin Data Analyst, ext 129
jenniferturner@poolpact.com

Tiffany Garcia, Admin Accounting Technician, ext 125
tiffanygarcia@poolpact.com

Pooling Resources, Inc. (POOL/PACT HR) (775) 887-2240

Stacy Norbeck, General Manager, ext 107
stacynorbeck@poolpact.com

Ashley Creel, Sr. HR Business Partner, ext 105
ashleycreel@poolpact.com

Lessly Monroy, HR Business Partner, ext 108
Lesslymonroy@poolpact.com

Sean Moyle, HR Business Partner, ext 103
seanmoyle@poolpact.com

Kaci KerFeld, HR Business Partner, ext 113
kacikerfeld@poolpact.com

Davies Claims Solutions

Donna Squires, Claims Manager
(775) 329-1181

Donna.squires@Davies-group.com

Margaret Malzahn, WC Claims Supervisor
(775) 329-1181

Margaret.malzahn@Davies-group.com



NPAIP MEMBERSHIP

Counties:

Carson City
Churchill County
Elko County
Esmeralda County
Eureka County
Humboldt County
Lander County
Lincoln County
Lyon County
Mineral County
Pershing County
Storey County
White Pine County

Cities:

Boulder City
City of Caliente
City of Carlin
City of Elko
City of Ely
City of Fernley
City of Lovelock
City of Sparks
City of Wells
City of West Wendover
City of Winnemucca
City of Yerington

Towns:

Town of Gardnerville
Town of Genoa
Town of Minden
Town of Round Mountain
Town of Tonopah

School Districts:

Carson City School District
Churchill County School District
Douglas County School District
Elko County School District
Esmeralda County School District
Eureka County School District
Humboldt County School District
Lander County School District
Lincoln County School District
Lyon County School District
Mineral County School District
Nye County School District
Pershing County School District
Storey County School District
White Pine County School District

Fire Districts:

Moapa Valley Fire Protection District
Mt. Charleston Fire Protection District
North Lake Tahoe Fire Protection District
North Lyon County Fire Protection District
Pahranagat Valley Fire District
Tahoe Douglas Fire Protection District
Washoe County Fire Suppression
White Pine Fire District

Others:

Central Nevada Health District
Central Nevada Historical Society
Central Nevada Regional Water Authority
Community Chest, Inc
Consolidated Agencies of Human Services
County Fiscal Officers Association of Nevada
Douglas County Redevelopment Agency
Eight Judicial District
Elko Central Dispatch
Elko Convention & Visitors Authority
Humboldt River Basin Water Authority
Lincoln County Regional Development
Mineral County Housing Authority
Nevada Association of Counties
Nevada Commission for the Reconstruction of the V & T Railway
Nevada League of Cities
Nevada Risk Pooling, Inc.
Nevada Rural Housing Authority
Nevada Volunteers
NevadaWorks
Pooling Resources, Inc.
Regional Transportation Commission of Washoe County
Truckee Meadows Regional Planning Agency
U.S. Board of Water Commissioners
Virginia City Tourism Convention
Western Nevada Regional Youth Center
White Pine County Tourism

Special Districts:

Alamo Water & Sewer District
Amargosa Library District
Baker Water and Sewer
Battle Mountain Hospital
Beatty Library District
Beatty Water & Sanitation District
Canyon General Improvement District
Carson-Truckee Water Conservancy District
Carson Water Subconservancy District
Churchill County Mosquito, Vector and Weed Control District

Special Districts (continue):

Douglas County Mosquito District
Douglas County Sewer
East Fork Swimming Pool District
Elko County Agricultural Association
Elko TV District
Fernley Swimming Pool District
Gardnerville Ranchos General Improvement District
Gerlach General Improvement District
Humboldt General Hospital
Incline Village General Improvement District
Indian Hills General Improvement District
Kingsbury General Improvement District
Lakeridge General Improvement District
Lincoln County Water District
Logan Creek Estates General Improvement District
Lovelock Meadows Water District
Marla Bay General Improvement District
Mason Valley Swimming Pool District
McGill Ruth Sewer and Water
Minden Gardnerville Sanitation District
Moapa Valley Water District
Nevada Association of Conservation Districts
Nevada Association of School Boards
Nevada Association of School Superintendents
Nevada Tahoe Conservation District
Northern Nye County Hospital District
Pahrump Library District
Palomino Valley General Improvement District
Pershing County Water Conservation District
Sierra Estates General Improvement District
Silver Springs General Improvement District
Silver Springs Stagecoach Hospital
Skyland General Improvement District
Smoky Valley Library District
Southern Nevada Area Communication Council
Southern Nevada Health District
Stagecoach General Improvement District
Sun Valley General Improvement District
Tahoe Douglas District
Topaz Ranch General Improvement District
Tahoe Reno Industrial General Improvement District
Tonopah Library District
Truckee Meadows Water Reclamation Facility
Walker Basin Conservancy
Walker River Irrigation District
Washoe County Water Conservation District
West Wendover Recreation District
Western Nevada Development District
White Pine Television District #1
Zephyr Cove General Improvement District
Zephyr Heights General Improvement District

**THANK YOU
FOR YOUR
MEMBERSHIP!**

Agenda Item #8

Date of Meeting 6-11-24

**CITY OF WELLS
RESOLUTION NO. 24-04**

**RESOLUTION APPROVING TRANSFERS FROM CERTAIN CITY FUNDS TO
OTHER FUNDS DURING THE FISCAL YEAR**

WHEREAS, it has been determined that there is need for additional cash flow in certain funds at different times during the year, and

WHEREAS, according to NRS 354.6117, the Board of Councilmen of the City of Wells, County of Elko, State of Nevada, is authorized to make appropriate transfers from one City fund to another, and

WHEREAS, using the pooled cash, this can easily be accomplished and tracked through the City's accounting system.

NOW, THEREFORE BE IT RESOLVED AND ORDERED BY THE BOARD OF COUNCILMEN OF THE CITY OF WELLS at a regular meeting, that the transfer of money between funds is authorized as needed to prevent deficit balances.

