

BILL NO. 2014-2

ORDINANCE NO. _____

AN ORDINANCE TO ELIMINATE SPECIFIC BUSINESS LICENSE CATEGORIES FOR COMMERCIAL DANCE STUDIOS, DISTRESS MERCHANDISE SALES, RETAIL DEMONSTRATION MERCHANDISE SALES STORES, AND FOOD CATERERS; ELIMINATE CHARITABLE SOLICITATION PERMITS; AMEND LICENSING REGULATIONS AND FEES RELATED TO OUTDOOR PAY TELEPHONES, PROFESSIONAL PROMOTERS AND CHARITABLE OR SPECIAL EVENTS; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Eliminates specific business license categories for commercial dance studios, distress merchandise sales, retail demonstration merchandise sales stores, and food caterers; eliminates charitable solicitation permits; and amends licensing regulations and fees related to outdoor pay telephones, professional promoters, and charitable or special events.

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

SECTION 1: Title 6, Chapter 22, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 6, Chapter 27, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 3: Title 6, Chapter 34, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 4: Title 6, Chapter 39, of the Municipal Code of the City of Las Vegas, Nevada, 1983 edition is hereby repealed in its entirety.

SECTION 5: Title 6, Chapter 72, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 6: Title 6, Chapter 4, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.04.030: Businesses within the following licensing categories shall pay a fifty dollars annual

business license fee, as set forth below:

Billiard or pool hall, with the fee amount to be charged for each billiard or pool table.

Bowling center, which is a business providing a place to engage in the sport of bowling. The fee amount shall be charged for each alley.

Tobacco dealer, which is any person licensed pursuant to NRS Chapter 370 to sell tobacco. The fee amount shall be charged for each sales location, whether a machine, retail location, or warehouse facility.

Delivery service, which is any business providing a transport of goods from one location to another location for a fee. The license fee shall be charged for the first vehicle used in the business, and a thirty dollar annual fee to be charged for each additional vehicle used in the business. An applicant for this license may be required by the Director to furnish a State license or certificate, if applicable, or written verification that such license or certificate is not required.

Nonprofit commercial enterprise, which is any commercial enterprise regularly engaged in by an organization that has duly qualified as tax exempt under the Internal Revenue Code. The category does not include an organization whose commercial activities consist solely of one or more of the following:

(A) Occasional fundraising activities;

(B) Solicitation activities that are [subject to the provisions of LVMC Chapter 6.22;] governed by the provisions of State law pertaining to solicitation by nonprofit organizations;

(C) The sale of items that are intended to convey a religious, political or ideological message.

Transfer and storage company, with the fee amount to be charged for the first truck used in the business, and a thirty dollar annual fee to be charged for each additional truck used in the business.

SECTION 7: Title 6, Chapter 40, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.060: The Director may in his discretion approve any charitable or educational organization [which has obtained a charitable solicitations permit] to conduct and maintain any games or sports pool,

1 provided such charitable or educational organization has first obtained the approval of the State Gaming
2 Control Board as required by NRS 463.409.

3 SECTION 8: Title 6, Chapter 58, Section 20, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.58.020:** It is unlawful for any person to install or maintain an outdoor pay telephone without having
6 obtained a license to do so. [An initial license application must include the location of each outdoor pay
7 telephone by street address and the telephone number for each telephone, or such other identifying
8 information as will allow the City to implement the provisions of this Chapter. On a quarterly basis, each
9 licensee must provide to the Department a list of locations from which telephones have been removed and
10 new locations where telephones have been installed. Each list must include the same identifying
11 information as is required for an initial application.]

12 SECTION 9: Title 6, Chapter 58, Section 30, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.58.030:** The license fee for each person required to be licensed under this Chapter is [a quarterly
15 fee of one and one-half percent of the gross revenue attributable to the outdoor pay telephones installed by
16 that person within the City. The license fee is due on the fifteenth day of the second month following the
17 end of each calendar quarter.] two hundred dollars annually.

18 SECTION 10: Title 6, Chapter 58, Section 50, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.58.050:** The licensee's name and telephone number shall be prominently displayed on each outdoor
21 pay telephone. Each outdoor pay telephone shall be maintained by the licensee in good repair and in a clean
22 and safe condition at all times. In addition, each public outdoor pay telephone shall be installed in
23 accordance with any durability and design standards established by the Department of Public Works. Each
24 licensee must maintain a map and address list of the location of each outdoor pay telephone and make it
25 available to the Director upon request.

