

THIRD AMENDMENT.

BILL NO. 86-32

ORDINANCE NO. 3238

AN ORDINANCE RELATING TO THE LOCATION OF GAMING ESTABLISHMENTS; AMENDING TITLE 6, CHAPTER 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 175, TO REQUIRE SPECIAL USE PERMITS, WITH FINAL ACTION BY THE CITY COUNCIL, FOR GAMING ESTABLISHMENTS, EXCEPT IN THE DOWNTOWN AND OTHER SPECIFIED AREAS; AMENDING TITLE 19, CHAPTER 4, OF SAID CODE TO PROVIDE DEFINITIONS OF "GAMING ESTABLISHMENT (HOTEL)" AND "GAMING ESTABLISHMENT (NON-HOTEL)"; AMENDING SAID TITLE 19 FURTHER BY AMENDING THE VARIOUS ZONING DISTRICT REGULATIONS TO REFLECT THE SPECIAL USE PERMIT REQUIREMENT; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:	Summary:
Councilman Al Levy	Requires special use permits, with final action by the City Council, for gaming establishments, except in the downtown and other specified areas.

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

SECTION 1: Title 6, Chapter 40, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.150: Notwithstanding Section 6.40.140, the following nonrestricted gaming may be permitted by the City Council outside said districts:

(A) At those locations which have been approved by the Council for a nonrestricted license prior to [the adoption of the 1981 ordinance codified in this Chapter;] July 1, 1986;

(B) In hotels having at least one hundred guestrooms available to the public[.], subject to the provisions contained in Section 6.40.175.

SECTION 2: Title 6, Chapter 40, Section 170, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.170: Nothing contained in Sections 6.40.140, 6.40.150 [and], 6.40.160 and 6.40.175 shall be construed to require the

1 issuance of a gaming license to any applicant because of any
2 zoning approval, location, structure involved or nature of any
3 allied business.

4 SECTION 3: Title 6, Chapter 40, of the Municipal
5 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
6 amended by adding thereto a new section, designated as Section
7 175, reading as follows:

8 6.40.175: Nonrestricted gaming may be permitted in a hotel
9 which has at least one hundred guestrooms and which is located
10 outside the districts specified in Section 6.40.140 only as
11 follows:

12 (A) In any C-2, C-M or M District which fronts on
13 Fremont Street, Rancho Drive north of Vegas Drive, Main Street or
14 Las Vegas Boulevard, or which is located within the Central
15 Business District as defined in Section 19.64.030, such gaming
16 use is a permitted land use.

17 (B) In any C-1 District, wherever located, and any C-2,
18 C-M or M District other than at the locations specified in
19 Subsection (A) of this Section, such gaming use is permitted only
20 by means of special use permit in accordance with the provisions
21 of Title 19; provided, however, that any such use which is
22 existing on the effective date of the ordinance codified in this
23 Section may continue to operate without the necessity of securing
24 a special use permit.

25 SECTION 4: Title 19, Chapter 4, of the Municipal
26 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
27 amended by adding thereto a new section, designated as Section
28 412, reading as follows:

29 19.04.412: "Gaming establishment (hotel)" means a part of a
30 hotel which is used or intended to be used for gaming activities
31 for which a nonrestricted gaming license is required pursuant to
32 Chapter 6.40.

1 SECTION 5: Title 19, Chapter 4, of the Municipal
2 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
3 amended by adding thereto a new section, designated as Section
4 413, reading as follows:

5 19.04.413: "Gaming establishment (non-hotel)" means a building
6 or structure, other than a hotel, which is located within one of
7 the districts specified in Section 6.40.140 and any part of which
8 is used or intended to be used for the purpose of dealing,
9 operating, maintaining or conducting any game, as defined in sub-
10 section (A) of Section 6.40.020, except a slot machine, as
11 defined in subsection (G) of Section 6.40.020.

