

BILL NO. 2011-18

ORDINANCE NO. _____

AN ORDINANCE TO MAKE MINOR ADJUSTMENTS TO THE LICENSING AND ZONING TREATMENT OF BEER/WINE/COOLER CULTURAL ESTABLISHMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Candace Falder, Director of Finance
Flinn Fagg, Acting Director of Planning

Summary: Makes minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments.

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

SECTION 1: Title 6, Chapter 50, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.040: A beer/wine/cooler [art] cultural event license authorizes the sale only of beer, wine and coolers for consumption only at [an art gallery or art studio] a museum, performing arts theater, or facility licensed as an art gallery or art studio, and only during the hours of an artistic exhibition, presentation or performance.

SECTION 2: Ordinance No. 6126 and Title 6, Chapter 50, Section 360, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.360 reads as follows:

6.50.360: Each licensee shall pay to the Department, in advance, the semiannual license fees set forth in the following schedule:

License Category	Semiannual License Fee (Dollars)
Alcoholic beverage caterer	500.00
Ancillary lounge bar	1,200.00
Banquet or event establishment	500.00
Beer/wine/cooler [art] <u>cultural</u> event on-sale	[300.00] <u>150.00</u>
Beer/wine/cooler on-sale	300.00
Beer/wine/cooler off-sale	300.00
Beer/wine/cooler on-off sale	600.00
Brew/pub/tavern	1,200.00
Convention facility	1,200.00
General on-sale	1,200.00

License Category	Semiannual License Fee (Dollars)
General on-sale (beer and wine)	500.00
Gift basket limited	300.00
Gift shop limited	500.00
Grocery store or mega store internet sale	500.00
Instructional wine making facility	600.00
Keg beer	200.00
Liquor manufacturer	1,000.00
Nonprofit club general on-sale	200.00
Nonprofit club restaurant service bar	100.00
Package	750.00
Permanent trade show facility	2,400.00
Restaurant service bar	600.00
Supper club	800.00
Plus: fee for each additional bar	750.00
Tavern (one bar)	1,200.00
Plus: fee for each additional bar	900.00
Tavern-limited	800.00
Plus: fee for each additional bar	500.00
Urban lounge	1,000.00
Plus: fee for each additional bar	750.00
Wholesale general	1,000.00
Wine, beer, cordial, liqueur tasting	600.00

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

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

SECTION 3: Ordinance No. 6126 and Title 6, Chapter 50, Section 380, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.380 reads as follows:

6.50.380: (A) The origination charge listed in this Section is a one time charge which is due and payable at the time of filing an application for an alcoholic beverage license. Origination charges are as follows:

...

...

License Category	Origination Charge (Dollars)
Alcoholic beverage caterer	4,000.00
Ancillary lounge bar	40,000.00
Banquet or event establishment	20,000.00
Beer/wine/cooler [art] <u>cultural</u> event on-sale	[1,000.00] 500.00
Beer/wine/cooler on-sale	2,500.00
Beer/wine/cooler off-sale	2,500.00
Beer/wine/cooler on-off sale	5,000.00
Brew/pub/tavern	75,000.00
Convention facility	75,000.00
General on-sale	75,000.00
General on-sale (beer and wine)	20,000.00
Gift basket limited	1,000.00
Gift shop limited	4,000.00
Grocery store or mega store internet sale	2,500.00
Instructional wine making facility	2,500.00
Keg beer	4,000.00
Liquor manufacturer	10,000.00
Nonprofit club general on-sale	2,000.00
Nonprofit club restaurant service bar	1,000.00
Package	40,000.00
Permanent trade show facility	60,000.00
Restaurant service bar	30,000.00
Supper club	40,000.00
Tavern	75,000.00
Tavern-limited	20,000.00
Urban lounge	50,000.00
Wholesale general	10,000.00
Wine, beer, cordial, liqueur tasting	2,000.00

(B) The transfer of an alcoholic beverage license from one licensee to another is exempt from the origination charge set forth in this Section.

(C) In connection with the issuance of an original new City alcoholic beverage license to an existing County alcoholic beverage licensee whose business premises have been annexed into the City, the Department shall waive the origination charge at the request of the applicant. However, a license concerning which such a waiver has been granted may not be sold, transferred to

1 a third party, or transferred to a new location, notwithstanding any provision of this Title to the
2 contrary.

3 SECTION 4: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
4 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended so that
5 the description of the use "Beer/Wine/Cooler Cultural Establishment," as found in the "Retail and
6 Personal Services" element thereof, to read as follows:

7 **Description:**

8 An establishment:

9 1. Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers, for
10 consumption only:

11 a. At a museum, performing arts theater, or facility licensed as an art studio or otherwise
12 licensed for art sales or display (or both); and

13 b. During the hours of an artistic exhibition, presentation or performance; and

14 2. That meets the Minimum Special Use Permit Requirements set forth below.

15 SECTION 5: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended so that the definition of the term
17 "Beer/Wine/Cooler Cultural Establishment" to read as follows:

18 "Beer/Wine/Cooler Cultural Establishment" means an establishment:

19 (1) Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers,
20 for consumption only:

21 (a) At a museum, performing arts theater, or facility licensed as an art studio or
22 otherwise licensed for art sales or display (or both); and

23 (b) During the hours of an artistic exhibition, presentation or performance; and

24 (2) That meets the criteria for a beer/wine/cooler cultural establishment as set forth in Table
25 2, as adopted in Section 19.04.010.

26 SECTION 6: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
27 Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting therefrom the term
28 "Beer/Wine/Cooler Art Event" and its corresponding definition.

1 SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010
2 and 19.20.020 are deemed to be subchapters rather than sections.

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

11 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this ____ day of _____, 2011.

15 APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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19 ATTEST:

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BEVERLY K. BRIDGES, MMC
City Clerk

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23 APPROVED AS TO FORM:

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Val Steed 3-1-11
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of ____, 2011, 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 ____, 2011, 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: _____

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12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, MMC
City Clerk

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