26 SECTION 11: Title 6, Chapter 58, Section 70, of the Municipal Code of the City of Las

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

6.58.070: (A) The City[, through its Department of Finance and Business Services or its Department of Neighborhood Services,] is authorized to remove any private or public outdoor pay telephone which has been installed or maintained in violation of this Chapter. The City shall send a written notice to the owner, operator or licensee at least seven days prior to removal stating that the outdoor pay telephone is subject to removal unless the owner, operator or licensee provides evidence of compliance with this Chapter or requests a hearing before the Director of Planning [Finance and Business Services,] or the Director's designee. Unless the Director determines that the installation jeopardizes the public health, safety or welfare, the action to remove the telephone shall be stayed pending resolution of any hearing that has been requested. The decision by the Director or the Director's designee following the hearing shall be final.

(B) Any outdoor pay telephone removed by the City may be reclaimed by the owner within thirty days after removal upon reimbursement to the City for removal and storage costs. Any outdoor pay telephone not so reclaimed may be disposed of as unclaimed property or destroyed.

SECTION 12: Title 6, Chapter 58, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.58.090: If the City[, through its Department of Finance and Business Services Planning or Building - Code Enforcement or its Department of Neighborhood Services,] determines that the continued operation of a particular outdoor pay telephone contributes to ongoing drug trafficking, loitering, street gangs, illegal activities, unsightly graffiti or conduct detrimental to the tranquility of the neighborhood, or has a deleterious impact upon the surrounding neighborhood or upon the public health, safety and welfare, it may declare the telephone a nuisance and notify the licensee, who shall remove the outdoor pay telephone within fourteen days, or such other time as specified by the notice. Any outdoor pay telephone not so removed may be abated or removed by the City in accordance with the abatement procedure set forth in LVMC Chapter 9.04, to the extent not inconsistent with this Section. After the City removes the outdoor pay telephone, the City shall notify the owner, installer or other responsible person of the removal if such

1 person or persons are known to or reasonably can be determined by the City. Such notice shall be given
2 within five days after removal of the outdoor pay telephone or within such additional time as may be
3 necessary to locate and identify such person or persons. The City must not dispose of the outdoor pay
4 telephone for thirty days following its removal. The owner may reclaim the outdoor pay telephone within
5 thirty days after removal upon reimbursement to the City for removal and storage costs. Any outdoor pay
6 telephone not so reclaimed may be disposed of as unclaimed property or destroyed.

7 SECTION 13: Title 6, Chapter 62, Section 30, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.62.030:** This Chapter does not apply to:

10 (A) Charitable solicitations conducted in compliance with Chapter ~~6.22~~11.62,
11 Chapter 6.78 or the provisions of NRS Chapters 82 and 598 that pertain to such solicitations.

12 (B) Temporary merchants and mobile food vendors to the extent they are subject to
13 and in compliance with, the provisions of this Title which govern those businesses.

14 (C) The selling, offering for sale or soliciting of orders for goods or services from
15 licensed wholesale or retail businesses located within the City, except with regard to the provisions of
16 LVMC 6.62.020(B).

17 SECTION 14: Title 6, Chapter 62, Section 50, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.62.050:** Any person who is required to have a permit under this Chapter must file an application
20 with the Director and pay a nonrefundable processing fee of ~~[thirty]~~ fifty dollars. The application must be
21 made upon forms provided by the Department. The Department may require such information as is
22 required of business license applicants under Chapter 6.02, as well as the following:

23 (A) The name and a description of the business or enterprise which the applicant
24 proposes to engage in or represent;

25 (B) The dates on which the applicant desires to peddle or solicit;

26 (C) A description of the selling methods to be used and the nature of the products or

1 services to be offered; and

2 (D) Such other information or documentation as the Department may require in order
3 to establish the applicant's suitability and fitness for approval.

4 SECTION 15: Title 6, Chapter 71, Section 100, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.71.100:** Each operator, other than a patriotic, philanthropic, religious, social service, welfare,
7 benevolent, educational, civic or fraternal organization, [to which LVMC Chapter 6.22 applies,] shall pay
8 the license fees that are provided for in LVMC Chapter 6.46.