12 SECTION 6: Title 19, Chapter 44, Section 20, of the
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
14 hereby amended to read as follows:

15 19.44.020: (A) The following uses may be permitted in the C-1
16 District upon securing a special use permit as provided in
17 Chapter 19.90, except that the uses enumerated in this Subsection
18 may be permitted as a matter of right when in accordance with the
19 exception shown in Subsection (C) of this Section:

20 (1) Automobile service stations for the sale of gasoline,
21 oil and minor accessories only, where no repair work is done,
22 except minor repairs made by the attendant and provided all
23 lubrications, washing, repairing and storage are conducted within
24 an enclosed permanent building;

25 (2) Apartment houses;

26 (3) Customer-operated car washes;

27 (4) Lodginghouses, boardinghouses or roominghouses, hotels,
28 motels and other like tourist accommodations;

29 (5) Emergency ground ambulance facilities.

30 (B) The following uses may be permitted upon securing a
31 special use permit in each case pursuant to the procedure pro-
32 vided for in Section 19.90.080, except that the uses enumerated

1 in this Subsection may be permitted as a matter of right when in
2 accordance with the exception shown in Subsection (C) of this
3 Section:

4 (1) Class III secondhand dealers as defined in Section
5 19.04.250, except that these uses shall not be allowed on Fremont
6 Street or Las Vegas Boulevard South between Charleston Boulevard
7 and Sahara Avenue as prescribed by Section 6.74.050;

8 (2) Retail demonstration merchandise sales stores as defined
9 in Section 6.72.010;

10 (3) Commercial storage units, provided all stored items are
11 located within an enclosed building and there is no wholesale
12 storage or sale of the stored items, nor any commercial repair or
13 sale of passenger cars, trucks, two-wheeled vehicles, three-
14 wheeled vehicles, trailers, boats or other like vehicles.

15 "Commercial repair" means any repair work except work done by the
16 owner on his own personal property;

17 (4) Off-premises signs;

18 (5) Liquefied petroleum gas installations for which a
19 special use permit is required by Section 19.55.010, subject to
20 the limitations set forth in Sections 19.55.010 and 19.55.020[.];

21 (6) Gaming establishments (hotel).

22 (C) Exception: If an application for reclassification
23 to a C-1 District under Chapter 19.92 includes any of the uses
24 hereinabove enumerated, the approval of the application shall
25 constitute approval of the use or uses and no special use permit
26 shall be required; provided, however, that the notice of public
27 hearing for reclassification shall specifically list the use or
28 uses.

29 SECTION 7: Title 19, Chapter 46, Section 10, of the
30 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
31 hereby amended to read as follows:

32 19.46.010: Uses permitted in the C-2 District include:

- 1 (A) Any use permitted in a C-C or C-1 District;
- 2 (B) Automobile sales and service facilities, excluding
3 body and fender shops. Subject use may include an outdoor used
4 car sales lot, when operated by a franchised new car dealer and
5 located directly adjacent to the new car sales and service faci-
6 lity and operated as an incidental use to the conduct of the new
7 car sales and service facility;
- 8 (C) Wedding chapels;
- 9 (D) Public parking areas, when located and developed as
10 required in Chapter 19.64;
- 11 (E) Restaurants;
- 12 (F) Mortuaries and mausoleums, which may include ceme-
13 teries when the cemeteries are developed in conjunction with a
14 mortuary and/or a mausoleum;
- 15 (G) Customer-operated car washes;
- 16 (H) R-5-density and R-6-density residential develop-
17 ments, when located within the Central Business District, as
18 defined in Section 19.64.030;
- 19 (I) Hotels, motels, and other like tourist accommoda-
20 tions;
- 21 (J) Gaming establishments (non-hotel).
- 22 (K) Gaming establishments (hotel), when located within
23 the areas specified in subsection (A) of Section 6.40.175;
- 24 [(J)](L) Other similar enterprises or businesses of the
25 same general class which, in the opinion of the Planning
26 Commission, as evidenced by resolution of record, are not more
27 detrimental to the welfare and safety of the residents within the
28 particular district than other classifications enumerated in this
29 Section;
- 30 [(K)] (M) Uses customarily incidental to any of the
31 above, when located on the same premises.

