

1 **RESOLUTION APPROVING AND RATIFYING ACTIONS AUTHORIZED BY**
2 **THE CITY MANAGER REGARDING BUSINESS LICENSE FEES,**
3 **BUSINESS LICENSE STATUS, LAND USE STATUS, SEWER FEES, SPECIAL IMPROVEMENT**
4 **DISTRICT LIENS, AND ECONOMIC AND URBAN DEVELOPMENT AGREEMENTS FOR**
5 **COMMERCIAL BUSINESS TENANTS**

6 WHEREAS, current conditions related to the COVID-19 virus have resulted in a number of negative
7 impacts on businesses and individuals; and

8 WHEREAS, in an effort to provide affected businesses and individuals some relief from these
9 impacts, the City Manager desires to take action, or has taken action, to authorize a number of measures
10 regarding business license fees, other items pertaining to business license and land use status, sewer fees,
11 special improvement district liens, and Economic and Urban Development agreements for commercial
12 business tenants operating in office and retail locations; and

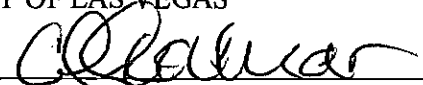
13 WHEREAS, the measures are described in the attached document; and

14 WHEREAS, the City Manager desires to have the Council authorize the actions so listed, including
15 ratification of any such actions already taken.

16 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS
17 VEGAS to authorize and ratify the actions described in the attached document. In the event of any conflict
18 or inconsistency between the terms of the attached document to this Resolution and the attached document
19 to Resolution R-19-2020, the terms of the attached document to this Resolution shall prevail.

20 PASSED, ADOPTED, AND APPROVED this 20th day of May, 2020.

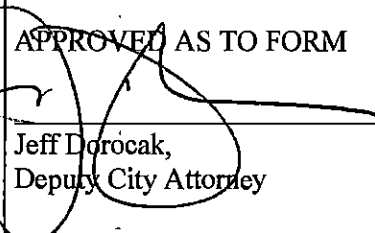
21 CITY OF LAS VEGAS

22 BY 
23 CAROLYN G. GOODMAN, Mayor

24 ATTEST:

25 
26 LUANN D. HOLMES, MMC
27 City Clerk

28 APPROVED AS TO FORM

29 
30 Jeff Dorocak,
31 Deputy City Attorney

32 5/11/2020
33 Date

ATTACHMENT
to
RESOLUTION APPROVING AND RATIFYING ACTIONS AUTHORIZED BY
THE CITY MANAGER REGARDING BUSINESS LICENSE FEES,
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BUSINESS LICENSE FEES AND STATUS

- **Grace period for March 1, April 1, May 1 and June 1 renewals**
 - **General & Privilege (excluding gaming)**

General & Privilege Licenses

- Essential businesses that had license renewal cycles March 1, April 1, and May 1 can pay their renewal fees by June 1 without penalty.
- Non-essential businesses that had renewal cycles March 1, April 1, May 1, and June 1 can pay their renewal fees by July 1 without penalty.

6.02.240 - Renewal—Notice—Due date.

(B) *The due date shall be the first day of the first month of a licensing period.*

6.02.250 - Delinquency—Expiration—Reinstatement.

(A) *All license fees other than gaming, alcoholic beverage, medical marijuana establishment, and marijuana establishment license fees shall become delinquent if not received within fifteen days after the due date. If full payment is not made within fifteen days after the due date, fifteen percent of the entire license fee shall be assessed as a penalty, payable in addition to the license fee;*

Pursuant to LVMC 6.02.250 (B), after 60 days of nonrenewal, licenses are deemed expired and assessed a \$50 reinstatement fee. This current administrative order will extend the 60 day period to June 1 or July 1 based on whether the business is essential or non-essential.

(B) *Except as otherwise provided in Subsection (E) with respect to ice cream truck, medical marijuana establishment and marijuana establishment licenses, all licenses for which fees and assessed penalty charges have not been paid within sixty days after the license fee due date are deemed expired and shall not be reinstated until the license fees, assessed penalty charges and a reinstatement fee of fifty dollars have been paid. A license is eligible for reinstatement only within the four-month period following its expiration.*

Ice Cream Trucks

Ice cream truck renewals are all due on April 1. They follow LVMC 6.02.250 (A) and receive a penalty of 15% if not paid by April 15. Ice cream trucks have been allowed to operate as an essential business. If payment is not made by June 1, they will be deemed out of business and are not eligible for a reinstatement. Payments received on or before June 1 will not be penalized.

6.47.030 - License—Application—Conditions of issuance. (ICE CREAM TRUCKS)

(4) *Are deemed expired and are marked "out of business" if not renewed by May 1, and thereafter are not eligible for reinstatement.*

Liquor Establishments

Liquor establishments are due on April 1. They are delinquent, with a 10% penalty if payment is not received on or before the due date and will receive a second penalty of 25% if payment is not received on or before the due date; for a total of 35%. As a non-essential business, alcohol renewal fees have been extended until July 1 without penalty, suspension or revocation.

6.50.370 - Semiannual fee—When due.

