

1 **BILL NO. 2007-29**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE TO ADD "PERMANENT TRADE SHOW FACILITY" AS A LIQUOR**
4 **LICENSING CATEGORY, AND TO PROVIDE FOR OTHER RELATED MATTERS.**

5 Proposed by: Mark Vincent, Director Summary: Adds "permanent trade show
6 Department of Finance and Business Services facility" as a liquor licensing category.

7 **THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN**

8 **AS FOLLOWS:**

9 **SECTION 1:** Title 6, Chapter 50, Section 20, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.50.020:** Unless the context otherwise requires, the scope of all words in this Chapter shall be
12 liberally construed in order to effectuate the purpose of this Chapter, and, in particular, the following
13 words shall have the meaning ascribed to them as follows:

14 "Alcoholic beverage" includes alcohol, spirits, liquor, wine and beer, and every liquid or solid which
15 contains alcohol, spirits, liquor, wine or beer; and which contains one-half of one percent or more of
16 alcohol by volume; and which is fit for beverage purposes, either alone or when diluted, mixed or
17 combined with other substances. Any liquid or solid containing beer or wine in combination with any
18 other alcoholic beverage shall not be construed to be beer or wine.

19 "Art gallery or art studio" means a business establishment where the general public is invited to view
20 artistic exhibitions, presentations and performances.

21 "Banquet facility" means any business establishment which is rented by individuals or groups to
22 accommodate private functions such as banquets, weddings, anniversaries, and other similar
23 celebrations. Such establishment may or may not include:

24 (1) Kitchen facilities for the preparation or catering of food.

25 (2) Outdoor gardens or reception facilities.

26 "Beer" means any alcoholic beverage obtained by the fermentation of any infusion or decoction of
27 barley, malt, hops or similar product, or any combination thereof, in water.

28 "Commercial center" means a concentration of retail stores that:

(1) Contains at least eighty thousand square feet of retail space enclosed within a building

1 or buildings;

2 (2) Contains at least one anchor retail store of at least twenty thousand square feet;

3 (3) Includes a parking lot common to the retail stores; and

4 (4) Is situated on at least fifteen gross acres of land.

5 “Convenience store” means a retail establishment other than a drugstore, which:

6 (1) Offers for sale prepackaged food products, household items and other goods commonly
7 associated with those products and items, provided that not more than thirty percent of its retail
8 inventory is devoted to alcoholic beverages; and

9 (2) Contains not less than one thousand-two hundred square feet, nor more than five
10 thousand square feet of floor space devoted to retail sales display, exclusive of warehouse and office
11 areas.

12 “Convention facility” means a structure which has at least 100,000 square feet of floor space utilized
13 for scheduling, hosting or accommodating a convention, trade show or temporary event, whether the
14 activity is open or closed to the general public. For purposes of this Chapter, the term includes a
15 stadium facility that is operated in conjunction with a convention facility[.], but does not include a
16 permanent trade show facility.

17 “Cooler” means any prebottled alcoholic beverage, other than beer or wine, that is a distillate obtained
18 from the fermentation of the natural contents of fruits or other agricultural products containing natural
19 or added sugar, which contains not more than ten percent of alcohol by volume.

20 “Downtown entertainment overlay district” means that area of the City bounded by Ogden Avenue
21 on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east.

22 “Drugstore” means a business establishment which occupies the entire business premises of a
23 building, or a portion of the business premises of a building which is segregated physically or spatially
24 from the rest of the business premises, where a State licensed pharmacist is present at all times the
25 pharmacy operation is open for the purpose of compounding or dispensing, or both compounding and
26 dispensing of drugs and medicines, and where a grill and fountain service is permitted as well as the
27 retail sales of sundries, including stationery, magazines, cosmetics and health items.

28 “Dues” means fees paid on a monthly, quarterly, semiannual or annual basis for the right to participate

1 in the planning of activities and the utilization of services offered by a nonprofit corporation,
2 association or organization. The term “dues” does not include fees paid for the purchase of drinks,
3 meals or other services offered by a nonprofit corporation, association or organization.

4 “Gift basket” means a receptacle or container that may be filled with food items or novelty items, and
5 alcoholic beverages in sealed or corked containers in quantities not greater than 25.4 ounces
6 (approximately 1.79 pints), measured in the English system of weights and measures, or in quantities
7 not greater than seven hundred fifty milliliters measured in the metric system of weights and measures.

8 “Groceries” means staple food stuffs, dairy products, meats and produce meant for human
9 consumption; articles used in the preparation of food; and household supplies.

10 “Grocery store” means a business establishment which occupies all of the business premises of a
11 building or a portion of the business premises of a building which is segregated physically or spatially
12 from the rest of the business premises, and which contains more than five thousand square feet of floor
13 space for the display and sale of groceries, exclusive of warehouse and office space.