32 SECTION 8: Title 19, Chapter 46, Section 20, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 19.46.020: (A) The following uses may be permitted in the C-2
4 District upon securing a special use permit as provided in
5 Chapter 19.90, except that the uses enumerated in this Subsection
6 may be permitted as a matter of right when in accordance with the
7 exception shown in Subsection [(G)] (H) of this Section:

- 8 (1) Used car lots;
- 9 (2) Trailer sales lots;
- 10 (3) Boat sales and service facilities, including all
11 floating craft;
- 12 (4) Automotive parts exchanges. This shall not include
13 public garages or salvage operations, but shall be limited to the
14 sale and installation of new or rebuilt major automotive parts;
- 15 (5) Drive-in theaters, miniature golf courses and other out-
16 door amusement centers;
- 17 (6) Automobile laundry;
- 18 (7) Body and fender repair operations when conducted by a
19 franchised new car agency;
- 20 (8) Cemeteries as provided for in Section 19.10.080;
- 21 (9) Apartment houses, when located outside the Central
22 Business District, as defined in Section 19.64.030.

23 (B) Pawnshops may be permitted in the C-2 District sub-
24 ject to the securing of a special use permit in each case pur-
25 suant to the procedure provided for in Section 19.90.080, except
26 that no pawnshop may be located on either side of Fremont Street
27 or Las Vegas Boulevard South between Charleston Boulevard and
28 Sahara Avenue. Those pawnshops which were located on Fremont
29 Street or Las Vegas Boulevard South between Charleston Boulevard
30 and Sahara Avenue at the time of enactment of the 1974 amendatory
31 ordinance which is codified, in part, in this Section shall be
32 allowed to remain only as long as their present leases do not

1 expire. No such lease may be modified to extend its term or
2 otherwise prevent it from expiring. Those pawnshops which are
3 located in a C-2 Zone, other than on Fremont Street or Las Vegas
4 Boulevard South between Charleston Boulevard and Sahara Avenue,
5 at the time of enactment of the 1974 amendatory ordinance which
6 is codified, in part, in this Section shall be allowed to remain
7 at their locations without the necessity of securing a special
8 use permit.

9 (C) Class III secondhand dealers, retail demonstration
10 merchandise sales stores, transient sales lots, open sales lots
11 and off-premises signs may be permitted in the C-2 District sub-
12 ject to the securing of a special use permit in each case pur-
13 suant to the procedure provided for in Section 19.90.080 of this
14 Chapter, except that Class III secondhand dealers shall not be
15 allowed on Fremont Street and Las Vegas Boulevard South between
16 Charleston Boulevard or Sahara Avenue as prescribed by Section
17 6.74.050.

18 (D) Custodial institutions and detention facilities may
19 be permitted in the C-2 District subject to the securing of a
20 special use permit in each case pursuant to the procedure pro-
21 vided for in Section 19.90.080.

22 (E) Subject to the limitations contained in this
23 Subsection, commercial storage units may be permitted in the C-2
24 District subject to the securing of a special use permit in each
25 case pursuant to the procedure provided for in Section 19.90.080.
26 All stored items must be located within an enclosed building and
27 there must be no wholesale storage or sale of the stored items,
28 nor any commercial repair or sale of passenger cars, trucks, two-
29 wheeled vehicles, three-wheeled vehicles, trailers, boats or
30 other like vehicles. "Commercial repair" means any repair work
31 except work done by the owner on his own personal property.

32 (F) Liquefied petroleum gas installations for which a

1 special use permit is required by Section 19.55.010, subject to
2 the limitations set forth in Sections 19.55.010 and 19.55.020.

3 (G) Gaming establishments (hotel), when located out-
4 side the areas specified in Subsection (A) of Section 6.40.175,
5 may be permitted in the C-2 District subject to the securing of
6 a special use permit in each case pursuant to the procedure pro-
7 vided for in Section 19.90.080.