9 SECTION 16: Title 6, Chapter 78, Section 10, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.78.010:** Unless the context requires otherwise, the following definitions apply to this Chapter:

12 [(A) "Producer or promoter" means any person who is directly or indirectly responsible for the
13 organization of a special event and who directly or indirectly receives:

14 (1) Admission or entrance fees paid by participants or spectators; or

15 (2) Compensation, consideration or revenue from sponsors or private donors.]

16 "Charitable" means and includes the words patriotic, philanthropic, religious, social service, welfare,
17 benevolent, educational, civic or fraternal, either actual or purported.

18 "Charitable organization" has the same meaning as provided at LVMC 11.62.020(A).

19 "Contributions" means and includes the words alms, food, clothing, money, subscription, property, the loan
20 of money or property, financial assistance or items of personal property.

21 "Professional promoter of charitable events" means a person who, for compensation, plans, promotes,
22 conducts, manages or carries on or attempts to plan, promote, conduct, manage or carry on any drive or
23 campaign for the purpose of soliciting contributions for or on behalf of any charitable person, or engages in
24 the business of soliciting contributions for charitable purpose and who directly or indirectly receives:

25 (1) Admission or entrance fees paid by participants or spectators; or

26 (2) Compensation, consideration or revenue from sponsors or private donors.

1 “Professional promoter of non-charitable events” means a person who, for compensation, plans, promotes,
2 conducts, manages, carries on or attempts to plan, promote, conduct, manage or carry on any drive or
3 campaign for the purpose of organizing a special event or any other type of event where more than three
4 hundred persons are expected to attend, and who directly or indirectly receives:

5 (1) Admission or entrance fees paid by participants or spectators; or

6 (2) Compensation, consideration or revenue from sponsors, owners or beneficial owners of an
7 establishment.

8 “Solicit” and “solicitations” means the request, either directly or indirectly, for contributions on the plea or
9 representation that such contributions or any proceeds to be derived therefrom will be used for a charitable
10 purpose. Without limiting the generality of the above, such words shall include the following methods of
11 securing contributions on the plea or representation that it will be used for a charitable purpose:

12 (1) Any oral or written request;

13 (2) The distribution, circulation, mailing, posting or publishing of any handbills, written
14 advertisement or publication;

15 (3) The making of any announcement through the press, radio, television, or by telephone or
16 telegraph concerning an appeal, assembly, athletic or sporting event, bazaar, benefit, campaign, contest,
17 dance, dinner, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, or
18 similar events, which the general public is requested to patronize or to which the general public is requested
19 to contribute; or

20 (4) the sale of or the offer or attempt to sell any advertisement, advertising space, book,
21 coupon, magazine, merchandise, subscription, ticket or other thing.

22  A “solicitation,” as defined herein, shall be deemed completed when made, whether or not the person
23 making the same receives any contribution or makes any sale.

24 [(B)] “Special event” means any event:

25 (1) Described as a special event in LVMC 12.02.010; and

26 (2) At which at least three hundred persons are expected to attend.

SECTION 17: Title 6, Chapter 78, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.78.020: No person shall act as a [producer or promoter of special events] professional promoter of charitable events or a professional promoter of non-charitable events without first obtaining a valid unexpired license pursuant to this Code. This requirement does not apply to an officer or employee of a business or charitable organization who is conducting an event:

(A) For the regular business customers of that business or member of a charitable organization;

(B) Within the indoor premises of that business or charitable organization; and

(C) In the normal course of the business operations for which that business is properly licensed.

SECTION 18: Title 6, Chapter 78, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.78.030: Each licensee shall pay in advance a license fee of [fifty dollars per special event.] two hundred dollars annually.

SECTION 19: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 35, reading as follows:

6.78.035: The Director may impose reasonable conditions on a license which may include, without limitation:

(A) Reporting all events and solicitations that have already been conducted by the licensee within a period specified by the Director, including dates, times and locations;

(B) Reporting in advance, up to thirty days in advance, all events and solicitations to be conducted by the licensee, including dates, times and locations, and the names of profiles of entertainers to be participating;

(C) Providing the Director with a copy of the federal and state registrations of

1 charitable organizations contracted to the licensee;

2 (D) Providing a listing of the names and addresses of employees of the licensee who
3 are to be involved in an event or solicitation.

