

BILL NO. 2009-23

ORDINANCE NO. _____

AN ORDINANCE RELATING TO BUSINESS LICENSE CATEGORIES AND FEES; UPDATING THE LICENSE FEE PROVISIONS TO INCREASE THE GROSS SALES LICENSE FEE; INCLUDING ANNUAL LICENSE FEE ADJUSTMENTS FOR CERTAIN LICENSE CATEGORIES BASED ON THE CONSUMER PRICE INDEX AND THE CITY'S GROWTH RATE; ADJUSTING LICENSE FEES FOR CERTAIN ALCOHOLIC BEVERAGE LICENSES; ADDING PROVISIONS REGARDING THE LICENSING AND REGULATION OF PERSONS WHO RENT OR LEASE CERTAIN TYPES OF COMMERCIAL PROPERTY; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman David W. Steinman

Summary: Updates the City's business license fee provisions to increase the gross sales license fee; include for certain license categories annual fee adjustments based on the Consumer Price Index and the City's growth rate; adjust license fees for certain alcoholic beverage licenses; and add provisions regarding the licensing and regulation of persons who rent or lease certain types of commercial property.

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

SECTION 1: Title 6, Chapter 4, Section 5, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 6, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 5, reading as follows:

6.04.005: (A) Unless specifically provided otherwise in this Title, each person doing business in the City shall pay to the Department, in advance, a semiannual license fee based on the gross sales of the business. Commencing on July 1, 2009, the semiannual license fee shall be the gross sales multiplied by a percentage factor of .00075.

(B) In order to administer the provisions of this Title and provide statistical and demographic information, the Department shall have the authority to administratively create business licensing categories or classifications, with license fees based upon gross sales or gross revenue, for businesses which do not fit into existing categories or classifications.

SECTION 3: Title 6, Chapter 4, Section 20, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.04.020: (A) Persons doing business in the licensing categories described in [the sections of this Chapter that follow] LVMC 6.04.030 to 6.04.160, inclusive, shall pay in advance a semiannual or annual license fee at the [specified rates.] rates specified in those sections, subject to the annual adjustment described in Subsection (B) of this Section.

(B) At the beginning of each fiscal year commencing with July 1, 2010, each of the rates referred to in Subsection (A) of this Section shall be adjusted by multiplying that rate by the sum of:

(1) The percentage increase in the City's population; and

(2) The percentage increase in the Consumer Price Index for the year ending on December 31 next preceding the year for which the new rate is being calculated.

➔ The adjusted rate will then become the new base rate for calculating the business license fee for the next fiscal year.

(C) For purposes of this Section:

(1) The increase in the City's population shall be as estimated by the Planning and Development Department.

(2) The applicable Consumer Price Index shall be the U. S. Consumer Price Index for All Urban Consumers (CPI-U).

SECTION 4: Title 6, Chapter 40, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 5: Title 6, Chapter 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 110, reading as follows:

6.40.110: (A) Each licensee shall pay to the Department, in advance semiannually, the license fee amounts that are set forth in the following table, subject to the annual adjustment described in Subsection (B) of this Section:

...

...

Category	Fee (Dollars)
Each bridge, whist and solo	30.00
Chemin de fer (baccarat)	500.00
Crap table	
For one table	300.00
For each table over one	500.00
Sports pool (not including race books)	200.00
Bingo	150.00, plus 3.00 for each chair provided for players
Panguingue	60.00
Race book	800.00
Racehorse information service	600.00
Keno	600.00
Each roulette, "21," hazard, faro bank, wheel of fortune and big six wheel	300.00
Slot machines	
Establishment with five or less, each machine	50.00
Establishment with more than five, each machine	60.00
Stud poker and draw poker	100.00
Slot machine operator	300.00
Any other game	100.00

(B) At the beginning of each fiscal year commencing with July 1, 2010, each of the license fee amounts referred to in Subsection (A) of this Section shall be adjusted by multiplying that fee amount by the sum of:

- (1) The percentage increase in the City's population; and
 - (2) The percentage increase in the Consumer Price Index for the year ending on December 31 next preceding the year for which the new rate is being calculated.
- The adjusted fee amount will then become the new base amount for calculating the business license fee for the next fiscal year.

(C) For purposes of this Section:

(1) The increase in the City's population shall be as estimated by the Planning and Development Department.

(2) The applicable Consumer Price Index shall be the U. S. Consumer Price Index for All Urban Consumers (CPI-U).

