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**BILL NO. 2012-6**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO CONTINUE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF THE ORIGINATION CHARGE FOR NEW URBAN LOUNGE AND TAVERN-LIMITED LICENSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Flinn Fagg, Director of Planning      Summary: Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

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

SECTION 1: In February 2010, the City Council adopted Ordinance No. 6077, which authorized, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses. The intent of that ordinance was to encourage new urban lounge and tavern-limited licenses within the districts to which they pertain. In February 2011, by means of Ordinance No. 6132, the City Council extended the effects of that ordinance for new applications for another year. The City Council desires once again to extend the effects of that ordinance for new applications for a third year. Therefore, the Department of Planning or its successor, in accordance with Section 2 of this Ordinance, may waive origination charges otherwise imposed by LVMC 6.50.380 for urban lounge and tavern-limited licenses.

SECTION 2: The waiver referred to in Section 1 of this Ordinance may be granted pursuant to a qualifying waiver application that is filed with the Department of Planning between the effective date of this Ordinance and one year thereafter. Any such waiver shall be conditioned upon activation of the business license within the following time periods after the submittal of a qualifying waiver application:

- (A) One year, for a business to be located within an existing structure; or
- (B) Two years, otherwise.

SECTION 3: Notwithstanding any provision of Title 6 of the Las Vegas Municipal Code to the contrary, a business license concerning which a waiver has been granted pursuant to this Ordinance and which has been activated:

- 1 (A) May not be sold or transferred to a third party; and
- 2 (B) May not be transferred to a new location unless the location is within the district
- 3 to which the license pertains, the location is approved in accordance with the requirements of Title
- 4 19, and the license holder remains the same.

5 SECTION 4: For purposes of Sections 2 and 3 of this Ordinance:

6 (A) "Activation of a business license" means that the license has been issued and

7 the business authorized by the license has opened for business operation.

8 (B) "Qualifying waiver application" means an application for waiver that is:

- 9 (1) Submitted in connection with a business license application; and
- 10 (2) Accompanied by a copy of an application for special use permit that has
- 11 been filed with the Department of Planning (or its successor) pursuant to Title 19 of the Las Vegas
- 12 Municipal Code.

13 SECTION 5: Nothing in this Ordinance shall be deemed to affect waiver applications

14 filed before the effective date of this Ordinance.

15 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or

16 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or

17 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

18 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

19 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

20 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

21 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,

22 invalid or ineffective.

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SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, MMC  
City Clerk

APPROVED AS TO FORM:  
Val Steed      1-18-12  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2012, 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 \_\_\_\_\_, 2012, 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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APPROVED:

By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, MMC  
City Clerk