

**BILL NO. 2011-4**

**ORDINANCE NO. 6132**

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2  
3 AN ORDINANCE TO CONTINUE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER  
4 OF THE ORIGINATION CHARGE FOR NEW URBAN LOUNGE AND TAVERN-LIMITED  
5 LICENSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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Sponsored by: Mayor Oscar B. Goodman

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. The City Council desires to extend the effects of that ordinance for new applications for another year. Therefore, the Department of Finance and Business Services 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 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:

- (A) May not be sold or transferred to a third party; and

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

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

5 (A) "Activation of a business license" means that the license has been issued and  
6 the business authorized by the license has opened for business operation.

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

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

12 SECTION 5: Nothing in this Ordinance shall be deemed to affect waiver applications  
13 filed before the effective date of this Ordinance.

14 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or  
15 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
16 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
17 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
18 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
19 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
20 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
21 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 2<sup>nd</sup> day of February, 2011.

APPROVED:

By   
OSCAR B. GOODMAN, Mayor

ATTEST:

  
BEVERLY K. BRIDGES, MMC  
City Clerk

APPROVED AS TO FORM:

 1-10-11  
Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 19<sup>th</sup> day of January, 2011, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 2<sup>nd</sup> day of February, 2011, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

- VOTING "AYE": Mayor Goodman and Councilmembers Reese, Tarkanian, Barlow and Anthony
- VOTING "NAY": None
- EXCUSED: None
- ABSTAINED: None
- DID NOT VOTE: Councilmembers Wolfson and Ross

APPROVED:

  
\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

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

**BUSINESS IMPACT STATEMENT  
BILL NO. 2011-4**

**(Continues to authorize, on a temporary basis, the waiver of the origination charge  
for new urban lounge and tavern-limited licenses)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-4, that would continue to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

**1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

Not applicable

**2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:**

**Adverse effects:**

None

**Beneficial effects:**

Availability of waiver of origination charges

**Direct effects:**

Availability of waiver of origination charges

**Indirect effects:**

None

**3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:**

Not applicable

**4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:**

No additional cost

**5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:**

Not applicable

**6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:**

Not applicable

**7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:**

Not applicable

Date: January 10, 2011

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

6930706

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/20/2011 to 01/20/2011, on the following days:

01/20/2011

BILL NO. 2011-4  
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.  
Sponsored by: Mayor Oscar B. Goodman  
Summary: Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.  
At the City Council meeting of JANUARY 19, 2011  
BILL NO. 2011-4 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE  
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA  
PUB: January 20, 2011  
LV Review Journal

Signed: \_\_\_\_\_

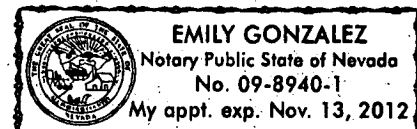
*Stacey M. Lewis*

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

*20th* day of *Jan.* 2011.

Notary Public

*Emily Gonzalez*



AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

6967851

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/05/2011 to 02/05/2011, on the following days:

02/05/2011

RECEIVED  
CITY CLERK

2011 FEB 14 P 1:49

BILL NO. 2011-4  
ORDINANCE NO. 6132

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of January 2011 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 2nd day of February 2011, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Tarkanian, Ross, Barlow and Anthony.  
VOTING "NAY": NONE  
EXCUSED: REESE and WOLFSON.

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA

PUB: February 5, 2011  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE  
14 day of Feb., 2011.

Emily Gonzalez  
Notary Public