IT IS FURTHER RESOLVED that the City Clerk is authorized to make said transfers as necessary and that these transfers will be reported to the Board of Council to determine reconciliation at the year end.

THAT all orders, resolutions, or parts thereof in conflict with this Resolution are hereby repealed.

THIS Resolution shall become effective and shall be in force in perpetuity until otherwise repealed.

PASSED, APPROVED AND SIGNED this 11th day of June 2024.

CITY OF WELLS

By:

GARY POLLOCK, MAYOR

ATTEST:

SAMANTHA NANCE, CITY CLERK

VOTE: AYES: _____

NAYS:

ABSENT:

CITY OF WELLS

WELLS ORDINANCE NO. 244

AN ORDINANCE AMENDING TITLE 3, CHAPTER 6, OF THE WELLS CITY CODE ENTITLED “WELLS BROTHEL CODE” BY AMENDING AND CLARIFYING MATTERS THERETO.

Whereas the City of Wells desires to amend the City Code to provide clarification regarding the requirements applicable to the privilege license needed to operate brothels.

Whereas, the City Council desires to enact this ordinance amending and adding certain sections to Title 3, Chapter 6 of the Wells City Code entitled “Wells Brothel Code” clarifying provisions and incorporating various requirements set for in the Nevada Revised Statutes.

NOW, THEREFORE, THE BOARD OF COUNCILMEN OF THE CITY OF WELLS DOES ORDAIN:

For amendment purposes, words which are bold and underlined are additions to the ordinance, and words which are bold and in brackets are deleted from the ordinance.

SECTION 1: That Section 3-6-2 of the Wells City Code is hereby amended read as follows:

3-6-2: DEFINITIONS:

As used in this chapter, the following words will be defined as follows:

APPLICANT: Any person, firm or corporation applying to the board for a license or license renewal under the provisions of this chapter together with all persons listed in subsections 3-6-7A and B of this chapter.

BOARD: The city of Wells board of councilmen.

BROTHEL: A duly licensed house of prostitution operated in accordance with the provisions of this chapter. **A brothel may be referred to herein as an “operation.”**

CLERK: The city clerk of the city of Wells.

COURTESAN: A male or female person who for a fee engages in sexual intercourse, oral-genital contact or any touching of the sexual organs or other intimate parts of a person for the purpose of arousing or gratifying the sexual desire of either person. Also known as a PROSTITUTE as defined herein.

HOUSE OF PROSTITUTION: Any building in which sexual acts are provided or performed for a fee.

LICENSEE: A person to whom a license has been issued under this chapter.

LICENSE FEE: Any monies money required by law to be paid to the city to obtain or renew a business license under this chapter.

MINOR TRAFFIC VIOLATIONS: Any misdemeanor violation of a city or state traffic code other than for the following offenses:

- A. Driving under the influence of alcohol;
- B. Reckless driving;
- C. Driving on a revoked license;
- D. Hit and run or failure to report an accident.

PERSON: A natural person, any form of business or social organization and any other nongovernmental legal entity including, but not limited to, a corporation, partnership, association, trust or unincorporated organization. The term does not include a government, governmental agency or political subdivision of a government.

POLICE: The chief of police or his designee of the city of Wells or a duly appointed representative, **as defined in 1-3-4 in this Code.**

PROSTITUTE: A male or female person who for a fee engages in sexual intercourse, oral-genital contact or any touching of the sexual organs or other intimate parts of a person for the purpose of arousing or gratifying the sexual desire of either person. **Also known as a COURTESAN as defined herein.**

PROSTITUTION: **[Engaging in sexual conduct for a fee] Engaging in sexual conduct with another natural person in return for a fee, monetary consideration or other thing of value.**

SEX WORKER: A prostitute who is employed by or has a contract to work in a licensed house of prostitution, as used in NAC 441A.777 to 441A.815.

SEXUAL CONDUCT: Any of the acts enumerated in the definition of "prostitute" in this section.

WORK CARD OR WORK PERMIT: A permit issued by the chief of police to applicants who meet the requirements of this chapter permitting the applicant to perform work authorized by this chapter.

SECTION 2: That Section 3-6-3 of the Wells City Code is hereby amended read as follows:

3-6-3: PUBLIC POLICY:

A. The board of councilmen of the city of Wells hereby finds, and declares to be the public policy of this city, that:

1. The continued existence of the brothel industry is dependent upon public confidence and trust that licensed prostitution is conducted honestly and competitively and free from criminal and corruptive elements.

2. Public confidence and trust can only be maintained by strict regulation of all persons, locations, practices, associations and activities related to the operation of licensed houses of prostitution.

3. All establishments where prostitution is conducted must therefore be licensed and controlled to protect the public health, safety, good order and general welfare of the inhabitants of the city.

4. All key employees, prostitutes and every other employee of a house of prostitution must therefore be registered and controlled to protect the public health, safety, good order and general welfare of the inhabitants of the city.

B. No applicant for a license has any right to a license under this chapter or other matter requiring affirmative Board approval in order to operate a brothel has any right to the license or the granting of the approval sought. Any license or other board approval granted pursuant to the provisions of this chapter is a privilege and no holder, licensee or other recipient of the license or approval acquires any vested right therein or thereunder. It is recognized that the state of Nevada may, through legislative action prohibit houses of prostitution throughout the state. It is further recognized that the city of Wells may by local ordinance prohibit houses of prostitution¹.

SECTION 3: That Section 3-6-5 of the Wells City Code is hereby amended read as follows:

3-6-5: UNLAWFUL UNDER CERTAIN CONDITIONS:

A. It is unlawful for any person, firm or corporation to keep, own or operate any **brothel or** house of prostitution (house of ill fame or bawdy house), of any description within the city of Wells, except as provided in this chapter.