4 SECTION 20: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
5 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 40, reading as
6 follows:

7 **6.78.040:** Each licensee shall make available its books and records for one year after each event or
8 charitable solicitation for audit by the Director or his authorized representative.

9 SECTION 21: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
10 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 45, reading as
11 follows:

12 **6.78.045:** Each licensee is responsible for, and may be subject to disciplinary action for, the acts and
13 omissions of its principals, agents, employees, promoters and solicitors.

14 SECTION 22: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 50, reading as
16 follows:

17 **6.78.050:** No professional promoter of charitable events shall represent in connection with any
18 solicitation that the issuance of the license by the City constitutes an endorsement or approval of the
19 purposes of such solicitation by the City or any officer or employee thereof.

20 SECTION 23: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
21 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 55, reading as
22 follows:

23 **6.78.055:** No professional promoter of charitable events shall make any fraudulent or misleading
24 representation to anyone being solicited respecting any charitable purpose for which such funds are being
25 solicited.

26 SECTION 24: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,

1 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 60, reading as
2 follows:

3 **6.78.060:** No professional promoter of charitable events shall fail to disclose, upon request, to any
4 person being solicited for a charitable organization exactly what percentage of the funds to be given, paid
5 or contributed by the person being solicited will go or be donated to the charitable or welfare purpose.

6 SECTION 25: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
7 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 65, reading as
8 follows:

9 **6.78.065:** Within the first thirty seconds of any solicitation by telephone, the professional promoter
10 of charitable events or any person employed or soliciting on behalf of a professional promoter making the
11 solicitation must identify himself by his full name, his business affiliation (if he is a professional promoter
12 of charitable events) and the name of the charitable organization on whose behalf the solicitation is being
13 made.

14 SECTION 26: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 70, reading as
16 follows:

17 **6.78.070:** (A) No professional promoter of charitable events shall commingle his personal funds
18 with contributions collected through a charitable solicitation.

19 (B) Every professional promoter of charitable events shall establish a special trustee
20 bank account for each charitable solicitation with which he is connected, into which shall be placed all
21 money coming into his hands in connection with such solicitation.

22 (C) Separate books or records shall be kept by a professional promoter of charitable
23 events for each solicitation, showing the amount of each contribution coming into his hands and the name
24 of the person making such contribution. Such books or records shall also show all disbursements made of
25 the contributions.

26 (D) All such books, records and special trustee bank accounts shall be subject to audit

1 by the Director or his representatives.

2 SECTION 27: Title 6, Chapter 80A, Section 30, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.80A.030:** This Chapter does not apply to:

5 (A) Charitable solicitations conducted in compliance with [Chapter 6.22;] State law
6 governing that activity; or

7 (B) The selling, offering for sale, or soliciting of orders for goods or services from a
8 licensed wholesale or retail business at the licensed location of that business.

9 SECTION 28: Title 6, Chapter 90, Section 90, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.90.090:** Any organization that qualifies as a non-profit, charitable or religious organization [and has
12 obtained a charitable solicitations permit pursuant to LVMC Chapter 6.22] is exempt from the provisions of
13 Sections 6.90.060, 6.90.070 and 6.90.080 of this Chapter.

14 SECTION 29: Title 9, Chapter 28, Section 110, of the Municipal Code of the City of Las
15 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **9.28.110:** No person shall sell fireworks at retail in the City except recognized local charitable and
17 fraternal organizations who have applied for and obtained a permit from the Department of Fire Services.
18 The permit requirement is in addition to any applicable requirement of [LVMC Chapter 6.22.] State law
19 governing solicitations. Each applicant for a permit must pay, at the time of application, a permit fee of
20 fifty dollars for each location.

21 SECTION 30: Title 10, Chapter 65, Section 60, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **10.65.060:** The provisions of this Chapter, with the exception of Section 10.65.050, shall not apply to:

24 (A) Persons who comply with the provisions of [Chapter 6.22 of this Code] State law
25 regarding charitable solicitations;

26 (B) Persons who engage or employ minors to solicit or sell subscriptions to

1 newspapers or magazines from door-to-door when such newspapers or magazines are delivered by carriers
2 who take title to and deliver them on established routes, whether such solicitations or sales occur within a
3 carrier's designated route or not; and

4 (C) Minors who make solicitations or sales on behalf of the persons described in
5 subsections (A) and (B) of this Section.

