

**SIXTH AMENDMENT TO CODE OF BYLAWS  
OF  
NEVADA NORTHERN RAILWAY FOUNDATION, INC.**

A majority of the members of the Board of Directors of the Nevada Northern Railway of Foundation, Inc., a Nevada non-profit corporation (the "Corporation"), and a majority of members of the City Council of the City of Ely, Nevada, a Nevada municipal corporation (the "City") approve the following amendment to Code of Bylaws of Nevada Northern Railway Foundation, Inc. (Formerly known as White Pine Historical Railroad Foundation, Inc.) dated July 11, 2016 (the "Bylaws"). This amendment to the Bylaws may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument. A facsimile or electronic copy of this amendment or its signature page shall be accepted as an original.

A. Section 2.a of Article III of the Corporation's Bylaws is amended to read as follows:

**ARTICLE III**

**Section 2.**

a. Appointed Directors, Terms, Qualifications, Filling of Vacancies, Resignation, and Removal. The initial two (2) Appointed Directors are to be those two (2) current members of the City Council of Ely, Nevada that are appointed by the Mayor of Ely, Nevada and confirmed by the City Council (the "Initial Appointed Directors"). The term of each Initial Appointed Director is to coincide with the Initial Appointed Director's term as a member of the City Council of Ely, Nevada, unless the Initial Appointed Director dies, resigns or is removed prior to the expiration of his or her term. Any vacancy that occurs with respect to an Appointed Director, whether by death, resignation, removal, or the expiration of the Appointed Director's term, is to be filled by the Mayor of the City of Ely, Nevada, in his or her sole discretion, with consent of the City Council and without any approval of the Members of the Corporation; provided, however, that each vacant position of an Appointed Director must be filled by a person who is then serving as a member of the City Council of Ely, Nevada. The Mayor may not appoint himself or herself to serve as an Appointed Director, but any Mayor Pro Tem may appoint himself or herself to serve as an Appointed Director and vote on such appointment. Any successor Appointed Director will continue to serve as an Appointed Director of the Corporation until such time as his or her term as a member of the City Council of Ely, Nevada expires, unless such Appointed Director dies, resigns or is removed prior to his or her term. No Appointed Director of the Corporation may serve as an officer or employee of the Corporation, other than the Chairman of the Board or Vice Chairman of the Board.

Any Appointed Director may resign effective upon giving written notice to the Chairman of the Board and the Mayor of the City of Ely, Nevada, unless the notice specifies a later time for the effectiveness of such resignation; provided, however, that no Appointed Director may resign if the Corporation would then be left without a Director. If the resignation of the Appointed Director is effective at a future time, a successor may be selected before that time, to take office when the resignation becomes effective. Any Appointed Director may be removed from office, with or without cause, by the Mayor of the City of Ely, Nevada in his or her sole discretion, with consent of the City Council. In addition, an Appointed Director is to be removed, without further action of the Mayor of the City of Ely, Nevada, if (a) an Appointed Director has been declared to be incompetent by a court of competent jurisdiction, (b) an Appointed Director is convicted of a felony, (c) the Appointed Director has been found by a court of competent jurisdiction to have breached his or her duties to exercise his or her powers in good faith and with a view to the interests of the Corporation, (d) an Appointed Director is hired as an officer or employee of the Corporation (other than the Chairman or Vice Chairman of the Board), or (e) an Appointed Director misses, without having been excused, two (2) consecutive Board meetings, or, in any calendar year, an Appointed Director fails to attend without excuse at least fifty percent (50%) of the Board meetings. Any person removed as an Appointed Director of the Corporation upon an event described in the preceding sentence may not be re-appointed to the Board of Directors. Any vacancy of an Appointed Director occurring as a result of the resignation or removal of such Appointed Director is to be filled by the Mayor of the City of Ely, Nevada, or the Mayor Pro Tem of the City of Ely, Nevada, as the case may be, in accordance with the terms of the preceding paragraph.

#### **BOARD OF DIRECTORS OF THE CORPORATION:**

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
John Gianoli, Chairman

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Carl Marsh, Vice Chairman

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Caroline McIntosh

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Roger Bowers

**[Signatures continue of following page.]**

Dated: \_\_\_\_\_, 2019 \_\_\_\_\_  
Jim Alworth

Dated: \_\_\_\_\_, 2019 \_\_\_\_\_  
Steve Leith

**CITY COUNCIL OF THE CITY OF ELY, NEVADA:**

Dated: \_\_\_\_\_, 2019 \_\_\_\_\_  
Kurt Carson

Dated: \_\_\_\_\_, 2019 \_\_\_\_\_  
Michelle Beecher

Dated: \_\_\_\_\_, 2019 \_\_\_\_\_  
Ernie Flangas

Dated: \_\_\_\_\_, 2019 \_\_\_\_\_  
Ed Spear

Dated: \_\_\_\_\_, 2019 \_\_\_\_\_  
Jim Alworth

**SIXTH AMENDMENT TO CODE OF BYLAWS  
OF  
NEVADA NORTHERN RAILWAY FOUNDATION, INC.**

A majority of the members of the Board of Directors of the Nevada Northern Railway of Foundation, Inc., a Nevada non-profit corporation (the "Corporation"), and a majority of members of the City Council of the City of Ely, Nevada, a Nevada municipal corporation (the "City") approve the following amendment to Code of Bylaws of Nevada Northern Railway Foundation, Inc. (Formerly known as White Pine Historical Railroad Foundation, Inc.) dated July 11, 2016 (the "Bylaws"). This amendment to the Bylaws may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument. A facsimile or electronic copy of this amendment or its signature page shall be accepted as an original.

A. Section 2.a of Article III of the Corporation's Bylaws is amended to read as follows:

**ARTICLE III**

**Section 2.**

a. Appointed Directors, Terms, Qualifications, Filling of Vacancies, Resignation, and Removal. The initial two (2) Appointed Directors are to be those two (2) current members of the City Council of Ely, Nevada that are appointed by the Mayor of Ely, Nevada and confirmed by the City Council (the "Initial Appointed Directors"). The term of each Initial Appointed Director is to coincide with the Initial Appointed Director's term as a member of the City Council of Ely, Nevada, unless the Initial Appointed Director dies, resigns or is removed prior to the expiration of his or her term. Any vacancy that occurs with respect to an Appointed Director, whether by death, resignation, removal, or the expiration of the Appointed Director's term, is to be filled by the Mayor of the City of Ely, Nevada, in his or her sole discretion, with consent of ~~council~~the City Council and without any approval of the Members of the Corporation; provided, however, that each vacant position of an Appointed Director must be filled by a person who is then serving as ~~an elected~~a member of the City Council of Ely, Nevada. The Mayor may not appoint himself or herself to serve as an Appointed Director, but any Mayor Pro Tem may appoint himself or herself to serve as an Appointed Director and vote on such appointment. Any successor Appointed Director will continue to serve as an Appointed Director of the Corporation until such time as his or her term as a member of the City Council of Ely, Nevada expires, unless such Appointed Director dies, resigns or is removed prior to his or her term. No Appointed Director of the Corporation may serve as an officer or employee of the Corporation, other than the Chairman of the Board or Vice Chairman of the Board.

Any Appointed Director may resign effective upon giving written notice to the Chairman of the Board and the Mayor of the City of Ely, Nevada, unless the notice specifies a later time for the effectiveness of such resignation; provided, however, that no Appointed Director may resign if the Corporation would then be left without a Director. If the resignation of the Appointed Director is effective at a future time, a successor may be selected before that time, to take office when the resignation becomes effective. Any Appointed Director may be removed from office, with or without cause, by the Mayor of the City of Ely, Nevada in his or her sole discretion, with consent of the City Council. In addition, an Appointed Director is to be removed, without further action of the Mayor of the City of Ely, Nevada, if (a) an Appointed Director has been declared to be incompetent by a court of competent jurisdiction, (b) an Appointed Director is convicted of a felony, (c) the Appointed Director has been found by a court of competent jurisdiction to have breached his or her duties to exercise his or her powers in good faith and with a view to the interests of the Corporation, (d) an Appointed Director is hired as an officer or employee of the Corporation (other than the Chairman or Vice Chairman of the Board), or (e) an Appointed Director misses, without having been excused, two (2) consecutive Board meetings, or, in any calendar year, an Appointed Director fails to attend without excuse at least fifty percent (50%) of the Board meetings. Any person removed as an Appointed Director of the Corporation upon an event described in the preceding sentence may not be re-appointed to the Board of Directors. Any vacancy of an Appointed Director occurring as a result of the resignation or removal of such Appointed Director is to be filled by the Mayor of the City of Ely, Nevada, [or the Mayor Pro Tem of the City of Ely, Nevada, as the case may be,](#) in accordance with the terms of the preceding paragraph.

#### **BOARD OF DIRECTORS OF THE CORPORATION:**

Dated: \_\_\_\_\_, 2019  
\_\_\_\_\_  
John Gianoli, Chairman

Dated: \_\_\_\_\_, 2019  
\_\_\_\_\_  
Carl Marsh, Vice Chairman

Dated: \_\_\_\_\_, 2019  
\_\_\_\_\_  
Caroline McIntosh

Dated: \_\_\_\_\_, 2019  
\_\_\_\_\_  
Roger Bowers

**[Signatures continue of following page.]**

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Jim Alworth

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Steve Leith

**CITY COUNCIL OF THE CITY OF ELY, NEVADA:**

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Kurt Carson

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Michelle Beecher

Dated: \_\_\_\_\_, 2019

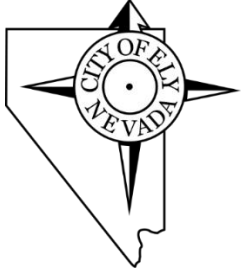
\_\_\_\_\_  
Ernie Flangas

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Ed Spear

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Jim Alworth



# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
Fax (775) 289-1463

## ELY CITY COUNCIL REGULAR MEETING

**PLEASE NOTE: THE COUNCIL MEMBERS MAY ADDRESS AGENDA ITEMS OUT OF SEQUENCE, COMBINE TWO OR MORE AGENDA ITEMS FOR CONSIDERATION, REMOVE AN ITEM OR DELAY DISCUSSION AT ANY TIME TO ACCOMMODATE PERSONS APPEARING BEFORE THE COUNCIL OR TO AID IN THE EFFICIENCY AND EFFECTIVENESS OF THE MEETINGS.**

**October 24, 2019 5:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.**

### **1. OPENING ACTIVITIES:**

MEETING CALLED TO ORDER  
PLEDGE OF ALLEGIANCE  
INVOCATION  
ROLL CALL

**2. PUBLIC COMMENT:** Comments not exceeding three (3) minutes in length will be accepted from the general public in attendance. If any are made, there may be discussion upon those comments. No vote, decision, or action may be taken upon matters raised under this item until it is formally placed on the agenda. **Comments during Discussion Items will not be accepted from the General public.** “Section 7.05 of the Nevada Open Meeting Law Manual indicates that the Public Body may prohibit comment if the content of the comments is a topic that is not relevant to or within the authority of the Public Body or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers”.