14 “Hotel lounge bar” means a bar located in a lounge area of a hotel where alcoholic beverages are sold
15 for consumption in specified areas only.

16 “Liquor caterer” means a person who dispenses, serves or sells alcoholic beverages only for
17 consumption on the premises where the same are dispensed, served or sold during the times, dates and
18 places specified by permit.

19 “Liquor store” means a specialty retail store which does not allow entry to minors and which deals
20 exclusively in alcoholic liquors and related items including magazines, newspapers and packaged
21 snack foods.

22 “Malt beverage” means beer, ale, porter, stout and other similar fermented beverages of any name or
23 description, brewed or produced from malt, wholly or in part.

24 “Meal” means an assortment of food listed on a menu or otherwise offered as entrees, appetizers, side
25 items and desserts available at various hours of the day. The term “meal” does not include food listed
26 on a menu or otherwise offered that consists solely of sandwiches or salads, or both sandwiches and
27 salads.

28 “Nonprofit club” means any nonprofit corporation, association or organization which has been in

1 continual existence for at least two years prior to applying for a license under this Chapter, and:

- 2 (1) Is organized or qualified to do business and operate under the laws of the State;
- 3 (2) Has tax-exempt status granted by the United States Internal Revenue Service;
- 4 (3) Has a membership of at least one hundred members who are twenty-one years of age
5 or older and who pay dues to the nonprofit corporation, association, or organization; and
- 6 (4) Operates a clubhouse, clubroom or meeting room in a permanent location which it
7 owns or leases.

8 “Off-sale” means the sale of alcoholic beverages in original sealed or corked containers for
9 consumption off the premises where the same are sold.

10 “On-sale” means the sale of alcoholic beverages for consumption on the premises where the same are
11 sold.

12 “Permanent trade show” means an event held at a permanent trade show facility where products, goods
13 or wares are displayed for the purpose of exhibitors demonstrating and soliciting orders for the
14 wholesale of or offering for wholesale of such products, goods or wares exclusively to members of
15 a specific industry or industries.

16 “Permanent trade show facility” means a parcel or contiguous parcels of land with one or more
17 buildings located thereon consisting of a minimum of two hundred-fifty thousand square feet of floor
18 space used primarily to conduct one or more permanent trade shows annually, at which members of
19 the general public are not admitted.

20 “Restaurant” means a place which is regularly and in a bona fide manner used and kept open for the
21 service of meals to guests for compensation; and which has suitable kitchen facilities connected
22 therewith, containing conveniences for cooking an assortment of foods which may be required for
23 ordinary meals.

24 “Restaurant service bar” means a bar wherein alcoholic beverage drinks are prepared for service only
25 at tables in a restaurant for consumption only in connection with a meal on the premises where the
26 same is sold.

27 “Sale” means the act of selling and, in connection therewith, “sell” means, for compensation or any
28 other private or public business purpose at a commercial location, to sell, serve, give away, or

1 distribute; or to cause or permit to be sold, served, given away or distributed or to possess with the
2 intent to sell, serve, permit consumption, give away or distribute; or to solicit or receive orders to sell,
3 serve, give away or distribute.

4 “Specialty merchandise store” means a retail store located within a commercial center that:

5 (1) Has at least eighteen thousand square feet of gross floor area;

6 (2) Has at least eleven thousand five hundred square feet of floor space dedicated to the
7 sale and display of furniture, glassware, kitchenware and other household goods;

8 (3) Has at least three thousand six hundred square feet of floor space dedicated to the sale
9 and display of gourmet foods and nonalcoholic beverages; and

10 (4) Maintains an inventory of beer, wine and coolers with a wholesale value of at least
11 twenty-five thousand dollars.

12 “Supper club” means a restaurant and bar operation with alcoholic beverage sales wherein the bar area
13 is separated from the restaurant area by a barrier sufficient to prevent access to the bar area by minors
14 and the restaurant operation is the principal portion of the business.

15 “Wedding chapel” means a business establishment that is licensed to perform marriages in accordance
16 with State law.

17 “Wholesale dealer” or “wholesaler” means a person who sells alcoholic beverages for the purposes
18 of resale.

19 “Wine” means any alcoholic beverage, other than beer, obtained by the fermentation of the natural
20 contents of fruits or other agricultural products containing natural or added sugar, which contains not
21 more than twenty-two percent of alcohol by volume.

22 SECTION 2: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
23 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
24 6.50.175, reading as follows:

25 **6.50.175:** (A) A permanent trade show facility alcoholic beverage license authorizes the sale
26 of alcoholic beverages for consumption on the premises of a permanent trade show facility, provided
27 the condition set forth in Subsection (B) is satisfied.