8 (H) Exception: If an application for a reclassifica-
9 tion to a C-2 District under Chapter 19.92 includes any of the
10 uses hereinabove enumerated, the approval of the application
11 shall constitute approval of the use or uses and no special use
12 permit shall be required; provided, however, that the notice of
13 public hearing for reclassification shall specifically list the
14 use or uses.

15 SECTION 9: Title 19, Chapter 48, Section 20, of the
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
17 hereby amended to read as follows:

18 19.48.020: (A) The following uses may be permitted in the C-M
19 District subject to the securing of a special use permit as pro-
20 vided in Chapter 19.90, except that the uses enumerated in this
21 Subsection may be permitted as a matter of right when in accor-
22 dance with the exception shown in Subsection (B) of this
23 Section:

24 (1) Cemeteries, as provided for in Section 19.10.080;

25 (2) Pawnshops, subject to the securing of a special use per-
26 mit in each case pursuant to the procedure provided for in
27 Section 19.90.080;

28 (3) Custodial institutions and detention facilities, subject
29 to the securing of a special use permit in each case pursuant to
30 the procedure provided for in Section 19.90.080;

31 (4) Commercial storage units, subject to the limitations
32 contained in this Subsection and subject to the securing of a

1 special use permit in each case pursuant to the procedure pro-
2 vided for in Section 19.90.080. All stored items must be located
3 within an enclosed building and there must be no wholesale
4 storage or sale of the stored items, nor any commercial repair
5 or sale of passenger cars, trucks, two-wheeled vehicles,
6 three-wheeled vehicles, trailers, boats or other like vehicles.
7 "Commercial repair" means any repair work except work done by
8 the owner on his own personal property;

9 (5) Transient sales lots and open sales lots, subject to the
10 securing of a special use permit in each case pursuant to the
11 procedure provided for in Section 19.90.080;

12 (6) Off-premises signs, subject to the securing of a special
13 use permit in each case pursuant to the procedure provided for in
14 Section 19.90.080;

15 (7) Liquefied petroleum gas installations for which a spe-
16 cial use permit is required by Section 19.55.010, subject to the
17 limitations set forth in Sections 19.55.010 and 19.55.020[.];

18 (8) Gaming establishments (hotel), when located outside the
19 areas specified in Subsection (A) of Section 6.40.175, subject
20 to the securing of a special use permit in each case pursuant to
21 the procedure provided for in Section 19.90.080.

22 (B) Exception: If an application for reclassification
23 to a C-M District under Chapter 19.92 includes any of the uses
24 hereinabove enumerated, the approval of the application shall
25 constitute approval of the use or uses and no special use permit
26 shall be required; provided, however, that the notice of public
27 hearing for reclassification shall specifically list the use or
28 uses.

29 SECTION 10: Title 19, Chapter 50, Section 20, of the
30 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
31 as follows:

32 19.50.020: (A) The following uses may be permitted in the M

1 District upon securing a special use permit as provided in Chap-
2 ter 19.90, except that the uses enumerated in this Subsection may
3 be permitted as of right when in accordance with the exception
4 set forth in Subsection (B) of this Section:

5 (1) Any manufacturing, processing or assembling use which is
6 unable to meet the letter of the standards designated in Section
7 19.50.040. Such use permit may be properly granted provided the
8 applicant can provide evidence to document a favorable conclusion
9 on all of the following factors:

10 (a) The proposed use can be operated substantially in
11 conformity with the requirements of the standards listed under
12 Section 19.50.040;

13 (b) The use, as proposed, will not be materially detri-
14 mental to the uses of surrounding property;

15 (c) The public interest will best be served by the
16 granting of the permit;

17 (2) Cemeteries, as provided for in Section 19.10.080;

18 (3) Pawnshops, subject to the securing of a special use per-
19 mit in each case pursuant to the procedure provided for in
20 Section 19.90.080;