**3. Mayor – Discussion/For Possible Action – Approval of Agenda, including removal of agenda items.**

### **4. CITY DEPARTMENT REPORTS**

- FIRE CHIEF
- POLICE CHIEF
- [MUNICIPAL COURT JUDGE](#)
- CITY CLERK
- CITY TREASURER
- CITY PUBLIC WORKS SUPERVISOR
- CITY WATER OPERATOR
- CITY ENGINEER
- CITY BUILDING OFFICIAL

### **5. REPORTS**

CITY COUNCIL  
[MAYOR](#)

**6. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A PUBLIC HEARING AT 5:30 P.M. ON THE FOLLOWING TOPICS.**

1. Council Members – City Clerk Lee – Public Hearing – [Discussion Only](#) – Approval of City of Ely Water Conservation Plan Update draft, to be submitted to the Nevada Division of Water Resources for final approval.
2. Council Members – City Attorney Pyle – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 726, Bill No. 2019-09, An Ordinance adding Chapter 5 to Title 2 of the City Code of the City of Ely to create, in collaboration with the White Pine County Board of County Commissioners, a regional planning commission pursuant to Chapter 278 of the Nevada Revised Statutes.

**7. DISCUSSION/POSSIBLE ACTION ITEMS PERTAINING TO THE PUBLIC HEARING.**

1. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval of City of Ely Water Conservation Plan Update draft, to be submitted to the Nevada Division of Water Resources for final approval.
2. Council Members – City Attorney Pyle – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 726, Bill No. 2019-09, An Ordinance adding Chapter 5 to Title 2 of the City Code of the City of Ely to create, in collaboration with the White Pine County Board of County Commissioners, a regional planning commission pursuant to Chapter 278 of the Nevada Revised Statutes.

**8. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.**

**A. CONSENT AGENDA** (These items may be approved in one motion by the Council as its first action of business under For Discussion/Possible Action items.) Approval of the Consent Agenda approves each of these items. Council Members may remove any item from the Consent Agenda by notifying the Mayor or Mayor Pro Tem.

**MOTION:** Move to approve the Consent Agenda item 8A-1 Minutes.

Moved by: \_\_\_\_\_ Second by: \_\_\_\_\_ Vote: \_\_\_\_\_

1. Discussion/For Possible Action –Minutes.
  - July 11, 2019
  - July 18, 2019
  - July 25, 2019
  - August 8, 2019
  - August 22, 2019
  - September 12, 2019
  - September 18, 2019
  - September 19, 2019
  - [September 26, 2019](#)

**B. OLD BUSINESS**

1. Mayor Robertson – [Discussion/For Possible Action](#) – Approval to move Ordinance 727, Bill No. 2019-10, to Second Reading. Ordinance 727 amends Chapter 5 of Title 1 of the City Code of the City of Ely requiring the City Council to create a code of conduct for its members; proscribing that violation of the Code of Conduct constitutes cause within the meaning of NRS 266.240; eliminating appointed department heads; creating a protocol for liaison appointments; proscribing that no city official may be appointed to a department if such appointment implicates a conflict of interest and; adding a severability clause.



## C. NEW BUSINESS

1. Council Members – City Treasurer Trask – Leavitt Group Insurance Representative – [Discussion/For Possible Action](#) – Selection of healthcare coverage for the City of Ely, December 1-November 30, 2020.
2. Mayor Robertson – Trac-B Exchange representative – Discussion Only – Presentation on Trac-B Exchange’s Harm Reduction Program.
3. Mayor Robertson – [Discussion/For Possible Action](#) – Approval to move Ordinance 725, Bill No. 2019-11, to Second Reading. Ordinance 725 amends Title 6, Chapter 12 Section 2 entitled HIGHWAYS AND ROADS IN THE CITY OF ELY DESIGNATED FOR PURPOSES OF OHV TRAVEL, bringing the City Code into conformity with State law, clarifying certain sections of the City Code, requiring that OHVs that operate on City roads and highways have liability insurance; adding a severability clause; all other provisions not designated shall remain unchanged.
4. Mayor Robertson – [Discussion/For Possible Action](#) – Approval to move Ordinance 728, Bill No. 2019-12, to Second Reading. Ordinance 728 amends Chapter 3 of Title 3 of the City Code of the City of Ely regulating Short-Term Residential Rentals; exempting rental businesses exempt from State business licensing from City business licensing; adding a severability clause.
5. Councilwoman Beecher – [Discussion/For Possible Action](#) – Approval for the City of Ely Fire Department to provide Emergency Medical Services (EMS) at Paramedic (NRP) level 911 response, as part of the City of Ely Fire Department’s tiered response system, AND/OR Approval for a Critical Care Paramedic/Critical Care Transport Service.
6. Councilman Alworth – Discussion/For Possible Action – Establishment of terms for Conditional Special Use permit to allow existing mobile home parks within the City of Ely to have RV trailers and motor homes parked within their confines for temporary construction workers AND direction to City Attorney to draft ordinance.
7. Council Members – City Attorney Pyle – Discussion/For Possible Action – Approval of Resolution 2019-17 to increase adoption fees to sixty dollars (\$60.00) for dogs.
8. Councilman Alworth – Discussion/For Possible Action – Direction to City Staff to send a letter to City Police Chief Henriod requesting that his officers verify City business licensing for out-of-the-area businesses.
9. Councilman Flangas – Discussion/For Possible Action – Direction to City Staff to prepare a resolution changing the time for regular City Council meetings to 1:00 p.m.
10. Mayor Pro Tem Beecher – Discussion/For Possible Action – Appointment of Council Member Michelle Beecher, with the City Council’s consent, to serve as an Appointed Director on the Nevada Northern Railway’s Board of Directors.
11. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval for the Municipal Utilities Board and Ely City Council to participate in a special joint meeting in December 2019 with the White Pine County Board of Commissioners and White Pine County Water Advisory Committee for Robinson Nevada Mining Company’s hydrology presentation.

12. Council Members – City Attorney Pyle – Discussion/For Possible Action – Approval to go forward with or opt out of a “Negotiation Class” for ongoing opioid lawsuits created by a recent decision in Federal Court.

**9. PUBLIC COMMENT:** Comments not exceeding three (3) minutes in length will be accepted from the general public in attendance. If any are made, there may be discussion upon those comments. No vote, decision, or action may be taken upon matters raised under this item until it is formally placed on the agenda. “Section 7.05, of the Nevada Open Meeting Law Manual indicates that the Public Body may prohibit comment if the content of the comments is a topic that is not relevant to or within the authority of the Public Body or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers”.

## **10. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.**

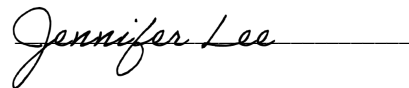
\* Open session – Action/Discussion – Personnel\*\*

The meeting may be closed by appropriate motion for the purpose of discussion on any matter allowed under N.R.S. 241.031 and 241.033, (1) nothing contained in this chapter prevents a public body from holding a closed meeting to consider the character, alleged misconduct, professional competence or physical or mental health of a person/employee. (2) A public body may close a meeting upon a motion, which specifies the nature of the business to be considered. (3) This chapter does not: (a) Apply to judicial proceedings. (b) Prevent the removal of any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical. (c) Prevent the exclusion of witnesses from a public or private meeting during the examination of another witness. (d) Require that any meeting be closed to the public. (e) Permit a closed meeting for the discussion of the appointment of any person to public office or as a member of a public body. (4) The exception provided by this section, and electronic communication, must not be used to circumvent the spirit or letter of this chapter in order to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <http://www.ascr.usda.gov/complaintfilingcust.html> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; Fax: (202) 690-7442; or Email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

For access to the public packet, contact the City Clerk at 501 Mill Street, Ely, Nevada 89301 or call (775) 289-2430; all packet material is posted in the agenda’s hyperlinks or under “Minutes” /”Other” on the City’s website at <http://www.elycity.com/>

I, Jennifer Lee, City Clerk, did cause to be posted on **October 21, 2019** at **8:00 a.m.** five (5) notices of the Ely City Council Agenda in said City of Ely to wit: Posted at the doors or bulletin boards of City Hall located at 501 Mill Street, White Pine County Library located at 950 Campton Street, White Pine County Courthouse located at 801 Clark Street, the U.S. Post Office located at 2600 Bristlecone Avenue and the White Pine County Sheriff’s Office located at 1785 Great Basin Boulevard. The meeting notice is also posted on the City of Ely’s website at <http://www.elycity.com> and the State of Nevada Public Notices website at <http://notice.nv.gov>.



**BILL NO. 2019-  
ORDINANCE NO.**

**An Ordinance amending Title 6, Chapter 12 section 2 entitled HIGHWAYS AND ROADS IN THE CITY OF ELY DESIGNATED FOR PURPOSES OF OHV TRAVEL, bringing the City Code into conformity with State law, clarifying certain sections of the City Code, requiring that OHVs that operate on City roads and highways have liability insurance; adding a severability clause; all other provisions not designated shall remain unchanged.**

**WHEREAS**, N.R.S. 266.105 empowers the Ely City Council to pass ordinances necessary for the municipal government and the management of the affairs of the City, for execution of all powers vested in the City, and for making effective the provisions of Chapter 266 of the Nevada Revised Statutes; and

**WHEREAS**, the City's original goal in promulgating Ordinances designating certain highways and roads in the City of Ely for off-highway vehicle (OHV) use was to encourage tourism by allowing OHVs' use of the City-designated highways and roads for the limited purpose of allowing them to reach a private or public area that is open for use by OHVs only; and

**WHEREAS**, following the publication of the these Ordinances, the City has received complaints from its residents regarding the operation of OHVs within the City, thereby necessitating the following changes.

