

1 **PROPOSED FIRST AMENDMENT**

2 **BILL NO. 2008-25**

3 **ORDINANCE NO. \_\_\_\_\_**

4 AN ORDINANCE TO ELIMINATE THE REQUIREMENT THAT A GENERAL  
5 BUSINESS-RELATED GAMING ESTABLISHMENT LICENSED TO SELL ALCOHOLIC  
6 BEVERAGES OBTAIN A SEPARATE SPECIAL USE PERMIT FOR THE GAMING USE, AND  
7 TO PROVIDE FOR OTHER RELATED MATTERS.

8 Sponsored by: Mayor Oscar B. Goodman

Summary: Eliminates the requirement that a  
9 general business-related gaming establishment  
10 licensed to sell alcoholic beverages obtain a  
11 separate special use permit for the gaming use.

12 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

13 AS FOLLOWS:

14 SECTION 1: Title 6, Chapter 40, Section 140, of the Municipal Code of the City of  
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.40.140:** (A) Restricted gaming shall be limited to the following locations within the City  
17 and limited in scope of operation as follows:

18 [(A)] (1) Locations licensed for the sale of alcoholic beverages, other than a  
19 tavern, supper club or urban lounge, having less than five thousand square feet of usable floor space  
20 shall be permitted to operate not more than seven slot machines.

21 [(B)] (2) Locations licensed for the sale of alcoholic beverages, other than a  
22 supper club or urban lounge, having at least five thousand square feet of usable floor space, and  
23 taverns, regardless of the amount of their usable floor space, shall be permitted to operate not more  
24 than fifteen slot machines.

25 [(C)] (3) Locations that are licensed as supper clubs may operate not more than  
26 five slot machines, but only if the slot machines[:

27 (1) Are] are counter top or table top video gaming devices that are  
28 located within the bar area of the business operation.]; and

(2) Have been approved by means of a special use permit for a  
general business-related gaming establishment in accordance with LVMC Title 19.]

[(D)] (4) Locations that are licensed as urban lounges may operate not more than

1 five slot machines, [, but only if the slot machines have been approved by means of a special use  
2 permit for a general business-related gaming establishment in accordance with LVMC Title 19.]

3 [(E)] (5) Locations not licensed for the sale of alcoholic beverages but for which  
4 locations a special use permit for a general business-related gaming establishment is obtained in  
5 accordance with LVMC Title 19, having less than five thousand square feet of usable floor space shall  
6 be permitted to operate not more than four slot machines;

7 [(F)] (6) Locations not licensed for the sale of alcoholic beverages but for which  
8 locations a special use permit for a general business-related gaming establishment is obtained in  
9 accordance with LVMC Title 19, having at least five thousand square feet of usable floor space shall  
10 be permitted to operate not more than fifteen slot machines;

11 [(G)] (7) Locations licensed to operate not more than fifteen slot machines prior  
12 to February 6, 1991; provided, however, that a location with less than five thousand square feet of  
13 usable floor space which has in excess of the number of slot machines permitted by [Subsections (A)  
14 and (E) of this Section] Paragraphs (1) and (5) of this Subsection (A) shall be limited to the operation  
15 of the number of slot machines licensed for such location as of February 6, 1991.

16 (B) Nothing in Subsection (A) of this Section shall be deemed to prohibit the  
17 imposition of a condition restricting the number of slot machines in connection with the approval of  
18 a special use permit for the sale of alcoholic beverages.

19 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
20 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
21 amending the description of the use "Gaming Establishment, General Business-Related," as found in  
22 the "Recreation, Entertainment & Amusement" element of Table 2, to read as follows:

23 **Description:**

24 A building or structure which is primarily used for some business other than gaming but in which  
25 restricted gaming is permitted pursuant to Title 6. For purposes of the Special Use Permit  
26 requirements of this Title, this use does not include a location that has obtained and maintains current  
27 licensing and zoning approvals to sell alcoholic beverages.

28 SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the following term and its  
2 corresponding definition:

3 “Gaming Establishment, General Business Related” means a building or structure which is primarily  
4 used for some business other than gaming but in which restricted gaming is permitted pursuant to Title  
5 6. For purposes of the Special Use Permit requirements of this Title, the term does not include a  
6 location that has obtained and maintains current licensing and zoning approvals to sell alcoholic  
7 beverages.

8 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010  
9 and 19.20.020 are deemed to be subchapters rather than sections.

10 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or  
11 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
12 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
13 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
14 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
15 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
16 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
17 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 \_\_\_\_\_, 2008.

APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

APPROVED AS TO FORM:

Val Steed      5-21-08  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2008, 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 \_\_\_\_\_, 2008, 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 amended and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

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APPROVED:

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By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

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ATTEST:

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\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

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