B. It is unlawful for any owner or bartender/manager of a licensed brothel to allow any person to practice prostitution or to solicit business for a prostitute or to procure any person for the purpose of prostitution within the city of Wells, except within the house of prostitution of a licensed brothel as set forth in the Wells zoning code. Prostitutes shall not be hired from a brothel for the purpose of prostitution to accompany a customer outside the brothel from which the prostitute is employed. All soliciting of prostitution and acts of prostitution must take place inside the house of prostitution of a licensed brothel

SECTION 4: That Section 3-6-6 the Wells City Code is hereby amended read as follows:

3-6-6: LICENSING AND CONTROL BOARD CREATED:

A. The board of councilmen of the city of Wells shall act as a

¹ NRS 201.430.

prostitution licensing and control board.

B. It shall be the duty of the B[b]oard to carry out **and enforce [the terms of]**the provisions of this chapter.**[, and to see that this chapter is faithfully enforced].**

C. **The Board, by resolution, shall promulgate a schedule of the fees required by this title. The schedule of fees may be amended and from time- to- time by resolution of the Board.**

D. Powers of the B[b]oard shall include, but shall not be limited to, the power to:

1. Receive all license applications submitted under the provisions of this chapter.
2. Investigate all applicants for a license or license renewal under the provisions of this chapter.
3. Grant or refuse to grant the license or license renewal provided for in this chapter.
4. Receive complaints concerning alleged violations of this chapter.
5. Revoke or temporarily suspend or put restrictions and conditions against licenses issued under the terms of this chapter.
6. Exercise any proper power and authority necessary to perform **[the] its duties pursuant to this chapter.** Such powers are not limited by any enumeration of powers or considerations in this chapter.
7. Hear appeals and complaints from the **decision [rules]** of the chief of police or his designee.

The powers of the Board enumerated above are not exclusive and shall not be interpreted in such a manner as to limit any other powers that the Board may otherwise possess.

SECTION 5: That Section 3-6-7 the Wells City Code is hereby amended read as follows:

3-6-7: LICENSE APPLICATION; CONTENTS:

Any person**[, firm or corporation]** desiring to own or operate a house of prostitution within the city of Wells shall apply to the B[b]oard [for a license to operate such house of prostitution]. Such license application shall contain the following information **about the owner, the operator and any person who will act on behalf of the owner or operator as a manager or other agent with management authority (individually or collectively referred to as the “applicant” or “applicants”), together with all other information identified in each subsection pertaining to the brothel and**

the house of prostitution:

A. Names, ages and addresses of all persons who have or will have any financial interest in the **brothel and house of prostitution**, including the owner of the real property if the real property is leased to the operator **of the brothel**.

B. Names, ages and addresses of persons who are or will be personally responsible for the conduct and management of the **brothel and house of prostitution [operation]**.

C. Names and addresses of **all** other businesses in which the applicant has any financial interest, including the type of such business and the nature of the applicant's interest, **including the business history of the applicant with respect to brothels and houses of prostitution, to include prior or concurrent ownership, management, employment or any other legal relationship the applicant has or has had with a brothel or house of prostitution.**

D. Names and addresses of all employers of the applicant in the preceding **ten (10) years [seven (7) years]**.

E. The street address of the property upon which the proposed **brothel and house of prostitution [operation]** is being **operated [conducted]**, together with copies of all deeds, mortgages, deeds of trusts, liens or other encumbrances, leasehold interests, or other interests **in or** relating to the property.

F. Names, ages and addresses of all persons who have or will have leasehold or other interests in the real property **where the brothel and house of prostitution will be operated**.

G. **Any information needed to update or correct information already on file with the city;**

H. [G] Any other information reasonably deemed necessary or useful by the board or the chief of police or his designee.

I. [H] *[If the applicant is an entity, other than an individual entity, t]*
The names and addresses of every other business in which the applicant has ever had any financial interest where the operation of such business or its activities were illegal under the laws of the jurisdiction where such business was conducted.

J. [I] *[If the applicant is a firm or corporation,] [a]* **A** complete and accurate financial statement of the applicant.

K. [J] A complete and accurate statement regarding the amount to be invested in the business and the source and application of funds.

L. [K] *Any other information reasonably deemed necessary or useful by the board or the chief of police or his designee.]*

M. [L] For each individual applicant listed in subsection A **and B** of this section, and each key employee listed in section 3-6-20 of this chapter, the following shall be furnished:

1. A personal history record on a form prescribed or approved and published by the board, listing the applicant's:

- a. Personal identifying information;
- b. Marital information, including previous marriages;
- c. Family information;
- d. Education;
- e. Military information;
- f. **A list of all prior convictions, [A]** arrests and detentions (excluding minor traffic violations) which shall include a statement of the offense, the place of its occurrence, the date of its occurrence, and the disposition of the case;
- g. Any civil litigation in which a judgment over five thousand dollars (\$5,000.00) was entered against the applicant;
- h. Names and addresses of all employers in the preceding ten (10) years;
- i. All addresses in the preceding ten (10) years;
- j. The names and addresses of every other business in which the applicant has ever had any financial interest or in which the applicant was an employee, where the operation of such business or its activities were illegal under the laws of the jurisdiction where such business was conducted;
- k. **Whether the applicant, in previously operating any business at any location in the United States, has had a business license or privilege license revoked or suspended and, if so, the reason(s) therefor and a description of the business activity or occupation that was subject to the suspension or revocation.**

[k] 1. Any other information deemed necessary or useful by the board or the chief of police;

- 2. A recent photograph of the applicant;
- 3. Two (2) complete sets of fingerprints;
- 4. A complete and accurate financial statement of the applicant together with a review or compilation by a licensed CPA and a written business plan, this is not required for a spouse with no ownership interest;

N. [M]. If the marital status of an owner or the stockholders of any corporate owner changes, such owner shall file an addendum to the license application which addendum shall include the name of the new spouse and the information required in subsection **[L] M** of this section within sixty (60) days.

All information required under this section shall, upon enactment of this ordinance and thereafter, be promptly updated and corrected by the applicant whenever necessary to ensure that all such information on file with the City is current and accurate.