21 (4) Custodial institutions and detention facilities, subject
22 to the securing of a special use permit in each case pursuant to
23 the procedure provided for in Section 19.90.080;

24 (5) Junk yards, wrecking yards and salvage yards;

25 (6) Commercial storage units, subject to the limitations
26 contained in this Subsection and subject to the securing of a
27 special use permit in each case pursuant to the procedure pro-
28 vided for in Section 19.90.080. All stored items must be located
29 within an enclosed building and there must be no wholesale
30 storage or sale of the stored items, nor any commercial repair or
31 sale of passenger cars, trucks, two-wheeled vehicles, three-
32 wheeled vehicles, trailers, boats or other like vehicles.

1 "Commercial repair" means any repair work except work done by the
2 owner on his own personal property;

3 (7) Transient sales lots and open sales lots, subject to the
4 securing of a special use permit in each case pursuant to the
5 procedure provided for in Section 19.90.080;

6 (8) Off-premises signs, subject to the securing of a special
7 use permit in each case pursuant to the procedure provided for in
8 Section 19.90.080;

9 (9) Liquefied petroleum gas installations for which a spe-
10 cial use permit is required by Section 19.55.010, subject to the
11 limitations set forth in Sections 19.55.010 and 19.55.020[.];

12 (10) Gaming establishments (hotel), when located outside the
13 areas specified in Subsection (A) of Section 6.40.175, subject
14 to the securing of a special use permit in each case pursuant to
15 the procedure provided for in Section 19.90.080.

16 (B) Exception: If an application for a reclassifica-
17 tion to an M District under Chapter 19.92 includes any of the
18 uses hereinabove enumerated, the approval of the application
19 shall constitute approval of the use or uses, and no special use
20 permit shall be required; provided, however, that the notice of
21 public hearing for reclassification shall specifically list the
22 use or uses.

23 SECTION 11: Title 19, Chapter 88, Section 130, of the
24 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
25 as follows:

26 19.88.130: (A) Once the City Council has rendered a decision
27 on an application and thereafter a subsequent application for
28 variance involving the same property for the same or similar or
29 more intensive use is filed, then the same procedure set forth
30 herein shall apply, except that if the application is approved by
31 the Board of Zoning Adjustment, then there shall be an automatic
32 appeal to the City Council, and the Secretary of the Board of

1 Zoning Adjustment shall file with the City Clerk a proper notice
2 of the appeal within ten days of the decision of the Board of
3 Zoning Adjustment, and all notices and procedures shall be the
4 same as provided for other appeals.

5 (B) If an application is approved by the Board of
6 Zoning Adjustment concerning any:

7 (1) Matter with regard to which the City Council has indica-
8 ted a specific position, or

9 (2) Deviation from the provisions of the C-D Design
10 Commercial or C-V Civic Districts,
11 the same shall be transmitted to the City Council for final
12 decision; provided, however, that such matter may not be con-
13 sidered by the City Council until after the time for filing of an
14 appeal with respect to such matter pursuant to Section 19.88.120
15 has expired.

16 (C) A variance application for any of the following
17 uses shall be transmitted to the City Council for final decision
18 in accordance with the procedures set forth in Section 19.90.080:

- 19 (1) Sexually oriented businesses;
20 (2) Pawnshops;
21 (3) Class III or other secondhand dealers, except for anti-
22 que shops and used car lots;
23 (4) Transient sales lots or open sales lots;
24 (5) Retail demonstration merchandise sales stores;
25 (6) Custodial institutions or detention facilities;
26 (7) Publicly-operated convention and stadium facilities;
27 (8) Commercial storage units;
28 (9) Off-premises signs;
29 (10) Liquefied petroleum gas installations[.];
30 (11) Gaming establishments (hotel).