**NOW, THEREFORE, the City Council of the City of Ely DOES CREATE ELY CITY CODE TITLE 6, CHAPTER 12 AS FOLLOWS:**

**6-12-2: HIGHWAYS AND ROADS IN THE CITY OF ELY DESIGNATED FOR PURPOSES OF OHV TRAVEL:**

A. The following roads and highways within the City of Ely are designated as permissible for the operation of off highway vehicles for the limited purpose of allowing off highway vehicles ~~ingress and egress~~ to reach private or public areas that are open for the use of off highway vehicles. Off highway vehicles shall not be operated on designated highways or roads for any purpose other than travel to or from (ingress and egress) the private or public area open for the use of off highway vehicles.

1. Mill Street from Highway 6 on the southern portion of Mill Street to Hayes Street, then east across Murry Street and onto Campton Street terminating at Great Basin Boulevard.

2. Avenue I beginning at Great Basin Boulevard continuing east to 8<sup>th</sup> Street East, south to Avenue M and north to Avenue H, east on Avenue H, terminating at Fifteenth Street East.

3. Avenue H and Eleventh Street East (now known as Nevada Northern Rail Way) north terminating at Avenue C.

4. Avenue M beginning at 8<sup>th</sup> Street East continuing east to the end of the paved road.
5. 13<sup>th</sup> Street East beginning at Avenue H and continuing south to Madison Avenue. Madison Avenue west to Pioche Highway, south to the intersection of Great Basin Boulevard and Highway 6. West on Highway 6 to Pinion Road, less than one half mile.
6. Avenue C beginning at the railroad tracks on the east side of town, continuing west which then changes name to North Street at 7<sup>th</sup> Street East, terminating at Faye Avenue.
7. Faye Avenue beginning at North Street and terminating at High Street.
8. High Street beginning at Faye Avenue and continuing west to 7<sup>th</sup> Street, south on Lyons Avenue terminating at 5<sup>th</sup> Street. South on 5<sup>th</sup> Street terminating at Campton Street.
9. 11<sup>th</sup> Street beginning at High Street and continuing south to Campton Street.
10. Courthouse Canyon Road, beginning at Campton Street and continuing south across Highway 6 along the dirt road until the edge of the City limits.
11. JV Walker beginning at Campton Street and continuing south approximately ½ mile to trail leading to Highway 6, crossing over Highway 6 at Bobcat Drive to the dirt track south of high school and north of Great Basin College.
12. Ogden Avenue beginning at North Street, north to Lackawana Road.

**6-12-3: DESIGNATION OF STATE HIGHWAYS OPERATION ON UNDESIGNATED HIGHWAYS OR ROADS PROHIBITED:**

Off highway vehicles shall not be operated on any highway or road NOT designated in 6-12-2 for any purpose other than those permitted by Chapter 490 of the Nevada Revised Statutes as follows:

(a) If the off-highway vehicle is operated on the highway for the purpose of crossing the highway, comes to a complete stop before crossing and crosses as close as practicable to perpendicular to the direction of travel on the highway;

(b) If the off-highway vehicle is operated on the highway for the purpose of loading or unloading the off-highway vehicle onto or off of another vehicle or trailer, if the loading or unloading is as close as practicable to the place of operation of the off-highway vehicle;

(c) During an emergency if it is impossible or impracticable to use another vehicle or if a peace officer directs the operation of the off-highway vehicle.

~~Any highway or road not designated in 6-12-2 as an authorized route, shall not be used for ingress or egress to public or private lands designated for off highway vehicle use. No OHV traffic shall be allowed upon Aultman Street, except to cross over at designated crossings. In addition to the~~

penalty imposed by 6-12-6, the minimum fine for violation of this section shall be two hundred and fifty dollars (\$250.00).

#### **6-12-4: RESTRICTIONS:**

A. The operator of an off-highway vehicle that is being driven on a road or highway pursuant to this Chapter shall:

1. Possess a valid driver's license or instruction permit obtained in accordance with NRS 483.290, specific to the type of OHV the operator is driving.

2. Ensure that the registration of the off-highway vehicle is attached to the vehicle in accordance with NRS 490.083 or a special plate issued pursuant to NRS 490.0827 is attached to the vehicle. Failure to have the required registration shall result in a fine consistent with the failure to have a motor vehicle registered.

3. Possess proof of liability insurance covering the OHV the operator is driving which meets the requirements of NRS 485.185.

4. Wear a helmet. The penalty for failing to wear a helmet shall be the same as that of a motorcyclist who fails to wear a helmet.

5. Comply with all traffic laws of this State and/or the City.

BA. A person who is less than sixteen (16) years of age ~~or any person without a valid driver's license~~, is prohibited from operating an off highway vehicle on a road or highway in this State in pursuant to this Chapter ~~on a designated highway~~ unless under the direct visual supervision supervised by of a person who is at least eighteen (18) years of age and holds a valid driver's license.

~~B. *Helmet:* All persons operating an OHV on the designated routes for ingress and egress from public or private lands for purposes of recreation, or from their place of residence or lodging to access designated routes, are required to wear a helmet pursuant to NRS 490.130 (3). The penalty for failing to wear a helmet shall be the same as that of a motor cyclist who fails to wear a helmet.~~

~~C. *Comply with all traffic laws:* Irrespective of age, all operators of an off highway vehicle are required to comply with all traffic laws of the City and/or the state of Nevada.~~

~~CD. *Speed Restriction:* Due to concerns for public safety and the peace and quiet of neighborhoods in which off highway vehicles are allowed to operate for ingress and egress purposes, or from place of residence or lodging, there is established a speed limit of 15 miles per hour for all off highway vehicles, as defined by NRS 490.060, on all designated routes. It is unlawful to travel in excess of 15 miles per hour when operating an off highway vehicle at any time within the City of Ely.~~

1. The minimum penalty for violation of this speed limit shall be one hundred fifty dollars (\$150.00) for speeding 1-4 miles per hour over the speed limit; and

2. a fifty dollar (\$50.00) increase for every five miles per hour, or portion thereof, over 15 miles per hour.

~~E. Registration: Each off highway vehicle operated on the routes established by this ordinance must be registered and displaying the registration at all times of operation pursuant to NRS 490.130 (2). Failure to have the required registration shall result in a fine consistent with the failure to have a motor vehicle registered.~~

~~F. Operation of off highway vehicle on other than an approved route shall be unlawful. It shall be unlawful to operate an off highway vehicle on any route, other than an approved route for ingress into and egress from the city. The operator of an off highway vehicle must use the most direct route from their place of lodging or residence, to the nearest approved route for ingress and egress purposes, or for purposes of accessing fuel. The minimum penalty for violation of this provisions shall be two hundred and fifty dollars (\$250.00).~~

~~DG. Time restrictions: use of the designated routes for off highway traffic~~Operation of an OHV pursuant to 6-12-2 shall be limited to thirty minutes prior to sunrise until thirty minutes after sunset.

#### **6-12-5: ENFORCEMENT:**

A. The White Pine County Sheriff's Office and the Nevada Highway Patrol shall enforce the provisions of this ~~ordinance~~Chapter and shall have the authority to issue a traffic citation to the person suspected of a violation of this ~~ordinance~~Chapter. If the person to be cited is a minor, law enforcement shall cite the juvenile into the White Pine County Juvenile Court. All other violations shall be cited into the Ely Municipal Court.

B. All fine amounts are subject to state mandated assessments.

#### **6-12-6: PENALTY:**

Any person violating any of the provisions of this chapter shall, for each such offense, be subject to penalty as provided in section 1-4-1 of this code, unless a different penalty is provided herein.

#### **6-12-6: Severability:**

If any provisions of this Chapter are held invalid, such invalidity shall not affect other provisions and each provision is hereby declared to be severable.

**Section 2. Effective Date.** This ordinance shall become effective twenty (20) days after its passage, approval and publication according to law.

**Section 3. Proposing Parties.** The foregoing ordinance was proposed by Mayor Nathan Robertson, at the regularly scheduled meeting of the Ely City Council on October, 24, 2019, read by title and referred to the City Council of the City of Ely, as a committee of the whole.

**Section 4.     Notice.**       Notice of filing of such ordinance was duly given by publication as required by law.

**(remainder of page intentionally left blank)**

**Section 5.     Reading.**     It was read in full at the regular meeting on \_\_\_\_\_  
and adopted by the following vote:

<b>VOTE:</b>	<b>AYES:</b>	_____
	<b>NAYES:</b>	_____
	<b>ABSENT:</b>	_____
	<b>ABSTAIN:</b>	_____

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
**NATHAN ROBERTSON, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JENNIFER LEE, CITY CLERK**

**Approved as to form and content**

\_\_\_\_\_  
Bryan R. Pyle, Esq. City Attorney



**Summary:** An ordinance adding Chapter 5 to Title 2 of the City Code of the City of Ely to create, in collaboration with the White Pine County Board of County Commissioners, a regional planning commission pursuant to Chapter 278 of the Nevada Revised Statutes.

**TITLE:**

**PROPOSED ORDINANCE ADDING CHAPTER 5 TO TITLE 2 OF THE CITY CODE OF THE CITY OF ELY TO CREATE, IN COLLABORATION WITH THE WHITE PINE COUNTY BOARD OF COUNTY COMMISSIONERS, A REGIONAL PLANNING COMMISSION PURSUANT TO CHAPTER 278 OF THE NEVADA REVISED STATUTES.**

**Whereas,** NRS 278.090 grants the White Pine County Board of County Commissioners the authority to collaborate with the governing body of the incorporated cities in the county to create a Regional Planning Commission which consists of representatives of White Pine County ("County") and the City of Ely ("City");

**Whereas,** the establishment of a Regional Planning Commission is desirable and necessary for the purpose of promoting health, safety, morals, and the general welfare of White Pine County and the City of Ely;

**Whereas,** the White Pine County Board of County Commissioners and the Ely City Council both voted in favor of forming a Regional Planning Commission during a special joint meeting held on August 22, 2018.

**Therefore,** the City Council of the City of Ely, State of Nevada, does AMEND and otherwise ordain that Chapter 5 be added to Title 2 of the City Code of the City of Ely, be titled "Regional Planning Commission," and shall read as follows:

**2-5-1: PLANNING DISTRICT:**

White Pine County, Nevada and the incorporated City of Ely, Nevada are hereby declared to be part of a Regional Planning District, the boundaries of which district shall be the boundaries of White Pine County, Nevada, including the incorporated City of Ely, Nevada.