SECTION 6: That Section 3-6-8 the Wells City Code is hereby amended read as follows:

3-6-8: LICENSE APPLICATION; FILING AND INVESTIGATION:

A. All license applications submitted under the provisions of this chapter shall be filed with the city clerk, along with a nonrefundable investigation fee, the amount of which will be set by resolution of the board of councilmen from time to time. If the actual total cost of investigating any license application exceeds the fee, the applicant shall be responsible for and pay the city the amount in excess of the fee.

B. Upon presentation of any license application to the city clerk, the city clerk shall refer such application to the chief of police or his designee for investigation. The chief of police or his designee shall conduct a full investigation of all information contained in the license application, which investigation shall include, but shall not be limited to, the following:

1. A complete check of all records of the *[federal bureau of investigation]* Federal Bureau of Investigation and any other similar organization concerning the criminal record of any applicant;*./*
2. A personal interview with each applicant;*./*
3. An interview, either personal or by mail, with all employers of the applicant and business associates of the applicant, as shown in the license application;*./*
4. An [E]xamination of the financial statement and financial background of the applicant;*./and,*
5. Any other investigation reasonably deemed necessary by the chief of police or his designee.

C. Report of Investigation Results: The chief of police shall report the results of the foregoing investigation in writing to the Board, which report shall include, but shall not be limited to, the following: [Within thirty (30) days after any application is referred by the city clerk to the chief of police or his designee, the chief of police or his designee shall report the results of his investigation in writing to the board, which report shall include, but shall not be limited to, the following:]

1. A complete statement of the results of all investigations undertaken;*./*
2. A list of any errors or omissions found *[to exist]* in the application;*./ and,*
3. An evaluation of the personal and financial status and qualifications and background of the applicant.
4. A statement as to whether, in his professional opinion, further investigation is necessary or desirable.

D. The chief of police or his designee may, with the consent of the board, employ a certified public accountant to assist with the financial investigation and the expenses of such accountant shall be chargeable to the applicant who shall be required to post in advance with the city clerk an amount sufficient to cover the estimated expense.

E. In the event the cost of an investigation conducted under the

provisions of this section exceeds the investigative fee required by subsection A of this section, the applicant shall upon request of the board post with the city clerk an amount sufficient to cover the estimated additional expense.

F. At the conclusion of the investigation any unused additional investigative funds which the applicant was required to deposit under the provisions of subsection C, D or E of this section, exclusive of subsection A of this section, shall be refunded.

G. Within thirty (30) days after receiving the chief of police or his designee's report, the board may:

1. Refer the application back to the chief of police or his designee for additional investigation.
2. Require a personal interview with the applicant.
3. Require the applicant to submit additional information relative to his application.
4. Grant, **conditionally grant**, or refuse to grant a license under the provisions of this chapter.

H. **The Board may refuse to grant a license to any applicant based on a determination that the applicant or the application fails to satisfy any of the requirements of this chapter, or because granting the application would not be in the best interest of public health, safety or welfare. The Board may take into consideration any recommendation provided by the police in refusing to grant a license to an applicant.** *[The board may, based upon just cause which includes, but is not limited to, the following, refuse to grant a license to any applicant:*

1. *If the applicant has ever been convicted of a felony.*
2. *Where an applicant or an applicant's spouse or any other individual listed on the application that would have any interest in the brothel, has been convicted of any felony.*
3. *Where an applicant is financially insolvent or is inadequately financed.*
4. *Where an applicant has a history of financial instability.*
5. *Where an applicant has wilfully omitted or incorrectly stated any material fact in the license application.*
6. *Where an applicant has any financial interest in, or connection with, any business which is illegal where such business is located.*
7. *Where an applicant's license under the provisions of this chapter would be contrary to the health, welfare or safety of the city of Wells or its residents.*
8. *When the proposed establishment is not in the correct zoning.*
9. *Where an applicant has business relationships with persons or entities that would be denied a license for reasons other than financial instability or insolvency.*
10. *Where an applicant has ever been convicted of the possession,*

use, and sale, or furnishing of any narcotic, hallucinogenic or dangerous drug.

11. Where an applicant has ever been convicted of any crime involving theft, embezzlement or misappropriation of funds.

12. Where an applicant has ever been convicted of any crime involving violence with the use of any deadly or dangerous weapon.

13. Where an applicant has ever been convicted of any crime involving illegal use of firearms.

14. Where an applicant has ever been convicted of a gross misdemeanor offense of obstructing justice or resisting an officer within five (5) years before the filing of the application.]

I. Upon denying any application for a license under the provisions of this chapter, the applicant shall have thirty (30) days within which to cure any defect in the application, and such application may be again submitted one (1) time to the Board for reconsideration within thirty (30) days after such denial.

SECTION 7: That Section 3-6-10 the Wells City Code is hereby amended read as follows:

3-6-10: LICENSES; MULTIPLE LICENSING PROHIBITED:

No person [*individual, firm, or corporation*] shall be granted any interest in more than one license to operate a brothel or house of prostitution within the city limits of the city.

SECTION 8: That Section 3-6-14 the Wells City Code is hereby amended read as follows:

3-6-14: LICENSE ISSUANCE:

A. Upon approval of all applications **associated** [*connected*] with an operation, the board shall issue a license for the operation, which license shall state:

1. The name and address or location of the operation.
2. The license period of the license.
3. The date of renewal of the license.

4. License may have an attachment in letter form which would indicate any optional restrictions or limitations imposed by the board under section 3-6-12 of this chapter.

B. All licenses shall be issued [**for an annual period**] **for a term of one year, commencing on** [(July 1 **of the year the application was approved and continuing until** [–] June 30)] **of the following year,** with quarterly review.

C. No later than fifteen (15) days after the renewal notice is provided by the city clerk, the licensee shall apply to the Wells city clerk, on forms provided, for a renewal. **In the event the licensee seeks to continue to operate the brothel for an additional year after the term, [T]**the city clerk shall forthwith notify the chief of police or his designee, and if

any valid written complaint regarding the operation shall have been received during that current license period. The chief of police or his designee upon receiving the approval of the city manager may cause the renewal application to be placed on the agenda of the next city council meeting at which meeting the board shall either renew or deny the license. If placed on the agenda, the board shall conduct a hearing, and may summon witnesses, interview the licensee, interview any complainant, require additional investigation by the chief of police or his designee, or do any and all other acts which **the Board deems** [may be] necessary or appropriate to the board's determination. If no such complaints have been received, the Wells city clerk shall issue the renewed license upon compliance with the provisions of this chapter.