31 SECTION 12: Title 19, Chapter 90, Section 80, of the
32 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read

1 as follows:

2 19.90.080: Following the conduct of a public hearing on any
3 application for a special use permit to allow a pawnshop; a
4 retail demonstration merchandise sales store; a Class III or
5 other secondhand dealer, except for an antique store or used car
6 lot; a transient sales lot; an open sales lot; a custodial insti-
7 tution or a detention facility; a publicly-operated convention
8 and stadium facility; commercial storage units; off-premises
9 signs; [or] a liquefied petroleum gas installation[,]
10 or a gaming establishment (hotel), the Board of Zoning Adjustment shall
11 report its recommendation on said application to the City
12 Council. Prior to the next subsequent meeting of the City
13 Council, the Secretary of the Board of Zoning Adjustment shall
14 transmit a copy of said recommendation to the City Clerk. Within
15 not to exceed thirty days from the date of the Board of Zoning
16 Adjustment's recommendation, the City Council shall set the date
17 for a public hearing, and public notice shall be given by the
18 City Clerk not less than ten days prior to the public hearing to
19 all property owners who received notice of the public hearing
20 conducted by the Board of Zoning Adjustment. The City Council
21 shall consider the application for said special use permit and
22 the recommendation of the Board of Zoning Adjustment at the
23 public hearing. Action by the City Council on such application,
24 following a public hearing, shall be by majority vote of the
25 entire Council and shall be final and conclusive.

26 SECTION 13: Whenever in this ordinance any act is
27 prohibited or is made or declared to be unlawful or an offense or
28 a misdemeanor, or whenever in this ordinance the doing of any act
29 is required or the failure to do any act is made or declared to
30 be unlawful or an offense or a misdemeanor, the doing of any such
31 prohibited act or the failure to do any such required act shall
32 constitute a misdemeanor and upon conviction thereof, shall be

1 punished by a fine of not more than \$1,000.00 or by imprisonment
2 for a term of not more than six (6) months, or by any combination
3 of such fine and imprisonment. Any day of any violation of this
4 ordinance shall constitute a separate offense.

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

17 SECTION 15: All ordinances or parts of ordinances,
18 sections, subsections, phrases, sentences, clauses or paragraphs
19 contained in the Municipal Code of the City of Las Vegas, Nevada,
20 1983 Edition, in conflict herewith are hereby repealed.

21 PASSED, ADOPTED AND APPROVED this 16th day of July,
22 1986.

23 APPROVED:

24 William H. Briare
25 BY WILLIAM H. BRIARE, MAYOR

26 ATTEST:

27 Carol A. Hawley
28 CAROL ANN HAWLEY, CITY CLERK

Approved
7-24-86

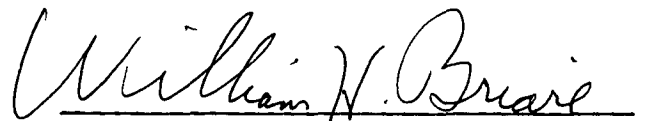
1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the 18th day of June,
3 1986, and referred to the following committee composed of
4 Councilmen Levy and _____
5 Lurie for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the 16th
7 day of July, 1986, which was a regular meeting of
8 said Council; that at said regular meeting, the proposed
9 ordinance was read by title to the City Council as amended and
10 adopted by the following vote:

11 VOTING "AYE" Councilmen: Bunker, Levy, Lurie, Nolen and Mayor Briare

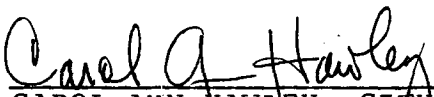
12 VOTING "NAY" Councilmen: NONE

13 ABSENT: NONE

14 APPROVED:

15 
16 WILLIAM H. BRIARE, MAYOR

17
18 ATTEST:

19 
20 CAROL ANN HAWLEY, CITY CLERK

SECOND AMENDMENT

BILL NO. 86-32

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE LOCATION OF GAMING ESTABLISHMENTS; AMENDING TITLE 6, CHAPTER 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 175, TO REQUIRE SPECIAL USE PERMITS, WITH FINAL ACTION BY THE CITY COUNCIL, FOR GAMING ESTABLISHMENTS, EXCEPT IN THE DOWNTOWN AND OTHER SPECIFIED AREAS; AMENDING TITLE 19, CHAPTER 4, OF SAID CODE TO PROVIDE A DEFINITION OF "GAMING ESTABLISHMENT"; AMENDING SAID TITLE 19 FURTHER BY AMENDING THE VARIOUS ZONING DISTRICT REGULATIONS TO REFLECT THE SPECIAL USE PERMIT REQUIREMENT; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Al Levy

Summary: Requires special use permits, with final action by the City Council, for gaming establishments, except in the downtown and other specified areas.