**2-5-2: ESTABLISHMENT AND AUTHORITY:**

Effective January 1, 2020, there is hereby established and created a Regional Planning Commission. White Pine County and the City of Ely shall be represented on the Regional Planning Commission. The Regional Planning Commission is hereby authorized to act for and on behalf of White Pine County and the City of Ely as a Planning Commission which shall fulfill all of the duties and functions of a Planning Commission as set forth in Chapter 278 of the Nevada Revised Statutes and all applicable sections of the White Pine County Code and the City Code of the City of Ely.

**2-5-3: MEMBERSHIP:**

The Regional Planning Commission shall consist of six (6) members, three (3) of whom shall be appointed by the Mayor of the City of Ely, with the approval of the Ely City Council and three (3) of whom shall be appointed with the approval of the White Pine County Board of County Commissioners.

**2-5-4: TERM OF MEMBERS, REMOVAL, AND VACANCIES:**

The term of office for members shall be four (4) years and shall expire on December 31 of their respective years.

The terms of the members shall be overlapping and the membership of the Regional Planning Commission first appointed to represent White Pine County and the City of Ely shall include two (2) members, one (1) from the County and one (1) from the City, who will serve three (3) years, and one (1) member, selected by the County, who will serve a term of two (2) years, and one (1) member, selected by the City, who will serve a term of one (1) year.

Members appointed by the White Pine County Board of County Commissioners may be removed, after public hearing if requested, by a majority vote of the White Pine County Board of County Commissioners, for inefficiency, neglect of duty, malfeasance of office, or conduct detrimental to the Regional Planning Commission or any of its governing bodies.

Members appointed by the Ely City Council may be removed, after public hearing if requested, by a majority vote of the Ely City Council, for inefficiency, neglect of duty, malfeasance of office or conduct detrimental to the Regional Planning Commission or any of its governing bodies.

Vacancies occurring otherwise than through the expiration of term of office shall be filled for the unexpired term.

No more than one-third (1/3) of the members of the Regional Planning Commission may hold any other public office. Accordingly, only one (1) member appointed by the County and only one (1) member appointed by the City may hold any other public office.

**2-5-5: COMPENSATION AND EXPENSES:**

Members of the Regional Planning Commission shall serve without compensation, except for reasonable travel expenses made necessary in the fulfillment of their official duties.

**2-5-6: BUDGET, APPROPRIATIONS, AND EXPENDITURES:**

The Regional Planning Commission shall prepare an annual budget containing a detailed estimate of expenditures, and transmit copies thereof to the budget officers of White Pine County and the City of Ely for their use in complying with the provisions of the local government budget act.

White Pine County is hereby authorized independently or in collaboration with the City of Ely, to appropriate from the funds received by the County from general taxation or other sources, money for the expenses of the Regional Planning Commission.

The City of Ely is hereby authorized independently or in collaboration with White Pine County, to appropriate from the funds received by the City from general taxation or other sources, money for the expenses of the Regional Planning Commission.

The Regional Planning Commission shall have no authority to expend any funds of White Pine County or the City of Ely in excess of those budgeted and appropriated. The Regional Planning Commission may negotiate and receive gifts, Federal or State grants, or other funds and may expend the same only within the total amounts as acquired, budgeted and authorized.

White Pine County and the City of Ely shall not be chargeable with any expense incurred by the Regional Planning Commission except pursuant to such authorized appropriations and the provisions of this Chapter.

**2-5-7: CHAIRPERSON, OFFICERS, AND EMPLOYEES:**

The Regional Planning Commission shall elect a Chairperson from its own members, and the term of such elected Chairperson shall be one (1) year, with eligibility for re-election to successive terms.

The Regional Planning Commission shall create and fill such other offices as it may deem necessary.

The Regional Planning Commission shall have the power to employ experts, clerks and a secretary, and to pay for their services and such other expenses as may be necessary and proper, not exceeding, in all, the annual appropriation that may be made by White Pine County and the City of Ely for the Regional Planning Commission, together with such other funds as may be available through grant, gift or other means.

White Pine County and the City of Ely are authorized to provide professional planning services for the Regional Planning Commission by mutual agreement.

Legal counsel for White Pine County and the City of Ely shall not serve as de facto legal counsel for the Regional Planning Commission.

**2-5-8: MEETINGS, RULES, AND RECORDS:**

The Regional Planning Commission shall hold at least one regular meeting in each month.

The first meeting of the Regional Planning Commission shall take place during the first week of January, 2020, at a time and place arranged by the members first appointed by the White Pine County Board of County Commissioners and the Ely City Council. The frequency, time, and place of the Regional Planning Commission's regular meetings shall be fixed by resolution at this first meeting.

Additional meetings may be held as circumstances may require or render desirable for the performance of its functions and the proper discharge of its duties and responsibilities.

A majority of the membership shall constitute a quorum for the purpose of transacting business.

Action by the Regional Planning Commission shall be by majority vote.

The Regional Planning Commission shall adopt rules and regulations for the conduct of its business, not inconsistent with applicable State laws, the White Pine County Code, or the City Code of the City of Ely.

The Regional Planning Commission shall keep a record of its Resolutions, transactions, findings and determinations, which record shall be a public record.

**2-5-9: DUTIES:**

The Regional Planning Commission shall prepare and adopt a Master Plan setting forth a comprehensive, long-term general plan for the physical development of the White Pine County, including the City of Ely, pursuant to the Master Plan provisions set forth in Chapter 278 of the Nevada Revised Statutes, and shall perform such other duties, functions and powers as provided by State law, the White Pine County Code, and the City Code of the City of Ely.



**2-5-10: AUTHORITY, APPEAL TO GOVERNING BODIES:**

“Governing body,” as used in this Chapter, shall mean the Ely City Council or the White Pine County Board of County Commissioners.

The Regional Planning Commission shall be vested with the authority to make determinations on all matters governed by Chapter 278 of the Nevada Revised Statutes vested in the White Pine County Board of County Commissioners absent this provision.

The Regional Planning Commission shall be vested with the authority to make determinations on all matters governed by Chapter 278 of the Nevada Revised Statutes vested in the Ely City Council absent this provision.

A party may appeal a determination of the Regional Planning Commission to the appropriate governing body within thirty (30) days of such determination.

Nothing in this section shall be interpreted to divest a governing body of the appeal authority granted to it, nor alter the appeal procedures provided in Chapter 278 of the Nevada Revised Statutes.

**2-5-11: REFORMATION OR REPEAL OF CONFLICTING ORDINANCES:**

Any and all ordinances or parts of ordinances heretofore adopted by the White Pine County Board of County Commissioners or the Ely City Council which are inconsistent with this Ordinance are hereby reformed to be read consistently with this Ordinance. For example, any ordinance conferring a benefit or burden that would normally fall upon the Regional Planning Commission pursuant to this Ordinance or State law shall so fall upon the Regional Planning Commission despite the fact that the Regional Planning Commission is not duly named in said ordinance.

Any and all ordinances or parts of ordinances heretofore adopted by the White Pine County Board of County Commissioners or the Ely City Council which are in conflict with this Ordinance and cannot be reformed to be read consistently with this Ordinance are hereby repealed.

**2-5-12: ADOPTION OF ORDINANCE:**

Both the White Pine County Board of County Commissioners and the Ely City Council shall adopt identical versions of this Ordinance in order to effectuate the creation of the Regional Planning Commission.

Any modification of the terms of this Ordinance must be done through each political subdivision's ordinance process. Any such modifying ordinance must be identical in language to that of the other governing body.

Repeal of this Ordinance by either governing body shall dissolve the Regional Planning Commission.

Upon repeal, a third party mutually selected by the White Pine County Board of County Commissioners and the Ely City Council shall be charged with the winding down of the Regional Planning Commission's affairs and the distribution of its property or assets, if necessary. Both White Pine County and the City of Ely agree that the cost of this shall be paid equally by the parties that this subsection shall survive any repeal of this Ordinance.

This Ordinance is effective contingent upon the City of Ely's dissolution of its City Planning Commission prior to the first meeting of the Regional Planning Commission.

**2-5-13: SEVERABILITY:**

If any provisions of this Ordinance are held invalid, such invalidity shall not affect other provisions and each provision is hereby declared to be severable.

This Ordinance shall take effect from and after passage, approval, and publication.

PROPOSED on the \_\_\_\_ day of \_\_\_\_\_, 2019.

PROPOSED by \_\_\_\_\_.

PASSED on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Votes:

Yay: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Nay: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Absent: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



**Summary:** An ordinance amending Chapter 2.32 of the White Pine County Code to create, in collaboration with the Ely City Council, a regional planning commission pursuant to Chapter 278 of the Nevada Revised Statutes.

**TITLE:**

**PROPOSED ORDINANCE CREATING, IN COLLABORATION WITH THE ELY CITY COUNCIL, A REGIONAL PLANNING COMMISSION PURSUANT TO CHAPTER 278 OF THE NEVADA REVISED STATUTES**

**Whereas,** NRS 278.090 grants the White Pine County Board of County Commissioners the authority to collaborate with the governing body of the incorporated cities in the county to create a Regional Planning Commission which consists of representatives of White Pine County ("County") and the City of Ely ("City");

**Whereas,** the establishment of a Regional Planning Commission is desirable and necessary for the purpose of promoting health, safety, morals, and the general welfare of White Pine County and the City of Ely;

**Whereas,** the White Pine County Board of County Commissioners and the Ely City Council both voted in favor of forming a Regional Planning Commission during a special joint meeting held on August 22, 2018.

**Therefore,** the Board of County Commissioners of the County of White Pine, State of Nevada, does AMEND and otherwise ordain that the specified section of Title 2, Chapter 2, Section 32 shall be titled "Regional Planning Commission" and shall read as follows:

**2.32.010. PLANNING DISTRICT:**

White Pine County, Nevada and the incorporated City of Ely, Nevada are hereby declared to be part of a Regional Planning District, the boundaries of which district shall be the boundaries of White Pine County, Nevada, including the incorporated City of Ely, Nevada.

**2.32.020. ESTABLISHMENT AND AUTHORITY:**

Effective January 1, 2020, there is hereby established and created a Regional Planning Commission. White Pine County and the City of Ely shall be represented on the Regional Planning Commission. The Regional Planning Commission is hereby

authorized to act for and on behalf of White Pine County and the City of Ely as a Planning Commission which shall fulfill all of the duties and functions of a Planning Commission as set forth in Chapter 278 of the Nevada Revised Statutes and all applicable sections of the White Pine County Code and the City Code of the City of Ely.

**2.32.030. MEMBERSHIP:**

The Regional Planning Commission shall consist of six (6) members, three (3) of whom shall be appointed by the Mayor of the City of Ely, with the approval of the Ely City Council and three (3) of whom shall be appointed with the approval of the White Pine County Board of County Commissioners.