6 SECTION 31: Title 10, Chapter 78, Section 30, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **10.78.030:** (A) The prohibitions contained in Section 10.78.020 do not apply to any sale or display
9 on a vacant lot or unoccupied lot by the owner of such lot, or in a parking lot by the owner or operator of
10 such lot, if the activity is authorized by and in accordance with the zoning regulations which are applicable
11 to such lot.

12 (B) The prohibitions contained in Section 10.78.020 do not apply to any sale or display
13 on a vacant lot or unoccupied lot by a person other than the owner of such lot, or in a parking lot by a
14 person other than the owner or operator of such lot, if:

15 (1) The activity is authorized by and in accordance with the zoning regulations
16 which are applicable to such lot;

17 (2) The owner, or, if applicable, the operator of such lot has consented in
18 writing to the activity; and

19 (3) The written consent is posted in a conspicuous, readily-visible place at the
20 location of the sale or display or, in the case of a motor vehicle which is equipped with a windshield, on the
21 inside surface of the windshield, facing outward. The written consent must be signed by the owner or, if
22 applicable, the operator of the lot, the name and address of such owner or operator, the name and address of
23 the person or organization for whose benefit the consent is given, the type of display or sale to be permitted
24 and the period for which the consent is given.

25 (C) The prohibitions contained in Section 10.78.020 do not apply to any temporary
26 sale or display by a nonprofit organization which has:

1 (1) [Obtained a charitable solicitation permit for the activity pursuant to
2 Chapter 6.22;] Complied with the provisions of State law regarding charitable solicitations; and

3 (2) Obtained and posted a written consent to the activity in accordance with
4 the requirements set forth in paragraphs (2) and (3) of Subsection (B) of this Section.

5 (D) The provisions of Section 10.78.020 do not prohibit the operator of a motor vehicle
6 which is being advertised for sale from parking the vehicle in a parking lot if the circumstances indicate
7 that the vehicle is being parked in connection with the use of the establishment or development to which
8 the parking lot pertains, and not for the purpose of displaying the vehicle for sale.

9 SECTION 32: Title 10, Chapter 80, Section 30, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **10.80.030:** [80.020.] The prohibitions contained in Section 10.80.020 do not apply:

12 (A) To any tour bus when it is being used to transport passengers on a "celebrity
13 home" tour or to any function of a duly established and recognized nonprofit organization [for which
14 function the organization has obtained a charitable solicitation permit pursuant to Chapter 6.22]; provided,
15 however, that no such vehicle shall be allowed to stand or park in any one location for a period in excess of
16 thirty minutes;

17 (B) To any tour bus when it is located on property which is used as the base of
18 operation for such vehicle;

19 (C) In the case of an emergency which requires the standing or parking of such vehicle
20 contrary to the provisions of Section 10.80.020.

21 SECTION 33: Title 11, Chapter 60, Section 30, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **11.60.030:** (A) The operator of a bus, other than a tour bus, shall:

24 (1) Not stand or park such vehicle upon any street at any place other than a
25 bus stop, bus stand or the origin or destination point for the route to which such vehicle is assigned which
26 has been designated in accordance with Section 11.60.010 of this Chapter;

1 (2) Not stop such vehicle upon any street at any place for the purpose of
2 loading or unloading passengers or their baggage other than at a bus stop, bus stand, passenger loading
3 zone or the origin or destination point for the route to which such vehicle is assigned which has been
4 designated in accordance with Section 11.60.010, except in case of an emergency;

5 (3) Not use any location as the point of origin or destination of the route of
6 such vehicle other than the origin or destination point for the route to which such vehicle is assigned which
7 has been designated in accordance with Section 11.60.010; [or]

8 (4) Enter a bus stop, bus stand, passenger loading zone or origin or destination
9 point on a public street in such a manner that the bus when stopped to load or unload passengers or baggage
10 shall be in a position with the right-hand front wheel of such vehicle not farther than eighteen inches from
11 the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other
12 vehicular traffic;

13 (5) Not stand or park a bus at a bus stop or an origin or destination point for a
14 period of time longer than has been designated for such bus stop or origin or destination point in
15 accordance with Section 11.60.010.