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

SECTION 1: Title 6, Chapter 40, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.150: Notwithstanding Section 6.40.140, the following nonrestricted gaming may be permitted by the City Council outside said districts:

(A) At those locations which have been approved by the Council for a nonrestricted license prior to [the adoption of the 1981 ordinance codified in this Chapter;] July 1, 1986;

(B) In hotels having at least one hundred guestrooms available to the public[.], subject to the provisions contained in Section 6.40.175.

SECTION 2: Title 6, Chapter 40, Section 170, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

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1 issuance of a gaming license to any applicant because of any
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3 allied business.

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5 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
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8 6.40.175: Nonrestricted gaming may be permitted in a hotel
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10 outside the districts specified in Section 6.40.140 only as
11 follows:

12 (A) In any C-2, C-M or M District which fronts on
13 Fremont Street, Rancho Drive north of Vegas Drive, Main Street or
14 Las Vegas Boulevard, or which is located within the Central
15 Business District as defined in Section 19.64.030, such gaming
16 use is a permitted land use.

17 (B) In any C-1 District, wherever located, and any C-2,
18 C-M or M District other than at the locations specified in
19 Subsection (A) of this Section, such gaming use is permitted only
20 by means of special use permit in accordance with the provisions
21 of Title 19; provided, however, that any such use which is
22 existing on the effective date of the ordinance codified in this
23 Section may continue to operate without the necessity of securing
24 a special use permit.

25 SECTION 4: Title 19, Chapter 4, of the Municipal
26 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
27 amended by adding thereto a new section, designated as Section
28 413, reading as follows:

29 19.04.413: "Gaming establishment" means a building or struc-
30 ture any part of which is used or intended to be used for gaming
31 activities for which a nonrestricted gaming license is required
32 under Chapter 6.40.

1 SECTION 5: Title 19, Chapter 44, Section 20, of the
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
3 hereby amended to read as follows:

4 19.44.020: (A) The following uses may be permitted in the C-1
5 District upon securing a special use permit as provided in
6 Chapter 19.90, except that the uses enumerated in this Subsection
7 may be permitted as a matter of right when in accordance with the
8 exception shown in Subsection (C) of this Section:

9 (1) Automobile service stations for the sale of gasoline,
10 oil and minor accessories only, where no repair work is done,
11 except minor repairs made by the attendant and provided all
12 lubrications, washing, repairing and storage are conducted within
13 an enclosed permanent building;

14 (2) Apartment houses;

15 (3) Customer-operated car washes;

16 (4) Lodginghouses, boardinghouses or roominghouses, hotels,
17 motels and other like tourist accommodations;

18 (5) Emergency ground ambulance facilities.

19 (B) The following uses may be permitted upon securing a
20 special use permit in each case pursuant to the procedure pro-
21 vided for in Section 19.90.080, except that the uses enumerated
22 in this Subsection may be permitted as a matter of right when in
23 accordance with the exception shown in Subsection (C) of this
24 Section:

25 (1) Class III secondhand dealers as defined in Section
26 19.04.250, except that these uses shall not be allowed on Fremont
27 Street or Las Vegas Boulevard South between Charleston Boulevard
28 and Sahara Avenue as prescribed by Section 6.74.050;

29 (2) Retail demonstration merchandise sales stores as defined
30 in Section 6.72.010;

31 (3) Commercial storage units, provided all stored items are
32 located within an enclosed building and there is no wholesale

1 storage or sale of the stored items, nor any commercial repair or
2 sale of passenger cars, trucks, two-wheeled vehicles, three-
3 wheeled vehicles, trailers, boats or other like vehicles.