**2.32.040. TERM OF MEMBERS, REMOVAL, AND VACANCIES:**

The term of office for members shall be four (4) years and shall expire on December 31 of their respective years.

The terms of the members shall be overlapping and the membership of the Regional Planning Commission first appointed to represent White Pine County and the City of Ely shall include two (2) members, one (1) from the County and one (1) from the City, who will serve three (3) years, and one (1) member, selected by the County, who will serve a term of two (2) years, and one (1) member, selected by the City, who will serve a term of one (1) year.

Members appointed by the White Pine County Board of County Commissioners may be removed, after public hearing if requested, by a majority vote of the White Pine County Board of County Commissioners, for inefficiency, neglect of duty, malfeasance of office, or conduct detrimental to the Regional Planning Commission or any of its governing bodies.

Members appointed by the Ely City Council may be removed, after public hearing if requested, by a majority vote of the Ely City Council, for inefficiency, neglect of duty, malfeasance of office or conduct detrimental to the Regional Planning Commission or any of its governing bodies.

Vacancies occurring otherwise than through the expiration of term of office shall be filled for the unexpired term.

No more than one-third (1/3) of the members of the Regional Planning Commission may hold any other public office. Accordingly, only one (1) member appointed by the County and only one (1) member appointed by the City may hold any other public office.

Because Regional Planning Commission members are appointed by the respective governing bodies and not elected, the twelve (12)-year term limit imposed by Article 15, Section 3 of the Nevada Constitution is inapplicable.

**2.32.050. COMPENSATION AND EXPENSES:**

Members of the Regional Planning Commission shall serve without compensation, except for reasonable travel expenses made necessary in the fulfillment of their official duties.

**2.32.060. BUDGET, APPROPRIATIONS, AND EXPENDITURES:**

The Regional Planning Commission shall prepare an annual budget containing a detailed estimate of expenditures, and transmit copies thereof to the budget officers of White Pine County and the City of Ely for their use in complying with the provisions of the local government budget act.

White Pine County is hereby authorized independently or in collaboration with the City of Ely, to appropriate from the funds received by the County from general taxation or other sources, money for the expenses of the Regional Planning Commission.

The City of Ely is hereby authorized independently or in collaboration with White Pine County, to appropriate from the funds received by the City from general taxation or other sources, money for the expenses of the Regional Planning Commission.

The Regional Planning Commission shall have no authority to expend any funds of White Pine County or the City of Ely in excess of those budgeted and appropriated. The Regional Planning Commission may negotiate and receive gifts, Federal or State grants, or other funds and may expend the same only within the total amounts as acquired, budgeted and authorized.

White Pine County and the City of Ely shall not be chargeable with any expense incurred by the Regional Planning Commission except pursuant to such authorized appropriations and the provisions of this Chapter.

#### **2.32.070. CHAIRPERSON, OFFICERS, AND EMPLOYEES:**

The Regional Planning Commission shall elect a Chairperson from its own members, and the term of such elected Chairperson shall be one (1) year, with eligibility for re-election to successive terms.

The Regional Planning Commission shall create and fill such other offices as it may deem necessary.

The Regional Planning Commission shall have the power to employ experts, clerks and a secretary, and to pay for their services and such other expenses as may be necessary and proper, not exceeding, in all, the annual appropriation that may be made by White Pine County and the City of Ely for the Regional Planning Commission, together with such other funds as may be available through grant, gift or other means.

The Building Department of White Pine County and the City of Ely is ex officio the clerk and secretary of the Regional Planning Commission.

White Pine County and the City of Ely are authorized to provide professional planning services for the Regional Planning Commission by mutual agreement.

Legal counsel for White Pine County and the City of Ely is not ex officio legal counsel for the Regional Planning Commission.

**2.32.080. MEETINGS, RULES, AND RECORDS:**

The Regional Planning Commission shall hold at least one regular meeting in each month.

The first meeting of the Regional Planning Commission shall take place during the first week of January, 2020, at a time and place arranged by the members first appointed by the White Pine County Board of County Commissioners and the Ely City Council. The frequency, time, and place of the Regional Planning Commission's regular meetings shall be fixed by resolution at this first meeting.

Additional meetings may be held as circumstances may require or render desirable for the performance of its functions and the proper discharge of its duties and responsibilities.

A majority of the membership shall constitute a quorum for the purpose of transacting business.

Action by the Regional Planning Commission shall be by majority vote.

The Regional Planning Commission shall adopt rules and regulations for the conduct of its business, not inconsistent with applicable State laws, the White Pine County Code, or the City Code of the City of Ely.

The Regional Planning Commission shall keep a record of its Resolutions, transactions, findings and determinations, which record shall be a public record.

**2.32.090. DUTIES:**

The Regional Planning Commission shall prepare and adopt a Master Plan setting forth a comprehensive, long-term general plan for the physical development of the White Pine County, including the City of Ely, pursuant to the Master Plan provisions set forth in Chapter 278 of the Nevada Revised Statutes, and shall perform such other duties, functions and powers as provided by State law, the White Pine County Code, and the City Code of the City of Ely.





**2.32.100. AUTHORITY, APPEAL TO GOVERNING BODIES:**

“Governing body,” as used in this Chapter, shall mean the Ely City Council or the White Pine County Board of County Commissioners.

The Regional Planning Commission shall be vested with the authority to make determinations on all matters governed by Chapter 278 of the Nevada Revised Statutes vested in the White Pine County Board of County Commissioners absent this provision.

The Regional Planning Commission shall be vested with the authority to make determinations on all matters governed by Chapter 278 of the Nevada Revised Statutes vested in the Ely City Council absent this provision.

A party may appeal a determination of the Regional Planning Commission to the appropriate governing body within thirty (30) days of such determination.

Nothing in this section shall be interpreted to divest a governing body of the appeal authority granted to it, nor alter the appeal procedures provided in Chapter 278 of the Nevada Revised Statutes.

**2.32.110. REFORMATION OR REPEAL OF CONFLICTING ORDINANCES:**

Any and all ordinances or parts of ordinances heretofore adopted by the White Pine County Board of County Commissioners or the Ely City Council which are inconsistent with this Ordinance are hereby reformed to be read consistently with this Ordinance. For example, any ordinance conferring a benefit or burden that would normally fall upon the Regional Planning Commission pursuant to this Ordinance or State law shall so fall upon the Regional Planning Commission despite the fact that the Regional Planning Commission is not duly named in said ordinance.

Any and all ordinances or parts of ordinances heretofore adopted by the White Pine County Board of County Commissioners or the Ely City Council which are in conflict

with this Ordinance and cannot be reformed to be read consistently with this Ordinance are hereby repealed.

**2.32.120. ADOPTION OF ORDINANCE:**

Both the White Pine County Board of County Commissioners and the Ely City Council shall adopt identical versions of this Ordinance in order to effectuate the creation of the Regional Planning Commission.

Any modification of the terms of this Ordinance must be done through each political subdivision's ordinance process. Any such modifying ordinance must be identical in language to that of the other governing body.

Repeal of this Ordinance by either governing body shall dissolve the Regional Planning Commission.

Upon repeal, a third party mutually selected by the White Pine County Board of County Commissioners and the Ely City Council shall be charged with the winding down of the Regional Planning Commission's affairs and the distribution of its property or assets, if necessary. Both White Pine County and the City of Ely agree that the cost of this shall be paid equally by the parties that this subsection shall survive any repeal of this Ordinance.

This Ordinance is effective contingent upon the City of Ely's dissolution of its City Planning Commission prior to the first meeting of the Regional Planning Commission.

**2.32.130. SEVERABILITY:**

If any provisions of this Ordinance are held invalid, such invalidity shall not affect other provisions and each provision is hereby declared to be severable.



This Ordinance shall take effect from and after passage, approval, and publication.

PROPOSED on the 11th day of September, 2019.

PROPOSED by the District Attorney's Office.

PASSED on the 9th day of October, 2019.

Votes:

Yay:

Richard Harg  
[Signature]  
Blaine J. Carson  
[Signature]  
[Signature]

Nay:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Absent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Richard Harg  
CHAIRMAN OF THE BOARD

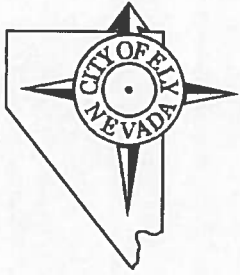
ATTEST:

Bill No. 09.11.2019a

Ordinance No. 502

Page 9

  
COUNTY CLERK



# CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Fax (775) 289-1463

## MEMO

DATE: October 18, 2019  
TO: Mayor Robertson, City Council Members and City Attorney Pyle  
FROM: City Clerk Lee  
RE: Requested research regarding other cities' Council Codes of Conduct

## MESQUITE

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

1. The City Council may:
  - (a) Provide for the punishment of any member for disorderly conduct committed in its presence.

## HENDERSON

2.40.010 - Purpose. A. The purpose of this chapter is to: 1. Create a city ethics committee that consists of the mayor-pro tem, the city manager, the city attorney and the director of human resources. 2. State ethical standards that are to be applied in public service to the city; 3. To provide a process by which public servants may identify and resolve ethical issues; and 4. To promote public confidence and trust in the integrity of public servants.

2.40.020 - Coverage. A. This chapter applies to all public servants of the city. Public servants include: 1. Elected officials—Mayor and members of city council; 2. Public appointees—All persons appointed by the city council to a city board, commission, or committee that makes decisions, sets policy, or advises or makes recommendations to the city; 3. All city employees; and 4. Contracted employees

2.40.030 - Policy of the city. A. The proper operation of democratic government requires that public servants: 1. Are independent, impartial and responsible to the public; 2. Are agents of the public and hold their position for the benefit of the public; 3. Do not use public office or employment for personal gain; 4. Are bound to discharge faithfully the duties of their public position, regardless of personal considerations, recognizing that the public interest must be their primary concern and shall be loyal to the objectives expressed by the public and the programs developed to attain those objectives; 5. Shall uphold the Constitution of the United States, the Constitution of the State of Nevada and the Charter of the City of Henderson, and carry out impartially the laws of the United States, the State of Nevada and the Henderson Municipal Code, and thus foster respect for all government; 6. Shall not exceed their authority or breach the law or ask others to do so; 7. Shall work in full cooperation with other public servants in the City of Henderson unless prohibited from so doing by law or by the officially recognized confidential nature of their work; and 8. As representatives of the public, their conduct in both official and private affairs should be above reproach.