D. Failure of any licensee to comply with the renewal procedure, as required in subsection C of this section, **[may] shall** be grounds for the board to revoke the license at its first regular meeting in **July [the month following the expiration date]**. Any license thus revoked may be reinstated only upon compliance by the licensee with all requirements of this chapter **applicable [relating]** to original license applications.

E. No change in ownership, **including in any ownership business[, partners, shareholders]** or any other persons with any ownership interest in the brothel shall occur after the board has granted a license until the following occurs:

1. The licensee **[shall] furnishes** to the chief of police or his designee a list of all proposed persons or entities that desire to acquire an interest in the brothel **[/];**

2. **The Board approves the new owner(s) in accordance with the same substantive and procedural requirements applicable to new license applicants; and,**

3. **The brothel pays a nonrefundable investigation fee in an amount set by resolution of the Board. [The chief of police shall request a nonrefundable investigation fee for each person or entity desiring to acquire an interest in the brothel.]**

[3. All provisions of this chapter relating to the investigation and licensing of applicants for a brothel license shall apply to the person or entity desiring to acquire an interest in the brothel. Such person or entity shall be granted or refused the privilege to acquire an ownership interest in the brothel in accordance with applicable provisions of this chapter for the granting or denying of a license to the original licensee or owners.]

SECTION 9: That Section 3-6-15 the Wells City Code is hereby amended read as follows:

3-6-15: LICENSE FEES:

A. Fee: Every licensee shall pay a license fee, which fee is set by resolution of the board of councilmen and may be increased from time to time, for the privilege of operating a **Brothel [house of prostitution]** in the **City [city of Wells]**. Said fees shall be paid annually and shall accompany the renewal application form. License fees are not prorated and are nonrefundable.

B. Service Charge: In addition, every **Brothel [house of prostitution]** shall pay a service charge in an amount set by resolution of the board of councilmen from time to time, for the

police department services provided by weekly investigations relating to compliance with state health laws and other police and regulatory services. This service charge shall be paid annually and shall accompany the renewal application form. Service charges are not prorated and are nonrefundable. When a **Brothel [house of prostitution]** is operated in such a manner as to cause unreasonable economic burden on the city administration, police department or the city of Wells, the city may charge any such costs as a service charge, **at the discretion of the Board.**

C. Due Dates: License fees **paid quarterly** shall be paid to the city clerk no later than March 15, June 15, September 15, and December 15.

D. Failure of any licensee to submit fee pursuant to the terms herein shall result in the termination of the license.

SECTION 10: That Section 3-6-16 the Wells City Code is hereby amended read as follows:

3-6-16: WORK PERMIT REGISTRATION REQUIREMENTS:

A. It is unlawful for any person to work as a **courtesan**, prostitute or bartender, **or//** manager at a brothel or any employee, **independent contractor or agent of the brothel** to reside on the premises of a licensed **house of prostitution [brothel]**, unless such person is the holder of a valid current work permit issued by the chief of police or his designee in accordance with this chapter.

B. Every **courtesan [prostitute]** and every other **bartender, manager**, employee, **independent contractor, or agent of the brothel**, of each licensee shall be registered with the chief of police or his designee on application forms provided by the chief of police or his designee. As used herein "every other employee" means bartenders, maids, chefs, cooks, kitchen help, dishwashers or any other employee who is not a "key employee" as defined in section 3-6-20 of this chapter. Each applicant shall furnish:

1. Personal history record listing the applicant's:
 - a. Personal identifying information.
 - b. Marital information, including previous marriages.
 - c. Family information.
 - d. Arrests and detentions excluding minor traffic violations which shall include a statement of the offense, the place of its occurrence, the date of its occurrence, and the disposition of the case.
 - e. Names and addresses of all employers in the preceding five (5) years.
 - f. All **street and mailing** addresses in the preceding five (5) years.
 - g. Any other information deemed necessary or useful by the board or the chief of police or his designee.
2. A full set of fingerprints of the applicant.
3. **Courtesan [Prostitute]** work card application must be accompanied with an application fee, which is set by resolution of the board of councilmen and may be increased from time to time.

4. A work card must be renewed each time a prostitute changes place of work from one brothel and starts work with a different brothel.

C. The chief of police or his designee shall investigate the accuracy of all information supplied by any applicant on the registration form.

D. No person under twenty-one (21) years of age shall be employed in any capacity by a house of prostitution or registered to work in any house of prostitution or receive compensation from any house of prostitution except for yard work or off site computer work.

E. No person may work in any manner or reside on the premises of a licensed brothel who:

1. Concerning crimes in this state:

- a. Has ever been convicted of a category A or B felony;
- b. Has been convicted of a category C or D felony within the past five (5) years;
- c. Has been convicted of a category E felony within the past year;
- d. Has been convicted of a gross misdemeanor in this state within the past year, except a gross misdemeanor of obstructing justice or resisting an officer within the past five (5) years shall be a further prohibition; or
- e. Has been convicted within the past six (6) months of misdemeanor offenses involving theft, larceny, embezzlement, battery, illegal drugs/substances or misdemeanor offenses deemed predatory, abusive, dishonest, or inappropriate towards minors or elders.

2. Concerning crimes outside this state:

- a. Has ever been convicted of a crime for which the term of imprisonment imposed, as opposed to the actual length of imprisonment, was greater than ten (10) years;
- b. Has been convicted of a crime within the past five (5) years, for which the term of imprisonment imposed, as opposed to the actual length of imprisonment, was at least one year but less than ten (10) years;
- c. Has been on probation or parole, from a term of imprisonment, within the past year; or
- d. Has been convicted of a misdemeanor within the past six (6) months involving theft, larceny, embezzlement, battery, illegal drugs/substances or misdemeanor offenses deemed predatory, abusive, dishonest, or inappropriate towards minors or elders.