16 (B) (1) Except as otherwise provided in paragraph (2) of this Subsection, the
17 operator of a tour bus shall not stand or park such vehicle, except while actually and expeditiously engaged
18 in the loading or unloading of passengers, upon any street except at a location which has been duly
19 designated and marked as a tour bus loading zone in accordance with Section 11.44.080.

20 (2) The prohibition contained in paragraph (1) of this Subsection does not
21 apply:

22 (a) To any tour bus when it is being used to transport passengers on a
23 "celebrity home" tour or to any function of a duly established and recognized nonprofit organization for
24 which function the organization has [obtained a charitable solicitation permit pursuant to Chapter 6.22;]
25 complied with any applicable requirements of State law regarding charitable solicitations; provided,
26 however, that no such vehicle shall be allowed to stand or park in any one location for a period in excess of

thirty minutes,

(b) In the case of an emergency which requires the standing or parking of such vehicle contrary to the provisions of paragraph (1) of this subsection.

SECTION 34: Title 11, Chapter 62, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.62.020: As used in this Chapter, unless the context otherwise indicates, the following terms shall have the meanings that are ascribed to them as follows:

(A) "Charitable organization" means an organization which:

(1) The Secretary of the Treasury has determined is an exempt organization pursuant to the provisions of Section 501(c) of the Internal Revenue Code; and

(2) Holds a current certificate of organization or is currently qualified by the Secretary of State to do business in this State.

(B) "Highway" means the entire width between the boundary lines of every way maintained by a public authority when any part thereof is open to the use of the public for purposes of vehicular traffic. The term does not include a "freeway" as that term is defined in NRS 408.060.

(C) "Highway solicitation permit" means a certificate of authority issued by the [Department of Business Activity] Department of Public Works to a charitable organization which allows the holder of the permit to solicit charitable contributions for its organization while standing on the median strip of any highway or the sidewalk adjacent to the highway within the jurisdiction of the City.

SECTION 35: Title 11, Chapter 62, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.62.030: No charitable organization shall solicit contributions from the median strip of any highway or the sidewalk adjacent to the highway within the jurisdiction of the City without first obtaining and thereafter maintaining [a valid unexpired charitable solicitation permit pursuant to LVMC Chapter 6.22 and] a valid unexpired highway solicitation permit[.] and proof of compliance with any State law requirements regarding charitable organizations.

1 SECTION 36: Title 11, Chapter 62, Section 50, of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **11.62.050:** (A) An application for a highway solicitation permit shall be made to the Department
4 of [Business Activity] Public Works upon forms provided by the Department.

5 (B) An application shall be filed with the Department at least five business days prior
6 to the date on which the solicitation is to begin and shall contain the following information:

7 (1) The name, street address, and telephone number of the applicant and the
8 charitable organization of behalf of which the application is made;

9 (2) The name, street address, and telephone number of the person who will be
10 responsible for the conduct of the solicitation;

11 (3) The date on which the solicitation is to begin and the time of day when the
12 solicitation is to begin and end for each day requested;

13 (4) The location(s) of the solicitation;

14 (5) The purpose of the solicitation;

15 (6) Proof of being a charitable organization as defined herein; and

16 (7) A declaration that no one less than eighteen years of age will be permitted
17 to participate in the solicitation.

18 (C) A post office box address shall be unacceptable as a street address on an
19 application where a street address is required; provided, however, an applicant may identify and designate
20 on his application a post office box address as the address to which he prefers correspondence to be mailed.

21 SECTION 37: If any section, subsection, subdivision, paragraph, sentence, clause or
22 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
23 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
24 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
25 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
26 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,

1 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

2 SECTION 38: Whenever in this ordinance any act is prohibited or is made or declared to
3 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
4 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
5 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
6 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
7 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
8 of this ordinance shall constitute a separate offense.

9 SECTION 39: All ordinances or parts of ordinances or sections, subsections, phrases,
10 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
11 Edition, in conflict herewith are hereby repealed.

12 PASSED, ADOPTED and APPROVED this _____ day of _____, 2014.

13
14 APPROVED:

15
16 By _____
CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 _____
19 BEVERLY K. BRIDGES, MMC
City Clerk

20
21 APPROVED AS TO FORM:

22 Val Steed
23 Val Steed,
Deputy City Attorney

12-16-13
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2014, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2014, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:
15 _____
16 BEVERLY K. BRIDGES, MMC
City Clerk

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