SECTION 6: Title 6, Chapter 50, Section 360, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 7: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 360, reading as follows:

6.50.360: (A) Each licensee shall pay to the Department, in advance, the semiannual license fees set forth in the following schedule, subject to the annual adjustment described in Subsection (B) of this Section:

License Category	Semiannual License Fee (Dollars)
Banquet facility	500
Beer/wine/cooler art event on-sale	300
Beer/wine/cooler on-sale	300
Beer/wine/cooler off-sale	300
Beer/wine/cooler on-off sale	600
Brew/pub/tavern	1,200
Convention facility	1,200
Gift basket limited	300
Gift shop limited	500
Grocery store internet sale	500
Hotel lounge bar	1,200
Keg beer	500
Liquor caterer	500
Nonprofit club general	200
Nonprofit club restaurant service bar	100
Package	750

1	Permanent trade show facility	2,400
2	Restaurant service bar	600
3	Supper club	800
4	Plus: fee for each additional bar	750
5	Tavern (one bar)	1,200
6	Plus: fee for each additional bar	900
7	Tavern-limited	800
8	Plus: fee for each additional bar	500
9	Urban lounge	1,000
10	Plus: fee for each additional bar	750
11	Wholesale general	1,000
12	Wine, beer, cordial, liqueur tasting	600

13 Each special event general licensee shall pay a license fee of one hundred dollars per day.

14 Each special event beer/wine licensee shall pay a license fee of seventy-five dollars per day.

15 (B) At the beginning of each fiscal year commencing with July 1, 2010, each of the
16 license fee amounts referred to in Subsection (A) of this Section shall be adjusted by multiplying that
17 fee amount by the sum of:

- 18 (1) The percentage increase in the City's population; and
- 19 (2) The percentage increase in the Consumer Price Index for the year ending
20 on December 31 next preceding the year for which the new rate is being calculated.

21 The adjusted fee amount will then become the new base amount for calculating the business license
22 fee for the next fiscal year.

23 (C) For purposes of this Section:

- 24 (1) The increase in the City's population shall be as estimated by the
25 Planning and Development Department.
- 26 (2) The applicable Consumer Price Index shall be the U. S. Consumer Price
27 Index for All Urban Consumers (CPI-U).

28 SECTION 8: Title 6 of the Municipal Code of the City of Las Vegas, Nevada, 1983

1 Edition, is hereby amended by adding thereto a new chapter to consist of the provisions set forth
2 below as Sections 9 to 11, inclusive, of this Ordinance.

3 SECTION 9: No person shall engage in the business of renting or leasing property
4 that is zoned or developed for commercial use and is not utilized for residential use without first
5 obtaining and thereafter maintaining a valid unexpired license pursuant to this Title.

6 SECTION 10: (A) Except as otherwise provided in Subsection (B), each person
7 who is required to be licensed under this Chapter shall pay, in advance, a semiannual license fee
8 pursuant to the schedule set forth in LVMC 6.04.005.

9 (B) Any person who engages in the business described in Section 8 of this
10 Ordinance on behalf of another and who, by so doing, is subject to professional licensing under State
11 law, shall be licensed by the City under the applicable professional license category and shall pay the
12 applicable license fee.

13 SECTION 11: Any person subject to this Chapter who, on behalf of commercial
14 property owners, rents or leases property that is zoned or developed for commercial use and is not
15 utilized for residential use shall, upon the request of the Director, provide a list of all properties so
16 rented or leased.

17 SECTION 12: (A) The license fee increases established and provided for in this
18 Ordinance:

19 (1) Are needed in order to keep pace with inflation and to reflect increased
20 costs associated with the administration and enforcement of LVMC Title 6; and

21 (2) Are intended to help offset those costs and to provide additional general
22 fund revenues available for providing City services, including police and fire protection; the
23 construction and maintenance of highways, streets, and other infrastructure; and recreational activities
24 and cultural events.

25 (B) The revenue to be obtained as a result of the license fee increases referred to
26 in Subsection (A) is intended to be used for the purposes described in Paragraph (2) of Subsection (A)
27 of this Section.

28 SECTION 13: This Ordinance shall become effective on July 1, 2009.

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

9 SECTION 15: Whenever in this ordinance any act is prohibited or is made or declared
10 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
11 required or the failure to do any act is made or declared to be unlawful or an offense or a
12 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
13 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
14 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
15 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

16 SECTION 16: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

20 APPROVED:

21 By _____
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:

24 _____
25 BEVERLY K. BRIDGES, CMC
City Clerk

26 APPROVED AS TO FORM:

27 Val Steed 5-12-09
28 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 first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12 APPROVED:

13

14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, CMC
City Clerk

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