3. Concerning other restrictions:

- a. If registered under the provisions of this chapter, such licensing would be contrary to the health, safety or welfare of the city or its residents;
- b. Has **willfully** made any false statement or omission in the registration form required by subsection B of this section; or
- c. The chief of police or his designee will have the authority to deny or revoke the work permit of a **courtesan**, prostitute or of a bartender, ~~manager~~, **employee**, **independent contractor**, **other agent**, or any person who works or resides on the premises of a licensed brothel who does not qualify under this section or who is found to be violating this code or state law. The person whose work card has been denied or revoked may file an

appeal to the *[city of Wells b]Board [of councilmen]* within thirty (30) calendar days from the date in which the work permit (card) was denied or revoked.

F. All courtesan, prostitute or of a bartender, // manager, employee, independent contractor, other agent, or any person who works or resides on the premises of a licensed brothel shall file with the police and maintain in the house of prostitution at all times, a current work card with the operator of a licensed brothel before commencing work as a courtesan, prostitute or of a bartender, // manager, employee, independent contractor, other agent, or employee who resides on the premises of a licensed brothel; no work card shall be transferable; all work cards shall state the name of the licensed operation where the courtesan, prostitute or of a bartender, // manager, employee, independent contractor, other agent, or employee who resides on the premises of a licensed brothel will work; no courtesans [prostitutes] shall change their place of work from one brothel to another without first notifying the chief of police or his designee of the proposed change and obtaining a revised work card. Work cards must be on the premises of the house of prostitution and accessible to police at all times. No work card is transferrable.

1. No courtesan, prostitute or of a bartender, // manager, employee, independent contractor, other agent, of a licensed *[Wells]* brothel can possess more than one card at a time or work for more than one *[Wells]* brothel at a time.

SECTION 11: That Section 3-6-17 the Wells City Code is hereby amended read as follows:

3-6-17: SECURITY REQUIREMENTS; INSPECTIONS FOR BROTHELS:

A. The brothel license which is granted as a privilege license pursuant to section 3-6-14 of this chapter shall include a consent to and an acknowledgment of the power and authority of the chief of police or his designee, or other authorized representative of the city to enter the licensed brothel premises and the principal office of any brothel, at any time during brothel business hours for the purpose of examining the premises, or the employment record of said business to ascertain the truth or veracity of statements made on the brothel license application and to *[determine if]* verify that the terms, conditions, provisions, requirements, and regulations of the license, this code and state law are being satisfied [complied with].

B. The person in charge of a licensed house of prostitution shall cooperate with the state of Nevada health division, bureau of disease control, or any other agency with jurisdiction during:

1. *[The]* Any investigation of into the circumstances or cause of a case or suspected case, or of an outbreak or suspected outbreak of a communicable disease./;

2. The carrying out of measures for the prevention, suppression or control of a communicable disease, including procedures of exclusion, isolation and quarantine./; and,

3. The failure of an owner, manager, employee, independent contractor or agent of a brothel to cooperate with an inspection authorized by this section:

(1) shall be grounds for the revocation or suspension of the brothel license. In addition, and

(2) shall be punishable as a misdemeanor as provided in section of this Code. [A person who owns/operates a brothel business or his/her agent or employee commits an offense if such person refuses to permit a lawful inspection of the premises by the persons designated above.]

SECTION 12: That Section 3-6-21 the Wells City Code is hereby amended read as follows:

3-6-21: MEDICAL EXAMINATIONS; DUTY OF LICENSEE:

Every licensee shall ensure that every prostitute is examined by a physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner, licensed in the state, as required in section [3-6-28](#) of this chapter, and that the physician has:

- A. Issued to every person examined and found not to be afflicted with a sexually transmitted disease, a certificate so stating;
- B. Refused to issue such certificate to any person found to be, or suspected of being, afflicted with a sexually transmitted disease;
- C. Reported the results of such examinations weekly to the chief of police or his designee at such time as the chief shall set in writing to the board;
- D. Reported to the board immediately the existence of any condition on the premises of any licensed operation which, in the professional opinion of the physician, constitutes a health hazard to the patrons or employees of any licensed operation or to the public, together with his recommendations for correcting the condition.

SECTION 13: That Section 3-6-25 the Wells City Code is hereby amended read as follows:

3-6-25: REGISTRATION CARD AND MEDICAL CERTIFICATE INSPECTIONS:

Not less than once each week the chief of police, or his designee, shall go to the premises of each licensee and inspect the registration card of every key employee, courtesan/prostitute and other employee, and the medical certificate of every prostitute, to ensure that every employee of the licensee has fully conformed to every applicable provision of this chapter.

SECTION 14: That Section 3-6-28 the Wells City Code is hereby amended read as follows:

3-6-28: MEDICAL EXAMINATION REQUIRED OF ALL PROSTITUTES:

A. Every licensee shall require and ensure that the rules and regulations now in force or hereafter promulgated by the division of health of the department of human resources of the state of Nevada are complied with and that medical examinations are undergone by all prostitutes working at the licensee's operation, which examinations shall:

1. Be performed at least once a week. These medical examinations must be completed and the examination results available by each Friday of the week prior to medical exam record checks being conducted by the **chief of police [department]**.

2. Be performed by or under the supervision of a physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner, licensed in the state or doctor of osteopathy duly licensed to practice medicine in the state.

3. Include all tests specified by the division of health of the Nevada department of human resources for the detection and diagnosis of sexually transmitted diseases including, but not limited to, weekly tests for gonorrhea and chlamydia and a monthly blood test for syphilis and human immunodeficiency virus (HIV), which shall be processed at a licensed and approved clinical laboratory.

4. Include monthly tests approved by the division of health of the department of human resources of the state for the detection of HIV. Appropriate specimens are to be submitted to and processed at a licensed and approved medical laboratory.

5. Include other medically approved tests, deemed advisable by the physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner, licensed in the state, for determining whether the prostitute is afflicted with any infectious or contagious disease.

