

1 **FIRST AMENDMENT**

2 **BILL NO. 2011-18**

3 **ORDINANCE NO. 6147**

4 **AN ORDINANCE TO MAKE MINOR ADJUSTMENTS TO THE LICENSING AND ZONING**
5 **TREATMENT OF BEER/WINE/COOLER CULTURAL ESTABLISHMENTS, AND TO PROVIDE**
6 **FOR OTHER RELATED MATTERS.**

6 **Proposed by: Candace Falder, Director of Finance** **Summary: Makes minor adjustments to**
7 **Flinn Fagg, Acting Director of Planning** **the licensing and zoning treatment of**
8 **beer/wine/cooler cultural establishments.**

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

10 **SECTION 1: Title 6, Chapter 50, Section 40, of the Municipal Code of the City of**
11 **Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:**

12 **6.50.040: A beer/wine/cooler [art] cultural event license authorizes the sale only of beer, wine and**
13 **coolers for consumption only at [an art gallery or art studio] a museum, performing arts theater, or**
14 **facility licensed as an art gallery or art studio, and only during the hours of an artistic exhibition,**
15 **presentation or performance.**

16 **SECTION 2: Ordinance No. 6126 and Title 6, Chapter 50, Section 360, of the**
17 **Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section**
18 **6.50.360 reads as follows:**

19 **6.50.360: Each licensee shall pay to the Department, in advance, the semiannual license fees set**
20 **forth in the following schedule:**

21

License Category	Semiannual License Fee (Dollars)
Alcoholic beverage caterer	500.00
Ancillary lounge bar	1,200.00
Banquet or event establishment	500.00
Beer/wine/cooler [art] <u>cultural</u> event on-sale	[300.00] 150.00
Beer/wine/cooler on-sale	300.00
Beer/wine/cooler off-sale	300.00
Beer/wine/cooler on-off sale	600.00
Brew/pub/tavern	1,200.00
Convention facility	1,200.00

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License Category	Semiannual License Fee (Dollars)
General on-sale	1,200.00
General on-sale (beer and wine)	500.00
Gift basket limited	300.00
Gift shop limited	500.00
Grocery store or mega store internet sale	500.00
Instructional wine making facility	600.00
Keg beer	200.00
Liquor manufacturer	1,000.00
Nonprofit club general on-sale	200.00
Nonprofit club restaurant service bar	100.00
Package	750.00
Permanent trade show facility	2,400.00
Restaurant service bar	600.00
Supper club	800.00
Plus: fee for each additional bar	750.00
Tavern (one bar)	1,200.00
Plus: fee for each additional bar	900.00
Tavern-limited	800.00
Plus: fee for each additional bar	500.00
Urban lounge	1,000.00
Plus: fee for each additional bar	750.00
Wholesale general	1,000.00
Wine, beer, cordial, liqueur tasting	600.00

Each special event general licensee shall pay a license fee of one hundred dollars per day.

Each special event beer/wine licensee shall pay a license fee of seventy-five dollars per day.

SECTION 3: Ordinance No. 6126 and Title 6, Chapter 50, Section 380, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.380 reads as follows:

6.50.380: (A) The origination charge listed in this Section is a one time charge which is due and payable at the time of filing an application for an alcoholic beverage license. Origination charges are as follows:

...

License Category	Origination Charge (Dollars)
Alcoholic beverage caterer	4,000.00
Ancillary lounge bar	40,000.00
Banquet or event establishment	20,000.00
Beer/wine/cooler [art] <u>cultural</u> event on-sale	[1,000.00] 500.00
Beer/wine/cooler on-sale	2,500.00
Beer/wine/cooler off-sale	2,500.00
Beer/wine/cooler on-off sale	5,000.00
Brew/pub/tavern	75,000.00
Convention facility	75,000.00
General on-sale	75,000.00
General on-sale (beer and wine)	20,000.00
Gift basket limited	1,000.00
Gift shop limited	4,000.00
Grocery store or mega store internet sale	2,500.00
Instructional wine making facility	2,500.00
Keg beer	4,000.00
Liquor manufacturer	10,000.00
Nonprofit club general on-sale	2,000.00
Nonprofit club restaurant service bar	1,000.00
Package	40,000.00
Permanent trade show facility	60,000.00
Restaurant service bar	30,000.00
Supper club	40,000.00
Tavern	75,000.00
Tavern-limited	20,000.00
Urban lounge	50,000.00
Wholesale general	10,000.00
Wine, beer, cordial, liqueur tasting	2,000.00

(B) The transfer of an alcoholic beverage license from one licensee to another is exempt from the origination charge set forth in this Section.

(C) In connection with the issuance of an original new City alcoholic beverage license to an existing County alcoholic beverage licensee whose business premises have been annexed into the City, the Department shall waive the origination charge at the request of the applicant. However, a license concerning which such a waiver has been granted may not be sold, transferred to

1 a third party, or transferred to a new location, notwithstanding any provision of this Title to the
2 contrary.

