



Las Vegas

Agenda Item No.: 75.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 15, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT: **RECOMMENDING COMMITTEE: ELIGIBLE FOR ADOPTION AT THIS MEETING**

Bill No. 2009-22 ABYSSANCE FEES - Updates the business licensing provisions of the Municipal Code by adding certain administrative and service-related fees, and adjusting various license fees and license origination charges. Sponsored by: Councilman David W. Steinman

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will update the business licensing provisions of the Municipal Code by adding certain administrative and service-related fees, and adjusting various license fees and license origination charges. The bill is proposed to go into effect on July 1, 2009. Comments from affected business groups have been solicited and considered.

RECOMMENDATION:

FORWARDED to Full Council at 7/1/2009 City Council Meeting with no recommendation pursuant to a tie vote on a Do Not Pass recommendation by the 6/16/2009 Recommending Committee.

First Reading 5/20/2009; First Publication 6/19/2009

BACKUP DOCUMENTATION:

1. Bill No. 2009-22
2. Business Impact Statement
3. First Amendment
4. Submitted at Meeting Second Amendment

Motion made by STEVEN D. ROSS to Approve as Second Amendment

Passed For: 0; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

None; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as amended as Ordinance No. 6047.

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JIM DiFIORE, Business Services Manager, recommended the Council adopt a re-inspection fee of \$90 for an inspection conducted on a business that was noticed for a violation. This fee would increase to \$120 on a subsequent inspection if that violation had not been corrected. Currently no administrative fines or costs for service are assessed to a licensee for reinspection and approval of this bill would allow the City to recover its costs. A licensee may appeal the imposition of reinspection fees to the City Managers Office.

This bill will increase the processing fees for a general business license to \$50 and establish a reinstatement fee of \$50. It will create a non-refundable temporary license fee of \$250 for mobile food vendors, ice cream truck and reflexivity licenses and \$500 for all other licenses. If a licensee has a corporate officer that they wish to be waived from investigation, a fee of \$100 will be charged for that waiver. Also, this bill will reduce the real estate developer fee to 0.00056, based on a sliding scale of monthly gross sales.

MR. DiFIORE recommended that this bill has an effective date of January 1, 2010, with the exception of Section 7, which will be effective 10 days after adoption and publication. This will allow staff and the industry adequate time to make any necessary adjustments.

CITY ATTORNEY BRAD JERRE explained that the delay on this bill from the Recommending Committee resulted from the recommendation being forwarded to the City Council.

MR. DiFIORE informed MAYOR GOODMAN that staff had several meetings with members of the industry, including the Las Vegas Chamber of Commerce, to come to a mutual agreement on this bill.

ATTORNEY PAUL LARSEN, 300 South 4th Street, appeared on behalf of the Las Vegas Chamber of Commerce. He thanked CITY MANAGER ELIZABETH FRETWELL, MR. DiFIORE and CAROL MEYER, Supervisor of Business Services, for their work in addressing the Chambers concerns. He accepted the delay in the bill's implementation to January 2010 and noted that Section 7 will provide an additional service to businesses if adopted. He expressed his support of the bill as amended.

MAYOR GOODMAN thanked ATTORNEY LARSEN for working with staff on this bill and explained that he did not wish to impose a burden on the private sector during the recession. He also recognized MR. DiFIORE's efforts to work with the industry and expressed his appreciation.

COUNCILMAN ROSS recognized and thanked MR. DiFIORE for his hard work on this bill. He stated that this bill is about cost recovery on services provided to businesses and added that the City should promote a business-friendly environment. He noted that he had not supported this bill at the Recommending Committee meeting, but could support this version because it had approval from the impacted industries.

COUNCILMAN WOLFSON observed that businesses with no Code violations would not be affected by the reinspection fee. MR. DiFIORE clarified that businesses will not be charged the fee if the violation no longer exists upon reinspection. COUNCILMAN WOLFSON also noted

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that Section 7 will increase and enhance City services so businesses seeking privileged business licenses can open more quickly. MR. DiFIORE explained that, under Section 7, businesses would be granted a 90-day administratively approved license by paying the fee and would be able to begin operations two weeks sooner. Each subsequent temporary license extension would require approval from the Council.

COUNCILMAN ANTHONY stated the inspection fee is appropriate because it is similar to a fine for non-compliance. While he was initially concerned with raising business fees, he noted that his office had not received any comments on this bill and expressed his support.

CHIEF DEPUTY CITY ATTORNEY VAL STEED recommended approval of this bill as a Second Amendment.

