

Conditions of Approval for the Outdoor Entertainment Complex
Tavern Limited Alcohol Beverage License

1. The Licensee must provide a copy and maintain a Commercial General Liability Insurance policy (bodily injury, property damage, and liquor liability) in a policy limit not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in aggregate, which specifically includes liquor liability.
2. This license authorizes the owner or beneficial owner of the Licensed Premises to serve and allow for consumption of alcoholic beverages on and about the Licensed Premises within the common consumption area depicted by Exhibit 1 to these conditions (the "CCA"). The owner or beneficial owner of the Licensed Premises is entitled to lease space within the Licensed Premises to other persons for the sale of alcoholic beverages, but such lessees must apply for and receive an individual alcoholic beverage license from the City to engage in the sale of alcoholic beverages. The Licensed Premises shall have no more than five establishments authorized for the sale of alcoholic beverages pursuant to an alcoholic beverages license of any type, excluding this license for the Licensed Premises. Only one of the five establishments authorized to sell alcohol may sell alcoholic beverages without its own restaurant that is a part of its own licensed premises. Such restaurant must be in compliance with Title 6.50.020 – "Restaurant" means a place which is regularly and in a bona fide manner used and kept open for the service of meals to guests for compensation; and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals. "Meal" means an assortment of food listed on a menu which must include entrees, appetizers, side items and desserts available for purchase at various hours of the day.
3. Persons under twenty-one years of age are permitted within the Outdoor Entertainment Complex, but any persons under 18 must be accompanied by a parent or legal guardian at all times.
4. The Licensee shall comply with all state laws and regulations regarding liquor sales and consumption.
5. The Licensee shall not deviate from the minimum standards set forth by the internal sign plan approved by the Director.
6. The operations of the Licensed Premises must be consistent with, and in accordance to any Security Plan as approved or amended by the Director.
7. All designated security and monitors must be distinctively and uniformly attired to allow easy identification.
8. The Licensee is only authorized to permit consumption of alcoholic beverages in, upon or around the CCA after the Licensee receives written approval of the sign plan, the security plan and the site plan for the CCA by the Director. Any conditions required of the Licensee upon the Licensed Premises pursuant to any of these three plans are deemed to be conditions of this license for purposes of enforcement and discipline against the Licensee.
9. The Licensee must submit an entertainment schedule for the Licensed Premises at a frequency determined by the Director. Such submittal must clearly delineate entertainment confined to approved Entertainment Programming as provided below. Upon review of such schedule, the

Director may make a determination that any entertainment listed on the entertainment schedule exceeds the operational design designated in the approved Entertainment Programming by the Licensee and require the entertainment to be modified, be conducted as an Evening Event Operation (as defined below), or require a Special Event Permit to proceed with the entertainment.

10. Entertainment Programming is limited to the following:
 - a. Stage Performances for the entertainment of diners
 - i. Family Oriented Comedy Performances
 - ii. Fashion Shows
 - iii. Interactive Kids' Programming: Magicians, Stilt Walkers, Jugglers, Balloons
 - iv. Las Vegas Academy concerts
 - v. Live music for Happy House (5pm – 8pm)
 - vi. Weekend music performances at 8pm – Dueling Pianos, Jazz, International, Folk etc.
 - b. Pop-up Performances:
 - i. Fitness camps – Yoga in the Park, or similar
 - ii. Seasonal: Santa, July 4th, Halloween themed entertainment or displays
 - iii. Street Musicians
 - c. Theme Days which have activity lists approved in advance by the Director through the Entertainment Schedule and may include:
 - i. Blues Brunch (Weekends)
 - ii. Wine Wednesday (Wine Tastings)
 - iii. Throwback Thursday (Music from Different Decades)
 - iv. Fashion Friday
11. All employees of the Licensee must have a photo ID on file in the location, with a description of his/her position, duties and contact information. All contract employees of the Licensee must have a photo ID on file at the location with a description of his/her duties and contact information.
12. Any promoter ("Promoter" as defined by Title 6) utilizing the Licensed Premises for events at or upon the Licensed Premises must be licensed with the City of Las Vegas. The Licensee is wholly responsible any events and activity on the Licensed Premises planned and executed by a Promoter. Security shall not be managed or provided for any event by a Promoter.
13. The Licensee shall provide security for all events, including events planned and executed by a Promoter, pursuant to the approved Security Plan.
14. Any and all advertising materials provided by a Promoter for an event at or upon the Licensed Premises must be reviewed and approved by Director at least 30 days prior to such event.
15. If the Licensee permits a Promoter to use, for consideration or not, all or a portion of the Licensed Premises, the Promoter shall obtain and maintain a Special Event Permit for such event pursuant to LVMC Title 12.
16. Contact information for all individuals contracted to provide operational services such as entertainment and promotion of entertainment must be available through the on-site office on

the Licensed Premises and the Licensee must verify that such businesses are licensed by the City of Las Vegas.

17. Three operating plans for the Licensed Premises are approved:

Normal Operations – 9 am to 9pm daily, when Children’s Interactive Zone is open (“Normal Operations”).