3 SECTION 4: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
4 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended so that
5 the description of the use "Beer/Wine/Cooler Cultural Establishment," as found in the "Retail and
6 Personal Services" element thereof, to read as follows:

7 **Description:**

8 An establishment:

9 1. Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers, for
10 consumption only:

11 a. At a museum, performing arts theater, or facility licensed as an art studio or otherwise
12 licensed for art sales or display (or both); and

13 b. During the hours of an artistic exhibition, presentation or performance; and

14 2. That meets the Minimum Special Use Permit Requirements set forth below.

15 SECTION 5: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended so that the definition of the term
17 "Beer/Wine/Cooler Cultural Establishment" to read as follows:

18 "Beer/Wine/Cooler Cultural Establishment" means an establishment:

19 (1) Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers,
20 for consumption only:

21 (a) At a museum, performing arts theater, or facility licensed as an art studio or
22 otherwise licensed for art sales or display (or both); and

23 (b) During the hours of an artistic exhibition, presentation or performance; and

24 (2) That meets the criteria for a beer/wine/cooler cultural establishment as set forth in Table
25 2, as adopted in Section 19.04.010.

26 SECTION 6: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
27 Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting therefrom the term
28 "Beer/Wine/Cooler Art Event" and its corresponding definition.

1 SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010
2 and 19.20.020 are deemed to be subchapters rather than sections.

3 SECTION 8: This Ordinance has been drafted and processed as an amendment to
4 Title 19 of the Municipal Code as it exists and existed prior to May 1, 2011. On that date, a new Title
5 19 (the Unified Development Code) goes into effect. In recognition of the transition from one Title
6 19 to the other, the Department of Planning is authorized and directed to conform the substantive
7 changes made by this Ordinance with the provisions of the Unified Development Code.

8 SECTION 9: If any section, subsection, subdivision, paragraph, sentence, clause or
9 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
10 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
11 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
12 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
13 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
14 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
15 invalid or ineffective.

16 SECTION 10: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this 20th day of April, 2011.

20 APPROVED:
21 By *Oscar B. Goodman*
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:
24 *Vicky Skilbred*
25 BEVERLY K. BRIDGES, MMC
City Clerk
26 By: **Vicky Skilbred, CMC**
Acting City Clerk

27 APPROVED AS TO FORM:
28 *Val Steed* 4-20-11
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 16th day of March, 2011, and referred to a committee for recommendation;
3 thereafter the said committee reported favorably on said ordinance on the 20th day of
4 April, 2011, which was a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council as amended and adopted by the
6 following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Tarkanian, Ross,
Barlow and Anthony

8 VOTING "NAY": None

9 EXCUSED: Councilmember Wolfson

10 ABSTAINED: None

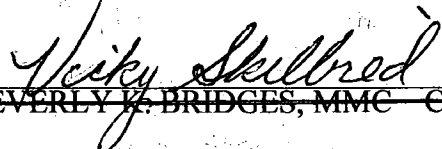
11 DID NOT VOTE: None

12 APPROVED:

13
14 

OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 
17 ~~BEVERLY V. BRIDGES, MMC City Clerk~~

18
19 **By: Vicky Skilbred, CMC**
Acting City Clerk

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 7102650

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/07/2011 to 04/07/2011, on the following days:

04/07/2011

BILL NO: 2011-18

AN ORDINANCE TO MAKE MINOR ADJUSTMENTS TO THE LICENSING AND ZONING TREATMENT OF BEER/WINE/COOLER CULTURAL ESTABLISHMENTS; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Candace Falder, Director of Finance; Finn Faag, Acting Director of Planning

Summary: Makes minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments.

At the City Council meeting of MARCH 16, 2011

BILL NO. 2011-18 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

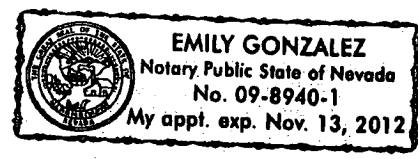
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA

PUB: April 7, 2011
LV Review Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 7th day of April, 2011.

Emily Gonzalez
Notary Public



AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2011 MAY -3 A 11: 17

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 7139961

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/23/2011 to 04/23/2011, on the following days:

04/23/2011

FIRST AMENDMENT
BILL NO. 2011-18
ORDINANCE NO. 6147

AN ORDINANCE TO MAKE MINOR ADJUSTMENTS TO THE LICENSING AND ZONING TREATMENT OF BEER/WINE/COOLER CULTURAL ESTABLISHMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Candace Falder, Director of Finance; Filnn Fagg, Acting Director of Planning
Summary: Makes minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of March 2011 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20th day of April 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 amended and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Tarkanian, Ross, Barlow and Anthony
VOTING "NAY": NONE
EXCUSED: Councilman 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: April 23, 2011
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
26th day of April, 2011.

Emily Gonzalez
Notary Public

 **EMILY GONZALEZ**
Notary Public State of Nevada
No. 09-8940-1
My appt. exp. Nov. 13, 2012