

BILL NO. 2009-9

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE ISSUANCE OF TEMPORARY BUSINESS LICENSES FOR PRIVILEGED BUSINESSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steve Wolfson

Summary: Authorizes the administrative issuance of temporary business licenses for privileged businesses.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

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

6.06.010: (A) The provisions of this Chapter apply to those businesses which are found by the City Council to require a high degree of supervision and to more seriously affect the economic, social and moral well-being of the City and its residents. These businesses have been commonly referred to as "privileged" and require City Council approval for a license[.] except for the license categories described in Paragraph (1) of Subsection (B).

(B) For purposes of this Chapter, the term "license approval authority" means:

(1) The Director, for licenses issued under the provisions of Chapters 6.47, 6.55 and 6.69; and

(2) The City Council, for all other categories.

SECTION 2: Title 6, Chapter 6, Section 51, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06.051: (A) At the request of an applicant, the [City Council or, as authorized by Subsection (C), the] Director may grant a temporary license, effective for a period not to exceed ninety days, pending [the Council's decision] final action regarding a license application in order for the license approval authority to determine:

(1) The applicant's fitness for a license; and

(2) The appropriateness of the applicant's business location.

Submitted after City Council

Date 3/18/09 Item 63

1 (B) A temporary license shall not be granted under this Section unless:

2 (1) All principals required to be approved for suitability have submitted a
3 complete investigation packet for determination of suitability and paid all applicable fees;

4 (2) The Director makes a preliminary finding that all of the principals of
5 the business are suitable; and

6 (3) The applicant has submitted a completed and accurate license
7 application and has paid all required application fees.

8 [(C) The Director shall have the authority to issue temporary licenses under this
9 Section for business licenses within the following categories:

10 (1) Ice cream truck;

11 (2) Mobile food vendor; and

12 (3) Reflexology.]

13 SECTION 3: Title 6, Chapter 6, Section 52, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.06.052:** (A) Prior to the expiration of a temporary license issued under LVMC 6.06.051, [A]
16 the temporary license may be [issued initially by the City Council for a] extended by the license
17 approval authority for an initial extension period of not to exceed six months.

18 (B) The [City Council] license approval authority may grant one additional
19 extension of a temporary license for a period not to exceed six months.

20 (C) When granting a temporary license or extension thereof, the [City Council]
21 license approval authority may impose any special conditions and restrictions [it deems] deemed
22 appropriate.

23 SECTION 4: Title 6, Chapter 6, Section 53, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.06.053:** During a temporary licensing period the applicant shall comply with any requirement
26 imposed by this Code, or other local, State or Federal law or regulation and any special conditions and
27 restrictions imposed by the [City Council.] license approval authority.

28 SECTION 5: This Ordinance shall become effective on July 1, 2009.

SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ~~ineffective by any court of competent jurisdiction, such decision shall not affect the validity or~~ effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 7: 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 _____, 2009.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Salsteed 4-1-09
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2009, 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 _____, 2009, 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

15 ATTEST:

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BEVERLY K. BRIDGES, CMC
City Clerk

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