(A) *Each semiannual fee is due in advance on April 1st and October 1st in each year except that the applicant for a new alcoholic beverage license who starts business between April 1st and October 1st or between October 1st and April 1st shall have its semiannual fees prorated on a monthly basis.*

(B) *Any semiannual fee which is not received by the Department on or before the due date shall be assessed a late-payment penalty in an amount equal to ten percent of the amount of such semiannual fee. If the semiannual fee and penalty is not received by the Department within fifteen days after the due date, an additional penalty in an amount equal to twenty-five percent of such semiannual fee shall be assessed. If the semiannual fee and all penalties are not received by the Department within sixty days after the due date, the license shall be automatically suspended.*

Marijuana Establishments

Marijuana establishments, unlike the general and privilege licenses mentioned above, renew every July 1 and are an essential business. Their renewal fees are due on July 1 as scheduled.

Resort Hotel

The City of Las Vegas Department of Planning does hereby suspend until July 15, 2020, the provisions in Chapter 6.40, if any, of the Las Vegas Municipal Code that would suspend or revoke a privileged business license or negatively affect the business license status of a privileged business caused by the COVID-19 declared state of emergency. The suspension described in the preceding sentence is renewable beyond July 15, 2020, by approval of the Director of the Department of Planning. Requirements such as minimum number of rooms, minimum required square footage of usable floor space, maintaining certain amenities, such as a 24-hour restaurant or bar, could affect the current status of and the ability to reopen many privileged license establishments in City of Las Vegas. The minimum operating requirements of a gaming establishment can be suspended upon submitting an updated operational plan of changes to the Director of Planning.

LAND USE STATUS

In response to the force majeure precipitated by COVID-19 pandemic, the Department of Planning will toll the date in which a use has ceased to operate till the day after the State of Emergency has been lifted by the State of Nevada.

Uses prior to the State of Emergency

If a use ceased prior to the March 20, 2020 declaration of State of Emergency by the Governor, the amount of time the business was closed will not include the duration in which the declaration of State of Emergency was in effect. Specifically, the duration of time in which a use ceased will equal the time before the use had ceased prior to the declaration of a State of Emergency, as well as the time in which the use continued to cease after the termination of the declared State of Emergency.

Uses during the State of Emergency

Special Use Permits (SUP) exercised, Sexually Oriented Business and Marijuana uses: For land use rights that cannot be extended by Planning Commission or City Council action, pursuant to Title 19.12, Title 19.14.030(A), and/or Title 19.16, those land use rights being sought to be preserved will not be harmed. For any land owner or applicants seeking to preserve certain land use rights, the Department of Planning will toll the date in which a use

has ceased to operate till the day after the termination of the declared State of Emergency. The land use right will then be subject to the applicable code provisions for re-establishment.

SUPs not exercised and nonconforming uses: For land use rights that can be extended by Planning Commission or City Council action, pursuant to Title 12, Title 19.14.030(A), and/or Title 19.16, property owners and applicants shall file an Extension of Time application with the City of Las Vegas Department of Planning prior to the entitlement expiration date, the end of the abandonment period, or no later than 30 days of the termination of the declared State of Emergency, whichever is later.

SEWER FEES

To assist businesses and citizens experiencing hardships during this time, late fees, penalties and liens will not be assessed on Sewer billing, if the account is past due, from March 16 through thirty days following the Mayor's Declaration of an end to the current COVID-19 emergency. If you wish to be placed on a payment plan, please email sewerservices@lasvegasnevada.gov to arrange.

SPECIAL IMPROVEMENT DISTRICTS (SIDs) LIEN SALES

The Department of Finance has delayed the July lien sale until September 2020 for special improvement districts; these SIDs were established for the benefit of the development community. In addition, the Department of Finance has elected to reduce any associated penalty from 2% to 0% during that same period.

ECONOMIC AND URBAN DEVELOPMENT AGREEMENTS FOR COMMERCIAL BUSINESS TENANTS

General Office and Retail Space: City of Las Vegas and Redevelopment Agency Business Tenants

The list below delineates Economic and Urban Development Department tenant agreements and license/use agreements for commercial business tenants operating in office and retail locations. For the businesses listed, April rent was waived given the business closures mandated by the Governor's Directive.

Location	Tenant	April Rent
City Hall	Jimmy Johns	\$3,268
City Hall	Mto	\$3,193
HWS	Tech Impact	\$3,535
HWS	Eob	\$1,260
HWS	Eob	\$1,247
HWS	Npf	\$556
IIC - Bank of America	Terbine	\$4,600
IIC - Bank of America	Ntt	\$2,500
IIC - Bank of America	Ubicquia	\$1,500
IIC - Bank of America	Encryptics	\$1,500
IIC - Bank of America	Pam	\$1,200
IIC - Bank of America	Red Eye	\$500
IIC - Bank of America	Zenspace	\$300
IIC - Bank of America	Premium Media 360	\$250
IIC - Bank of America	3Di	\$190
IIC - Bank of America	Ai-Rgus	\$1
Medical District	Clark County Credit Union	\$2,580