- a. At least 2 restaurants must be open at all times that alcohol is served for consumption in the CCA.
- b. During Normal Operations, entertainment is limited to the entertainment listed at paragraph 10 through the sound system or live stage performances intended for the entertainment of diners and patrons utilizing the retail/dining amenities of the facility. Any live performance must be incidental to a patron’s primary purpose for visiting the facility and must not include advertised concerts marketed to patrons for attendance at the park primarily for a music event rather than the retail/dining purposes of the park.
- c. The Entertainment/Stage area may be open as a picnic area for diners and included in the CCA only when limited to 200 patrons in casual picnic or dining tables and chair groupings when at least two security guards holding licenses from the State of Nevada Private Investigator Board and employees of a City of Las Vegas Licensed business are present patrolling the grass area and consumption area. A depiction of the Grass Area/Seating Area is provided at Exhibit “1” and includes the area up to the Fire Access line. Any occupancy of the Grass Area/Seating Area in excess of 200 patrons is governed by Evening Event Operations and must satisfy the provision regulating Evening Event Operations. This area may be used for classes and gatherings excluding alcoholic beverages under Normal Operations for classes, fashion shows and seasonal activities
- d. The Licensee shall not operate any temporary or additional bars during Normal Operations, unless the temporary or additional bars are located in an enclosed, segregated area for a restricted private event that is inaccessible to any person under the age of 21.
- e. No persons under the age of 18 shall be present upon the Licensed Premises after 9:00 p.m. and no persons under the age of 21 shall be present after 10:00 p.m., unless specifically permitted as an explicit condition of a LVMC Title 12 Special Event Permit.
- f. At all times, there shall be security monitors employed by the Licensee at all entrances and exits to the Licensed premises.

Evening Event Operations – 10 pm to closing (“Evening Event Operations”). Evening Event Operations consist of the use of the facility as an entertainment venue with music, alcoholic beverage service and entertainment. Evening Event Operations permit the Licensee to serve patrons with alcoholic beverages and provide entertainment as approved by the paragraph 9 entertainment schedule. In addition, the Licensee may provide private events, provided that the event is executed by the employees of the

Licensee and not a Promoter. Any other use of the Licensed Premises shall require the Licensee or the Promoter to obtain a LVMC Title 12 Special Event Permit.

During Evening Event Operations:

- a. During Evening Event Operations, no person under 21 years of age shall be present upon the Licensed Premises.
- b. Concerts may be provided on the Entertainment/Stage area.
- c. Occupancy shall not exceed the limit permitted in the City of Las Vegas Fire approval.
- d. The Licensee is entitled to no more than six additional or temporary bars, but only in locations as approved by the Director.
- e. The Licensee shall provide a minimum security detail of security guards at a one licensed security guard or monitor for every seventy-five persons present at or upon the Licensed Premises, excluding employees of the Licensee or lessees, for any scheduled concerts when additional bars are added. The Licensee shall conduct Periodic occupancy counts to ensure compliance with this provision during scheduled events that are held pursuant to Special Event Operations.
- f. At all times, there shall be security monitors employed by the Licensee at all entrances and exits to the Licensed Premises.

Special Event Operations – Ticketed and Advertised events with any patrons under 21 years of age admitted.

If the Licensee desires to permit use of some or all of the Licensed Premises by a Promoter for an all ages event at any time of the day, or the Licensee desires to increase the number of temporary or additional bars in excess of the six permitted above during Evening Event Operations, or there is a ticketed event to be held at the on or upon the Licensed Premises which is advertised to the public, the person responsible for the event, whether the Licensee or a Promoter shall obtain and maintain a LVMC Title 12 Special Event Permit.

A Title 12 Special Event Permit is not required for use of the Licensed Premises for Normal Operations or Evening Event Operations as provided above.

18. Permitted Uses – Only the following uses are allowed to be licensed for operation within the container park.

- a. General Retail
- b. Restaurants
- c. Bakery & Food Sales
- d. Tour operator
- e. Cosmetology and Barber
- f. Art Gallery and Sales

- g. Museum
 - h. Banquet and Event space
 - i. Exhibits
 - j. Live Entertainment
 - k. Instructional Services
19. The Licensee shall maintain a contract with security firm licensed by the state and the City, or provide security staff employed by the Licensee that are licensed individually by the State Board of Private Investigation for positions specified as security within in the Security Plan. The Licensee shall require that all security personnel and monitors, whether provided by a security company or employed by the Licensee must maintain Alcohol Awareness Cards and annual alcohol training as approved in the security plans.
 20. The Licensee shall require and confirm that all employees of the Licensee are trained annually pursuant to the terms and conditions of the approved security plan, and records of annual training of all employees must be kept by the manager of the facility and available to Business Licensing upon request.
 21. The Licensee is responsible for any violation of law occurring within the Licensed Premises, including violations of the law or conditions of this license by its lessees independently authorized to serve alcohol within the Licensed Premises.
 22. Any alcoholic beverage allowed to be consumed within the common consumption area shall be served in alcoholic beverage containers that display and contain the licensee's trade name, logo or some other mark that is unique to that license and licensee. No containers within the consumption area may be larger than 16 oz. Any bottle service is limited to a specific licensed area specifically identified in the individual license.
 23. Alcoholic beverages are not allowed to leave the Licensee's premises or be consumed outside the CCA.
 24. A key employee must be on the Licensed Premises during any operation of the Licensed Premises.
 25. The Licensee shall appear before the City Council six months from the date of licensure for a review of its operations and to review conditions on the license, as well as consider any new conditions that may be required by the City Council. If there have been violations of the law or conditions of this license, the City Council may choose to hold a hearing to impose discipline against the Licensee, including, but not limited to, suspension or revocation of the License.
 26. The Licensee shall appear before the City Council one year from the date of licensure for a review of its operations and to review conditions on the license, as well as consider any new conditions that may be required by the City Council. If there have been violations of the law or conditions of this license, the City Council may choose to hold a hearing to impose discipline against the Licensee, including, but not limited to, suspension or revocation of the License.