6. Be performed at the location of the licensed operation, at the physician's or advanced practice nurse, nurse practitioner's office, at a hospital or clinic, as determined by the physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner, licensed in the state.

7. Consistent with NAC 441A.120(2), no person may work as a prostitute in a licensed house of prostitution until a state licensed and approved medical laboratory has reported that the results of the tests required by NAC 441A800 et seq., do not show the presence of chlamydia, syphilis, gonorrhea, or the antibody to the human immunodeficiency virus. In effect, no prostitutes will be allowed to work (perform sexual acts with another person) on the premises until they have been cleared by a physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner, licensed in the state, to work.

8. If any prostitute's test results are positive, the prostitute must be removed from the brothel floor immediately and her work card turned over to **the chief of police /a representative of the police department**. The prostitute must wait at the brothel until contact is made by the state health department or its designee. This contact may be made in person or by telephone. Once contact is complete, the prostitute may then leave the premises of the brothel. If the prostitute chooses to stay, she will remain off the floor, which includes the bar area, and not engage in any type of sexual activity until a clearance to return to work has been received from the physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner, licensed in the state, and presented to the **chief of police [department]**.

9. The owner/management or key employee of the brothel is required to notify the **chief of police [department]** when a prostitute leaves the brothel on vacation. (Any period in excess of 48 hours is considered vacation.) Prior to returning to work from vacation, the prostitute must get a medical exam, clearance from a physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner, licensed in the state, and cleared to go to work by the **chief of police [department]**.

B. After performing the examination required in subsection A of this section, the examining doctor shall:

1. Issue to every person examined and found not to be afflicted with a sexually transmitted disease or other contagious or infectious disease, a certificate so stating.

2. Refuse to issue such certificate to any person found to be, or suspected of being, afflicted with a sexually transmitted disease or other contagious or infectious disease.

3. Report the results of such examinations weekly to the **chief of police [department]** or his designee.

4. If any prostitute examined is found to be afflicted with a sexually transmitted disease or any contagious or infectious disease that creates a health hazard, the doctor shall immediately notify the chief of police or his designee and the licensed operator where the prostitute is working, of such condition.

C. No person may work as a prostitute in any operation without a current certificate, as described in subsection B1 of this section.

D. No person who has ever been denied a certificate by an examining physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner, licensed in the state, or doctor of osteopathy, as provided in subsection B2 of this section, may again work as a prostitute in any licensed operation until such person has received and presented to the chief of police or his designee a certificate from an examining physician licensed to practice medicine in the state, or by a physician's assistant or registered nurse under the authority of a physician licensed to practice medicine in the state, or an advanced practice registered nurse, nurse practitioner,

licensed in the state, or doctor of osteopathy stating that the cause or causes which resulted in the denial of the certificate have been cured and that the person is now free of any sexually transmitted disease or other contagious or infectious diseases.

E. Nothing contained in subsections A through E inclusive of this section shall prevent the board on its own motion or upon complaints or reports from any person, from inquiring into the existence of any condition on the premises of any licensed operation which might constitute or cause a health hazard.

SECTION 15: That Section 3-6-31 the Wells City Code is hereby amended read as follows:

3-6-31: REVOCATION OR SUSPENSION OF LICENSES:

A. The board may, based upon just cause, which includes, but is not limited to, the following, revoke or temporarily suspend any city license issued under the provisions of this chapter or place a licensee on probation with or without conditions for any of the following causes which the board determines is occurring or has occurred, **which list of causes is not intended to be exclusive:**

1. Any cause that would constitute grounds for denial of a license under subsection 3-6-8H of this chapter.

2. Violation by the licensee, their agents or employees, of any provision of this chapter, state law, or regulated federal law that pertain to prostitution or are relevant to operation of brothels.

3. Violation by any prostitute or person who works on a regular, daily, or weekly basis, **for a brothel or** in a house of prostitution, of any provision of this chapter **with respect to which** where the licensee knew or should have known of the violation.

4. The licensee **[knowingly permitting], with actual or constructive knowledge,** permits the existence of any **unlawful activity, or health or safety** hazard on the premises occupied by the licensed operation or employing any person as a prostitute when such person does not have a valid health certificate as required by section 3-6-28 of this chapter.

5. **Willful** refusal of the licensee to comply with any order of the **[b]Board** issued under any **[legal or lawful]** provision of **[the Wells brothel] this** code.

6. Any other causes which the board may determine, in its sound discretion, to be harmful or injurious to the health, welfare **[and] or** safety of the general public.

7. Any cause for revocation or suspension listed or described in this chapter.

B. Before action is taken pursuant to subsection A of this section **to revoke or suspend a brothel license or to place a licensee on probation,** unless an alternative procedure is clearly specified elsewhere in this chapter, the board shall:

1. Conduct a hearing to determine the existence of the cause or causes. The city shall serve an order to show cause upon the licensee or post upon the premises where the licensed operation is conducted at least five (5) working days prior to the time of such hearing.

2. Permit the licensee to submit evidence and testimony at the above hearing.

3. Consider all evidence and testimony in support of and in opposition to the action pending.

4. Enter in the minutes of the board the findings of the board and reasons for any action taken by the board, which action may include revocation, probation, **placing conditions on, [or] temporary suspension, or placement of the licensee on probation,** of the license and all business activity of the **brothel or** house of prostitution. The board may, but is not required to, impose such conditions on the operation of the business as are necessary to cure the problem and eliminate any danger presented by the violation. **Such conditions may include action by the licensee required to be taken within a reasonable specified time as an alternative to revocation. Placement of the licensee on probation for a period of time, with or without conditions, which probation may provide that a further violation of this chapter or the provisions of the license during the probationary period will result in the revocation or suspension of the license.**

5. Enter in the minutes of the board an order specifying the action taken.

C. *[Notice of the order shall be served upon the licensee or posted upon the premises occupied by the licensed operation.]* **Notice of Order: Notice of an order issued pursuant to this section shall be served upon the licensee or the licensee's resident agent by personal service or certified mail, or posted upon the premises of the house of prostitution occupied by the brothel in any conspicuous location.**

D. *[Any action taken shall be effective upon service or posting of the notice, as specified in subsection C of this section.]* **Action Effective: Any action taken by the Board pursuant to this section shall be effective upon personal service or delivery of the notice by certified mail to the licensee or the licensee's registered agent, or upon posting of the notice upon the premises of the house of prostitution occupied by the brothel as specified in subsection C of this section.**

E. The board may further impose a civil penalty upon the licensee and order the licensee to pay the reasonable costs and attorney fees of the city in investigating and conducting the hearing.