The City of Ely is an equal opportunity provider and employer.

## **SPARKS**

### **Chapter 2.01 - CODE OF ETHICS**

#### **Section 2.01.010 - Purpose and intent.**

A.

The city council finds and declares as follows:

1.

The people have a right to expect from their elected and appointed representatives at all levels of government assurances of the utmost in integrity, honesty and fairness in their dealings;

2.

The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates of those offices, present no conflict of interest between the public trust and private gain; and

3.

The representative form of government is founded upon a belief that those entrusted with the offices of government have nothing to fear from full public disclosure of their business holdings as they pertain to the business before the Sparks city council.

B.

The city council intends to sustain, to the extent necessary, public confidence in government at all levels, by assuring the people of the impartiality and honesty of their officials in all governmental transactions and decisions.

C.

The provisions of this chapter are to be construed liberally, to the end that the public interests are fully protected.

(Ord. 1440 § 1 (part), 1984.)

## **Sparks City Charter**

Sec. 2.020 City Council: Discipline of members, other persons; subpoena power.

1. The City Council may:

(a) Provide, by resolution or ordinance, for the discipline of any elected or appointed officer of the City for unethical conduct.

## **FALLON**

### **2.04.080 - Punishment or expulsion of city council members.**

The city council may punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members of the city council, may expel a member for cause.

(Ord. No. 743, 10-15-2013)

The City of Ely is an equal opportunity provider and employer.

## ELKO

### **1-6-16: DISTURBING MEETINGS; PENALTIES:**

D. By a majority vote of the council, any council member maybe punished or reprimanded for disorderly conduct during a meeting, and, with the concurrence of four (4) of the council members, may expel a member from a meeting for violations of any provision of this section. (Ord. 254, 9-19-1977)

## WEST WENDOVER

❖ Research done by Mayor Robertson:

Some other info and research from the West Wendover City Manager.

----- Forwarded message -----

From: Chris Melville <[cmelville@westwendovercity.com](mailto:cmelville@westwendovercity.com)>

Date: Thu, Oct 17, 2019 at 10:41 AM

Subject: Re: Council Code of Conduct

To: Ely Mayor <[mayor@elycity.com](mailto:mayor@elycity.com)>

Mayor Robertson.

We basically have a three prong approach to conduct related to elected officials.

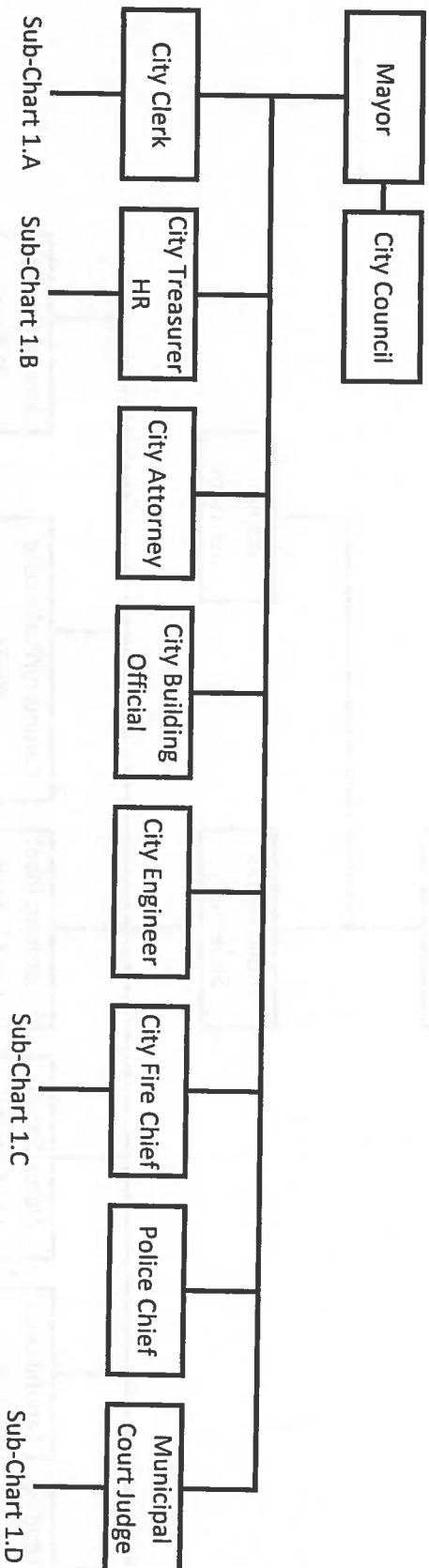
First, we do rely on the basic principles as laid out in statute and as recommended by the Nevada Ethics Commission. We coordinate regularly with the Commission Director Yvonne Nevarez-Goodson who makes herself and/or staff available to provide general training when we request it for our elected and appointed officers. This in addition to what they can obtain through League of Cities conferences/meetings.

Second, the elected officials do operate at their Council Meetings under adopted Decorum Rules, Procedures and Conduct. These rules apply to the elected officials, staff as well as the public. Here is a link to our rules: <http://www.westwendovercity.com/home/showdocument?id=408>

Thirdly, under our personnel policies as adopted, our elected officials are also expected to adhere to certain provisions that are applicable to them including policies on chain of command, workplace conduct, code of ethical standards, political activity, etc. Here is a link to where you can access our adopted personnel policies: <https://www.westwendovercity.com/services/resources-and-forms-online/-folder-216>

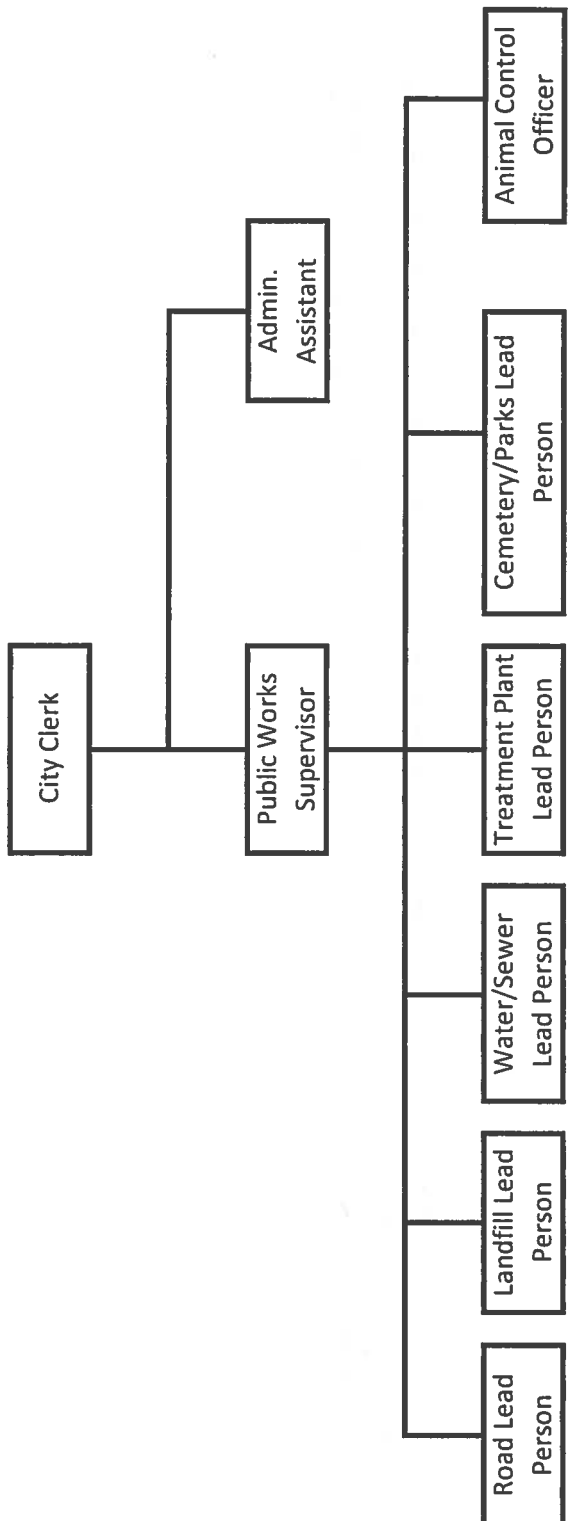


## City of Ely Organization Chart



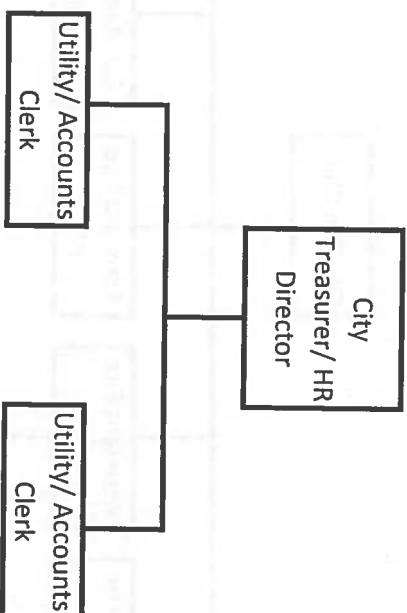
- The purpose of this chart is to offer members of the City organization guidance on how and from whom direction shall be given in regards to each employee's responsibilities.
- The organizational chart is also intended to provide employees direction on to whom they may appeal with complaints, questions or other issues that may arise in the course of fulfilling their duties.
- The intent of the organization chart being that employees shall seek direction and redress from their direct supervisors (going up the chain of command) and that the Mayor and members of the City Council provide direction and seek information from those under their direct supervision (i.e. appointed officials/department heads).
- Every position within the City of Ely is not listed as part of this document. Those positions not listed are understood to be under the supervision of the next highest position listed on this organizational chart or sub chart in the department in which they serve.
- This chart (including sub charts) may be changed or amended as departments are rearranged, added or removed.