28 (B) If requested by the Director or Metro on an event by event basis, the licensee

1 shall require that alcoholic beverages be sold and consumed only in a segregated and secured area
2 wherein only persons twenty-one years of age or older are permitted to enter.

3 SECTION 3: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
4 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
5 6.50.355, reading as follows:

6 **6.50.355:** (A) An exhibitor at a permanent trade show shall not sell alcoholic beverages at his
7 or her exhibit without first securing and maintaining an unexpired exhibitor alcoholic beverage permit
8 issued by the Department under a permanent trade show facility alcoholic beverage license.

9 (B) Permits shall not be issued by the Department without the written consent of
10 the permanent trade show facility alcoholic beverage licensee of the facility where the exhibit is
11 located.

12 (C) Permit applications shall be made on forms provided or approved by the
13 Department and filed with the Department by the permanent trade show facility alcoholic beverage
14 licensee not later than thirty days prior to the proposed event unless otherwise authorized by the
15 Director or his or her designee upon a showing of the impracticability of the licensee's compliance
16 with the advance filing requirement.

17 (D) The permit application shall set forth the following information and
18 documentation:

- 19 (1) Name and address of the applicant;
20 (2) Dates of the permanent trade show;
21 (3) Name and address of the permanent trade show facility where the
22 permanent trade show will be held;
23 (4) Written confirmation by the permanent trade show facility alcoholic
24 beverage licensee at the above-named permanent trade show facility that it consents to the applicant
25 being granted a permit under its alcoholic beverage license; and
26 (5) Types of alcoholic beverages to be served.

27 (E) Each event requires a separate permit.

28 (F) A nonrefundable fee of twenty-five dollars for each permit requested must be

1 paid when the application for a permit is filed.

2 (G) Permit applicants shall not be subject to the background and suitability approval
3 requirements of LVMC Chapter 6.06 and the alcohol awareness training requirements of this Chapter,
4 but shall comply with all other provisions of this Chapter that are not inconsistent with the provisions
5 of this Section.

6 (H) Applicants shall sell alcoholic beverages only at the locations within a
7 permanent trade show facility and on the dates designated in their permits.

8 (I) The permanent trade show facility alcoholic beverage licensee shall be
9 responsible to monitor all the exhibitors who are issued permits under its alcoholic beverage license
10 pursuant to this Section to ensure compliance with this Chapter.

11 (J) Not later than three days prior to a permanent trade show the Department shall
12 provide the facility licensee with the approved permits for distribution to the applicants with the
13 requirement that the applicants post such permits at their respective exhibit sites and that the facility
14 licensee maintain at the facility premises a master list of the approved permits.

15 SECTION 4: Title 6, Chapter 50, Section 360, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.50.360:** Each licensee shall pay to the Department the license fees set forth in the following
18 schedule:

	Semiannual	Original New
(A) Banquet facility	\$500	\$20,000
(B) Beer/wine/cooler art event on-sale	300	1,000
(C) Beer/wine/cooler on-sale	300	1,000
(D) Beer/wine/cooler off-sale	600	2,000
(E) Beer/wine/cooler on-off-sale	600	2,000
(F) Brew/pub/tavern	1,200	60,000
(G) Convention facility	1,200	60,000
(H) Gift basket limited	300	1,000
(I) Gift shop limited	500	2,500
(J) Grocery store internet sale	500	2,500

1	(K) Hotel lounge bar	1,200	60,000
2	(L) Keg beer	500	2,500
3	(M) Liquor caterer	500	2,500
4	(N) Nonprofit club general	200	1,000
5	(O) Nonprofit club restaurant service bar	100	500
6	(P) Package	750	20,000
7	(Q) <u>Permanent trade show facility</u>	<u>2,400</u>	<u>60,000</u>
8	[(Q)] (R) Restaurant service bar	600	30,000
9	[(R)] (S) Supper club	800	40,000
10	[(S)] (T) Tavern	1,200	60,000
11	Plus: fee for each additional bar	900	
12	[(T)] (U) Tavern-limited	800	20,000
13	[(U)] (V) Urban lounge	1,000	50,000
14	[(V)] (W) Wholesale general	1,000	5,000
15	[(W)] (X) Wine, beer, cordial, liqueur tasting	600	2,000

15 Each special event general licensee shall pay a license fee of seventy-five dollars per day.

16 Each special event beer/wine/cooler licensee shall pay a license fee of fifty dollars per day.

17 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
18 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
19 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
20 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
21 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
22 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
23 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
24 invalid or ineffective.

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SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY BRIDGES, City Clerk

APPROVED AS TO FORM:

Jerry G. Bellis 6-6-07
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2007, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2007, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:
16
17 BEVERLY BRIDGES, City Clerk

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19 FACMORGAN\CIVIL\agenda items\2007\6-20-07\2007-29.vpd
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