SECTION 16: That Section 3-6-32 the Wells City Code is hereby amended read as follows:

3-6-32: EXCEPTION TO HEARING PROCEDURE (EMERGENCY SUSPENSION OF BROTHEL LICENSE):

[A] Notwithstanding any other provision contained in this chapter, a brothel license may be suspended without a hearing by a written emergency suspension order signed *[by the majority of the board, if in their opinion]* by the mayor or one member of the Board and the police if, in the opinion of the signatories there exists an immediate and present danger to public health and safety which necessitates the immediate closure of the brothel. Any such meeting of the board shall be governed by the emergency exception of the Nevada Revised Statutes open meetings law. Upon the issuance and service of such an order which service may be effected by personal delivery upon the owner or manager, or by posting the notice in a conspicuous location at the house of prostitution, all licensed brothel activity, including consumption of alcohol and sale of merchandise, shall immediately cease and the brothel licensee may request a hearing before the **[b]Board [of councilmen]** within **three (3) [five (5)]** business days in accordance with the Nevada open meeting law. The proceedings thereafter shall be held in accordance with section 3-6-31 of this chapter.

SECTION 17: All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, but only to the extent of such conflicts.

SECTION 18: If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, the invalidity, unenforceability or unconstitutionality of such section, paragraph, clause or provision shall not affect any remaining provisions of this Ordinance.

SECTION 19: That upon adoption, the City Clerk of the City of Wells is hereby directed to have this Ordinance published, by title only, together with the Councilmen voting for or against its passage, in a newspaper of general circulation printed and published in the City of Wells, County of Elko, for at least one publication.

SECTION 20: This Ordinance shall be effective upon the publication mentioned in SECTION 19.

PROPOSED AND READ ALOUD to the Board of Councilmen and passed and adopted this ___ day of _____, 2024, by the following vote of said Board:

AYES:

NAYES:

ABSENT:

APPROVED this ____ day of _____, 2024.

THE CITY OF WELLS

By: _____
GARY POLLOCK, Mayor

ATTEST:

SAMANTHA NANCE, City Clerk

NOTICE OF INTENTION TO TAKE FINAL ACTION

PUBLIC NOTICE IS HEREBY GIVEN of the intention of the Board of Councilmen of the City of Wells, Nevada to take final action on the ____ day of _____, 2024, on the adoption of an Ordinance entitled:

AN ORDINANCE AMENDING TITLE 3, CHAPTER 6, OF THE WELLS CITY CODE ENTITLED “WELLS BROTHEL CODE” BY AMENDING AND CLARIFYING MATTERS THERETO.

PUBLIC NOTICE IS ALSO GIVEN that typewritten copies of the above-entitled ordinance are available for inspection by all interested parties at the office of the Clerk of the City of Wells, Nevada, in the City Hall, Wells, Nevada; that said Ordinance was proposed and read by title on the ____ day of _____, 2024, and the Board of Councilmen intend to take final action on the adoption of said Ordinance at its regular meeting on the ____ day of _____, 2024, as a regular measure.

UPON ADOPTION OF SAID ORDINANCE, it shall be published by title, together with the names of the Councilmen voting for or against passage, in a newspaper of general circulation printed and published in the County of Elko, for at least one (1) publication before the Ordinance shall become effective.

IN WITNESS WHEREOF, the Board of Councilmen of the City of Wells, Nevada, has caused this Notice to be given by reference to the title of the proposed Ordinance.

DATED this ____ day of _____, 2024.

SAMANTHA NANCE, City Clerk

NOTICE OF ADOPTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that on the ____ day of _____, 2024, the Board of Councilmen of the City of Wells, Nevada approved the adoption of an ordinance for the City of Wells, Nevada with the Summary and Title as follows:

AN ORDINANCE AMENDING TITLE 3, CHAPTER 6, OF THE WELLS CITY CODE ENTITLED “WELLS BROTHEL CODE” BY AMENDING AND CLARIFYING MATTERS THERETO.

PASSED AND ADOPTED by the Board of Councilmen by the following vote of said Board:

AYES: _____

NAYES: _____

ABSENT: _____

NOTICE IS FURTHER GIVEN that, pursuant to the Wells City Charter, notice of the adoption of the above-entitled Ordinance is being published by title, together with an adequate summary, including any amendments, once in a newspaper of general circulation printed and published in the County of Elko and posted in full in the City of Wells. The ordinance shall become effective upon publication.

DATED this ____ day of _____, 2024.

CITY OF WELLS

By: _____
GARY POLLOCK, Mayor

PUBLISHED _____, 2024

AFFIDAVIT OF POSTING

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

SAMANTHA NANCE, being first duly sworn, deposes and says:

That she is and was at the time of posting hereafter mentioned, a citizen of the United States, over the age of twenty-one years and the duly appointed, qualified City Clerk of the City of Wells, County of Elko, State of Nevada; that on the _____ day of _____, 2024, Affiant posted at one public bulletin board in the City of Wells, Nevada, a full, true, and correct copy of the *Notice of Intention to Take Final Action* on a proposed ordinance entitled:

AN ORDINANCE AMENDING TITLE 3, CHAPTER 6, OF THE WELLS CITY CODE ENTITLED “WELLS BROTHEL CODE” BY AMENDING AND CLARIFYING MATTERS THERETO.

SAMANTHA NANCE, City Clerk

SUBSCRIBED and SWORN to (or affirmed) before me this _____ day of _____, 2024, by **SAMANTHA NANCE** as City Clerk of the City of Wells, Nevada.

NOTARY PUBLIC