Sub-Chart 1.A



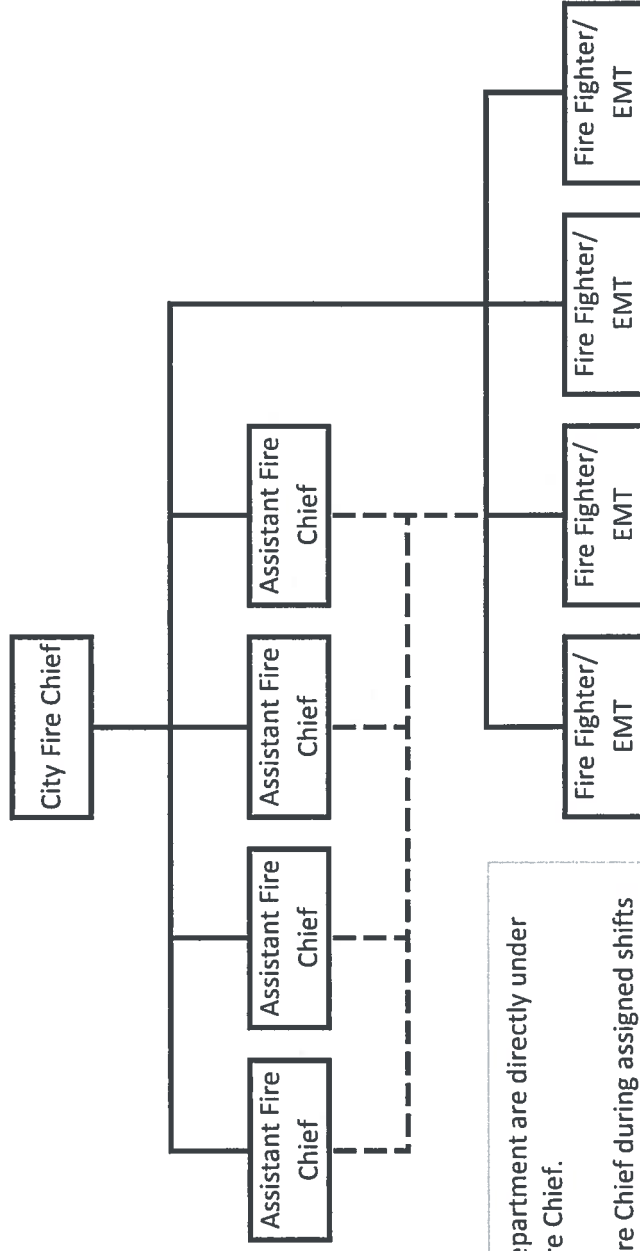


Sub-Chart 1.B



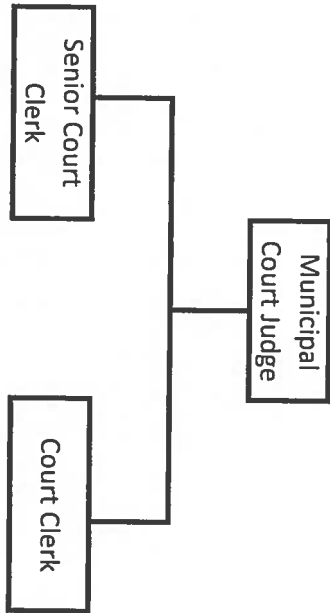
- The City Treasurer shall also serve as the head of Human Resources for the City of Ely.
- As such all employees of the City may approach at any time their direct supervisor or the City Treasurer in regards to a human resource matter.

## Sub-Chart 1.C



- All employees of the Fire Department are directly under the supervision of the City Fire Chief.
- In the absence of the City Fire Chief during assigned shifts and responding to calls employees on duty are under the direction of the Assistant Fire Chief who is also on duty or also responding to the call.

Sub-Chart 1.D





**Summary:** An ordinance amending Chapter 5 of Title 1 of the City Code of the City of Ely requiring the City Council to create a code of conduct for its members; proscribing that violation of the Code of Conduct constitutes cause within the meaning of NRS 266.240; eliminating appointed department heads; creating a protocol for liaison appointments; proscribing that no city official may be appointed to a department if such appointment implicates a conflict of interest and; adding a severability clause.

**TITLE:**

**PROPOSED ORDINANCE AMENDING CHAPTER 5 OF TITLE 1 OF THE CITY CODE OF THE CITY OF ELY REQUIRING THE CITY COUNCIL TO CREATE A CODE OF CONDUCT FOR ITS MEMBERS; PROSCRIBING THAT VIOLATION OF THE CODE OF CONDUCT CONSTITUTES CAUSE WITHIN THE MEANING OF NRS 266.240; ELIMINATING APPOINTED DEPARTMENT HEADS; CREATING A PROTOCOL FOR LIAISON APPOINTMENTS; PROSCRIBING THAT NO CITY OFFICIAL MAY BE APPOINTED TO A DEPARTMENT IF SUCH APPOINTMENT IMPLICATES A CONFLICT OF INTEREST AND; ADDING A SEVERABILITY CLAUSE.**

**Whereas,** NRS 266.240 provides that the City Council shall determine its own rules of procedure, may punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members of the city council, may expel a member for cause;

**Whereas,** Chapter 266 of the Nevada Revised Statutes provides that the Mayor is the chief executive of the City of Ely charged with supervising the affairs of the the City, enforcing the rules of the City Council, and preserving order and decorum among the members of the City Council;

**Therefore,** the City Council of the City of Ely, State of Nevada, does AMEND and otherwise ordain that the sections of Chapter 5 of Title 1 of the City Code of the City of Ely specified below shall read as follows:

**1-5-6: DEPARTMENTS OF CITY COUNCIL:**

A. Designation: The city council is hereby segregated into five (5) departments to be known as the public safety department, health and sanitation department, parks and recreation department, street department, water & sewer department and administration department. (Prior Code § 2-27)

~~B. Department Heads~~Liaison Appointments: The mayor shall be responsible for the administration ~~department~~ of the City. The mayor shall ~~further~~ appoint from the council membership ~~departmental heads~~liaisons for the remaining ~~four (4)~~five (5) departments. (Prior Code § 2-27A)

C. Scope And Jurisdiction: The scope and jurisdiction of such departments shall be the following:

1. Administration Department: The administration department shall include the city clerk's office, city treasurer/human resource office and city Municipal court, and ~~parking meters.~~

2. Public Safety Department: The public safety department shall include the police, ~~and fire department and building departments.~~

3. Health And Sanitation Department: The health and sanitation department shall include the landfill and sewage treatment facility.

4. Street Department: The street department shall include all city streets, streetlights and storm drains.

5. Parks And Recreation Department: The parks and recreation department shall include the city parks and the city cemetery. (Prior Code § 2-27B)

6. Water and Sewer Department. The water and sewer department shall include all city water and sewer infrastructure not within the scope and jurisdiction of the above departments.

~~D. Operating Heads~~Role of Appointed Liaisons: Liaison appointments ~~The present operating heads of the various departments are not supervisory in nature. Instead, the primary function of a Council liaison is to be a two-way communication vehicle between the Council and the department to which he or she is appointed. Council liaisons must be in touch with their appointed department to communicate what is going on with the City of Ely as a whole and how it affects the department, and to give direction, guidance, and support to the department. Council liaisons must provide reports to the Council regarding the department from time-to-time. shall be placed under the immediate supervision of the councilmen selected as department heads as provided for under subsection A of this section, subject to the approval of the mayor.~~ (Prior Code § 2-27C)

E. Conflicts of Interest: No city official, whether councilmember or the mayor, may serve as liaison to any department which employs the city official or employs any person or entity to which the city official owes a commitment in a private capacity. Likewise, no city official may serve as liaison to any department whose operations confer a pecuniary benefit upon the city official or any person or entity to which the city official owes a commitment in a private capacity.

**1-5-7: CONDUCT OF THE CITY COUNCIL:**

The City Council shall adopt and be bound by a code of conduct for its members. Violation of the Code of Conduct shall constitute cause for removal within the meaning of NRS 266.240.

**1-5-87: SALARIES OF ELECTED OFFICIALS:**

A. Mayor: The salary of the mayor shall be set at six hundred dollars (\$600.00) per month.

B. Councilmen: The salaries of each respective city council member shall be set at five hundred dollars (\$500.00) per month. (Ord. 518, 6-12-1997)

**1-5-9: SEVERABILITY:**

If any provisions of this Ordinance are held invalid, such invalidity shall not affect other provisions and each provision is hereby declared to be severable.

This Ordinance shall take effect from and after passage, approval, and publication.

PROPOSED on the \_\_\_\_ day of \_\_\_\_\_, 2019.

PROPOSED by \_\_\_\_\_.

PASSED on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Votes:

Yay: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Nay: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Absent: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



**Summary:** An ordinance amending Chapter 3 of Title 3 of the City Code of the City of Ely regulating short-term residential rentals; exempting rental businesses exempt from State business licensing from City business licensing; adding a severability clause.

**TITLE:**

**PROPOSED ORDINANCE AMENDING CHAPTER 3 OF TITLE 3 OF THE CITY CODE OF THE CITY OF ELY REGULATING SHORT-TERM RESIDENTIAL RENTALS; EXEMPTING RENTAL BUSINESSES EXEMPT FROM STATE BUSINESS LICENSING FROM CITY BUSINESS LICENSING; ADDING A SEVERABILITY CLAUSE.**

**Whereas,** NRS 266.235 provides that the City Council has the authority to regulate and license businesses within the City of Ely;

**Therefore,** the City Council of the City of Ely, State of Nevada, does AMEND and otherwise ordain that the sections of Chapter 3 of Title 1 of the City Code of the City of Ely specified below shall read as follows:

**3-3-1: DEFINITIONS:**

Except where the context otherwise requires, the definitions given in this section shall govern the construction of this chapter:

**CITY TAX ACT:** Nevada Revised Statutes section 268.095, as the same may be hereafter amended from time to time.

**COUNTY BOARD:** The board of county commissioners of the county.

**COUNTY TAX ACT:** Nevada Revised Statutes section 244.335, as the same may be hereafter amended from time to time.

**DWELLING UNIT:** A structure or the part of a structure that is designed, intended, or used for dwelling, lodging, or sleeping purposes OR; a motorhome or travel trailer as defined by Chapter 482 of the Nevada Revised Statutes.

**LESSEE:** Any person renting accommodations from a licensee.

LICENSE TAXES: All license taxes levied pursuant to the county tax act or city tax act and heretofore, hereby or hereafter appropriated or assigned by the county or city levying, fixing or imposing the same for administration by the recreation board.

LICENSEE: The person, partnership, firm, corporation or other ~~body~~ corporate body operating a rental business.

LOCAL CONTACT PERSON: A licensed property manager, owner, or any agent of the owner authorized to take remedial action and respond to any violation of this ordinance, who resides or has a primary place of business located within White Pine County, who is available to respond to City, tenant and neighborhood questions or concerns.

RECREATION ACT: Nevada Revised Statutes sections 244A.597 to 244A.655 and as the same may be hereafter amended from time to time.

RECREATION BOARD: The county fair and recreation board.

