



Las Vegas

Agenda Item No.: 5.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: AUGUST 19, 2008

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JEBBIC

Consent Discussion

SUBJECT:
Bill No. 2008-39 Exempts from the City's noise regulations certain events within the Downtown Entertainment Overlay District. Proposed by: Scott D. Adams, Director of Business Development

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

Events that are authorized by a special event permit from the City are currently exempt from the City's noise regulations. This bill will provide a similar exemption for events that take place at businesses within the Downtown Entertainment Overlay District that have an alcoholic beverage license. The logistics and limitations of the special event permit process do not lend themselves to the nature and frequency of the entertainment events that will occur in the District - and in fact are the reason for the District.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2008-39
2. Business Impact Statement

Motion made by RICKI Y. BARLOW to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

SCOTT ADAMS, Director of the Office of Business Development, stated that the proposed amendment to the City Noise Ordinance relates to situations that are currently exempt from the ordinance; specifically any business that is licensed in accordance with the liquor license ordinance and located within the downtown overlay district.

RECOMMENDING COMMITTEE MEETING OF: AUGUST 19, 2008

He remarked that the entertainment district is a six-block area downtown and basically any business in that district would be exempt from the ordinance. At the present time, if a business located in this district wishes to organize an outdoor event, a special event permit must be requested anywhere from three to four months in advance.

MR. ADAMS attested to routine approvals of those types of permits, particularly citing the Beauty Bar. He indicated that the City has worked with the Fremont East District in perfecting the provision to make the Beauty Bar exempt. MR. ADAMS displayed a map indicating the various distances from the district, which in reality, does not significantly impact the noise situation that currently exists in the area.

MR. ADAMS commented that approval of the amendment will bring more live entertainment to downtown.

With regard to a recent complaint, COUNCILMAN BARLOW asked for the status of that conversation. DAVE BRATCHER, Redevelopment Officer, stated that the Beauty Bar held an event and as a result, an adjacent resident of the Johnny Carson Hotel filed a complaint with Business Services. BREE BLUMSTEIN, a representative of the Beauty Bar, met with the complainant and the issue was resolved. MR. BRATCHER indicated that since then no further complaints have been received.

BREE BLUMSTEIN, General Manager of the Beauty Bar Las Vegas, stated that she met with the individual who had complained about the noise and explained the circumstances of pulling permits for special events or foregoing the opportunity to provide live entertainment. MS. BLUMSTEIN apologized for any inconvenience and also offered to work with the manager of the Johnny Carson Hotel relative to future events. Additionally MS. BLUMSTEIN noted that the gentleman has since moved out of the apartments but had communicated with her expressing his regret that his complaint had caused undue harm to the reputation of the business.

COUNCILMAN BARLOW asked for an explanation of the exemption and how it works in regards to the residents and the surrounding businesses. MR. ADAMS explained that within the six-block area, any liquor licensee would be exempt from the provisions of the noise ordinance for a sponsored event. It means that they would not have to file for a special events permit. He listed additional items that would be exempt from the noise ordinance including: civic functions, without limitations, including parades, concerts, athletic events, group use of public facilities and other public gatherings, as well as sounds that are emitted in the performance of emergency work, such as ambulances.

COUNCILMAN BARLOW questioned whether new residents of high rise apartments would be made aware of the noise ordinance and exemptions. MR. ADAMS indicated the ordinance could be revisited for possible mitigations should a problem arise.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.