

1 **BILL NO. 2013-61**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND LVMC 6.50.285 TO CLARIFY THAT THE OWNER OF AN
4 ESTABLISHMENT ADJACENT TO A PEDESTRIAN MALL THAT IS LICENSED TO CONDUCT
5 NONRESTRICTED GAMING AND IS AUTHORIZED TO SELL ALCOHOLIC BEVERAGES
PURSUANT TO A TAVERN LICENSE MAY OPERATE ONE OR MORE BARS UPON SUCH
ADJACENT PEDESTRIAN MALL, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends LVMC 6.50.285 to clarify
that the owner of an establishment adjacent to a
pedestrian mall that is licensed to conduct
nonrestricted gaming and is authorized to sell
alcoholic beverages pursuant to a tavern license
may operate one or more bars upon such adjacent
pedestrian mall.

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

12 SECTION 1: Ordinance No. 6266 and Title 6, Chapter 50, Section 285, of the Municipal
13 Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.285 reads
14 as follows:

15 **6.50.285:** (A) Notwithstanding any provision in this Chapter to the contrary, the owner of an
16 establishment adjacent to or within the pedestrian mall that holds a tavern license is authorized to sell
17 alcoholic beverages through a walk-up window that faces a street alignment within the boundaries of the
18 pedestrian mall, except for the Casino Center Boulevard and 4th Street alignments. Prior to the placement
19 or construction of such window, a licensee shall comply with all requirements of the Director, the Building
20 Official and the Director of Public Works. Such window shall be considered another bar at the
21 establishment for purposes of this Chapter.

22 (B) Notwithstanding any provision in this Chapter to the contrary, the owner of an
23 establishment licensed to operate nonrestricted gaming that is also authorized to sell alcoholic beverages
24 upon the premises of that establishment pursuant to a tavern alcoholic beverage license may locate [a] one
25 or more temporary or permanent [bar] bars upon an adjacent pedestrian mall, provided that such bar or bars
26 [is] are directly adjacent to the premises of that establishment and upon the pedestrian mall. Prior to the

1 placement or construction of such bar or bars, a licensee shall comply with all requirements of the Director,
2 the Building Official and the Director of Public Works.

3 SECTION 2: 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 City
7 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
8 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,
9 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

10 SECTION 3 Whenever in this ordinance any act is prohibited or is made or declared to
11 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
12 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
13 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
14 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
15 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
16 of this ordinance shall constitute a separate offense.

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1 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this ____ day of _____, 2014.

5 APPROVED:

6
7 By _____
CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 _____
BEVERLY K. BRIDGES, MMC
10 City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 12-3-13
13 Val Steed, Date
14 Deputy City Attorney
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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2013, 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