RENTAL BUSINESS:

1. The operation of any hotel, motel, auto court, motor court, lodge, lodging house, apartment, apartment house, apartment house hotel, rooming house, guesthouse, trailer court, trailer park, tourist camp, ranch resort, guest ranch, cabin or other accommodations having three (3) or more rooms for rental.

2. The operation of any short-term residential rental.:-

SHORT-TERM RESIDENTIAL RENTAL: The commercial use, or the making available for commercial use, of a dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the dwelling unit for a period of not less than 1 day and not more than 28 days other than ongoing month-to-month tenancy granted to the same renter for the same unit pursuant to chapter 118A of NRS. In the case of a single parcel containing more than one dwelling unit, each dwelling unit constitutes a separate short-term residential use.

TAX ADMINISTRATION RESOLUTION: The resolution of the recreation board as the same may be amended from time to time.

TAX ADMINISTRATOR: The chief executive officer of the recreation board. (Prior code § 13-20; amd. 2001 Code)

### **3-3-3: LICENSES REQUIRED; EXEMPTION FROM LICENSE:**

~~A. County License: It shall be unlawful for any person, either for himself or for any other person, to commence or to carry on any rental business, as in this chapter specified, in the city without first having procured a license from the tax administrator so to do. The carrying on of any such rental business without first having procured a license from the tax administrator so to do shall constitute a separate violation of this chapter for each and every day that such business is so carried on. It shall be the duty of the tax administrator to issue written licenses as provided for in this chapter in such form as he may prescribe upon application therefor.~~

~~B. City License: It shall be unlawful for any licensee to commence or to carry on any rental business, as in this chapter specified, in the City without first having procured a City of Ely business license. No business license shall be issued by the city clerk until the city clerk is presented a license from the tax administrator to operate a rental business.~~ (Prior code § 13-21)

B. Exemption from License: A natural person whose sole business is the rental of four or fewer dwelling units to others for a period of twenty eight (28) consecutive days or more is not a rental business within the meaning of this Chapter and is not required to procure a City of Ely business.

### **3-3-5: IMPOSITION OF TAX:**

A. Rate:

1. There shall be and there hereby is fixed and imposed a license tax for revenues, commencing August 1, 2016, on every licensee operating a rental business within the city, in addition to license taxes heretofore fixed and imposed and now existing, in the

total amount of twelve and one-half percent (12.5%) of the amount of gross income derived from room or dwelling unit rentals received by each licensee from the renting of rooms or other temporary lodging within the corporate limits of the city.

2. There shall be and there hereby is fixed and imposed a license tax for revenues, commencing July 1, 2017, on every licensee operating a rental business within the city, in addition to license taxes heretofore fixed and imposed and now existing, in the total amount of thirteen and one-half percent (13.5%) of the amount of gross income derived from room or dwelling unit rentals received by each licensee from the renting of rooms or other temporary lodging within the corporate limits of the city. (Ord. 701, 7-14-2016)

B. Exemption From Tax: There shall be and there hereby is excepted from the license tax herein fixed and imposed each rental by any licensee of a room or dwelling unit for a period of twenty eight (28) consecutive days or more, provided that the ~~transient lodging room or dwelling unit~~ includes a kitchenette with a stove and oven, refrigerator, and a separate sink (excluding a bathroom sink). Furthermore, in order for this exemption to apply, the same natural person must reside in the ~~transient lodging facility~~ room or dwelling unit as described herein for a period of at least twenty eight (28) consecutive days. ~~"Transient lodging", by definition, shall include recreational vehicles and mobile homes having a stove and oven, refrigerator, and a separate sink (excluding a bathroom sink).~~ If the room or dwelling unit ~~transient lodging~~ does not have the aforementioned criteria the natural person will qualify for the exemption from the tax after having resided in the same room or dwelling unit for nine (9) consecutive months paying all applicable taxes during that time period. (Ord. 609, 12-8-2005)

### **3-3-12: RESTRICTIONS ON SHORT-TERM RESIDENTIAL RENTALS:**

No licensee may operate a short-term residential rental business and any business license issued to a licensee of a short-term residential rental business is void if:

1. The licensee is not the owner of the short-term residential rental.
2. The short-term residential rental is located within 660 feet of any other short-term residential rental (measured from property line to property line).

3. The short-term residential rental is operated without the oversight of a local contact person whose contact information has been provided in writing to both to the lessee and the City.

4. The licensee fails to notify the City in writing of all short-term residential rentals operated by licensee within the City.

**3-3-13: SEVERABILITY:**

If any provisions of this Chapter are held invalid, such invalidity shall not affect other provisions and each provision is hereby declared to be severable.

This Ordinance shall take effect from and after passage, approval, and publication.

PROPOSED on the \_\_\_\_ day of \_\_\_\_\_, 2019.

PROPOSED by \_\_\_\_\_.

PASSED on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Votes:

Yay: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Nay: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Absent:

---

---

---

---

---

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



# City of Ely Fire Department

1780 Great Basin Blvd.  
Ely, Nevada 89301

Business Phone: (775) 289 6633  
Fax: (775) 289 3122

---

## Paramedic Program Development Request

### OVERVIEW:

Currently the City of Ely Fire Department is providing Emergency Medical Services (EMS) at the Advanced Emergency Medical Technician level (AEMT).

The City of Ely Fire Department is requesting approval to begin providing Emergency Medical Services (EMS) at the Paramedic (NRP) level as well as development of a Critical Care Paramedic (CC-P) level/ Critical Care Transport (CCT). The request is a two part request meaning: Approval or denial for a Paramedic level 911 response and/or Approval or denial for a Critical Care Paramedic / Critical Care Transport service.

A paramedic (NRP) has a high level of pre-hospital medical training and involves key skills not performed by EMT's and AEMT's, often including cannulation (and with it the ability to use a range of drugs to relieve pain, correct cardiac problems, and perform endotracheal intubation), cardiac monitoring, tracheal intubation, pericardiocentesis, cardioversion, needle decompression and other skills such as performing a cricothyrotomy. The most important function of the paramedic is to identify and treat any life-threatening conditions and then to assess the patient carefully for other complaints or findings that may require emergency treatment. See Paramedic Protocols.

The Critical Care Paramedic (CC-P) / Critical Care Transport (CCT) would provide the City of Ely Fire Department the ability to provide ground transport when transport by air is unavailable and allowing billing at the CCT rates.

### PROGRAM COST/ FUNDING:

Initial estimates indicate the program has a start up cost of about \$1,500 or less to be used from the current EMS budget. (No additional or unbudgeted requests from the City are needed).

The Paramedic program will generate a higher level of insurance billing per incident, call dependent. All associated costs will be recovered from insurance billing. CCT billing recovers a higher rate than 911 Paramedic.

State licensing is the same cost for ILS service as it is for ALS service.

Paramedic employee hourly wage nationally is \$16.04 and Nevada is \$21.11

Program is fully supported by Dr. G.N Christensen, Ely Volunteer Fire Department, White Pine County Sheriff's Office, Reach Air and Nevada State EMS Office. The Nevada State EMS Office has issued approvals on ALS Treatment Protocols and tentative approvals on the ALS license pending equipment inspections.





# City of Ely Fire Department

1780 Great Basin Blvd.  
Ely, Nevada 89301

Business Phone: (775) 289 6633  
Fax: (775) 289 3122

---

## Equipment needed:

Endotracheal Intubation Supplies \$2.95  
Decompression \$11.95  
Cricothyrotomy Kit \$ 30.00  
Medications Case \$209.00  
Narcotics Case \$42.00  
Medications Safe \$89.00  
PLUS BLS and ILS supplies currently in use and stocked

## Medications needed: (See attached quotes, NOTE- price is usually associated with QTY's).

- The following narcotic medications are per vial.
- All non-narcotics are attached; ILS medications are also displayed on the quote.
- Most medications are good for 18-24 months.
- Most expensive Narcotic medication is Ketamine at \$19.48.
- Most expensive non-narcotic medication is Atropine at \$14.80

### Narcotics

Fentanyl - \$4.29  
Ketamine - \$19.48  
Lorazepam - \$6.13  
Midazolam - \$2.88  
Morphine - \$3.76

### Non-Narcotics

Magnesium Sulfate - \$2.50  
Adenosine - \$5.50  
Diltiazem - \$3.70  
Lidocaine - \$3.60  
Sodium Bicarb - \$12.00  
Dopamine - \$13.00

## CERTIFICATIONS:

### Initial Certification:

- Assistance to Firefighter Grants (AFG) offers the ability to fully fund the initial training programs. What the grant doesn't cover is employee wages during the training.
- Ability to utilize Paramedic programs in Reno, Salt Lake City and McCook, NE that support the working Paramedic. Possibility exists to attend a Paramedic Program with Great Basin College, locally in Ely with minimal travel to Elko.

### Re-certifications:

- Paramedics are required 60 hours every two years as compared to AEMT at 50 hours every two years.





# City of Ely Fire Department

1780 Great Basin Blvd.  
Ely, Nevada 89301

Business Phone: (775) 289 6633  
Fax: (775) 289 3122

---

## PROGRAM USE:

The national average indicates 75% of 911 calls could be handled by the AEMT level, including the "scoop and go method", while Paramedic level is used 55%.

Translating this data into White Pine County would include speculation and interpretation without properly completing an accurate study of this data over a year. A cost/use analysis could accurately be completed within the first year of the program launch to determine sustainability.

## PRO's and CON's

### Paramedic PRO's

- Large knowledge base of pre-hospital medicine and procedures
- A large array of medications from cardiac to pain management
- Survival rate 38.38% higher then compared to AEMT (total call volume)
- Cardiac Arrest survival rate is 24% with advanced medications and interventions

### Paramedic CON's

- Program cost higher then AEMT
- Initial Training education longer

## TIERED SERVICE:

Under our current license from Nevada State EMS the City of Ely Fire Department is considered a tiered service. Tiered service means we can operate at the EMT or AEMT levels depending on our staffing. Adding the Paramedic level would allow us to operate in the same manner.

In the future as the program sustainability allows, Firefighter/Paramedics could be hired off the street to reduce any costs to the City or having to utilize grant finding to train new employees.

## CONCLUSION:

Having a Paramedic level program with the City of Ely Fire Department would increase the pre-hospital medical care provided to the residents of the City and County, with incidents of Cardiac Arrest, Cardiac dysrhythmias, pain management and breathing problems topping the list of benefits. The program would generate a higher level of billing revenue for both the ALS and CCT. A 24% survival chance during a cardiac arrest event.