4 "Commercial repair" means any repair work except work done by the
5 owner on his own personal property;

6 (4) Off-premises signs;

7 (5) Liquefied petroleum gas installations for which a
8 special use permit is required by Section 19.55.010, subject to
9 the limitations set forth in Sections 19.55.010 and 19.55.020[.];

10 (6) Gaming establishments operated in connection with a
11 hotel pursuant to Section 6.40.175.

12 (C) Exception: If an application for reclassification
13 to a C-1 District under Chapter 19.92 includes any of the uses
14 hereinabove enumerated, the approval of the application shall
15 constitute approval of the use or uses and no special use permit
16 shall be required; provided, however, that the notice of public
17 hearing for reclassification shall specifically list the use or
18 uses.

19 SECTION 6: Title 19, Chapter 46, Section 10, of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
21 hereby amended to read as follows:

22 19.46.010: Uses permitted in the C-2 District include:

23 (A) Any use permitted in a C-C or C-1 District;

24 (B) Automobile sales and service facilities, excluding
25 body and fender shops. Subject use may include an outdoor used
26 car sales lot, when operated by a franchised new car dealer and
27 located directly adjacent to the new car sales and service faci-
28 lity and operated as an incidental use to the conduct of the new
29 car sales and service facility;

30 (C) Wedding chapels;

31 (D) Public parking areas, when located and developed as
32 required in Chapter 19.64;

- 1 (E) Restaurants;
- 2 (F) Mortuaries and mausoleums, which may include ceme-
- 3 teries when the cemeteries are developed in conjunction with a
- 4 mortuary and/or a mausoleum;
- 5 (G) Customer-operated car washes;
- 6 (H) R-5-density and R-6-density residential develop-
- 7 ments, when located within the Central Business District, as
- 8 defined in Section 19.64.030;
- 9 (I) Hotels, motels, and other like tourist accommoda-
- 10 tions;
- 11 (J) Gaming establishments, when located within the
- 12 districts specified in Section 6.40.140;
- 13 (K) Gaming establishments operated in connection with
- 14 a hotel, when located within the areas specified in Section
- 15 6.40.175(A);
- 16 ~~[(J)]~~ (L) Other similar enterprises or businesses of the
- 17 same general class which, in the opinion of the Planning
- 18 Commission, as evidenced by resolution of record, are not more
- 19 detrimental to the welfare and safety of the residents within the
- 20 particular district than other classifications enumerated in this
- 21 Section;
- 22 ~~[(K)]~~ (M) Uses customarily incidental to any of the
- 23 above, when located on the same premises.

24 SECTION 7: Title 19, Chapter 46, Section 20, of the

25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

26 hereby amended to read as follows:

27 19.46.020: (A) The following uses may be permitted in the C-2

28 District upon securing a special use permit as provided in

29 Chapter 19.90, except that the uses enumerated in this Subsection

30 may be permitted as a matter of right when in accordance with the

31 exception shown in Subsection ~~[(G)]~~ (H) of this Section:

32 (1) Used car lots;

- 1 (2) Trailer sales lots;
- 2 (3) Boat sales and service facilities, including all
- 3 floating craft;
- 4 (4) Automotive parts exchanges. This shall not include
- 5 public garages or salvage operations, but shall be limited to the
- 6 sale and installation of new or rebuilt major automotive parts;
- 7 (5) Drive-in theaters, miniature golf courses and other out-
- 8 door amusement centers;
- 9 (6) Automobile laundry;
- 10 (7) Body and fender repair operations when conducted by a
- 11 franchised new car agency;
- 12 (8) Cemeteries as provided for in Section 19.10.080;
- 13 (9) Apartment houses, when located outside the Central
- 14 Business District, as defined in Section 19.64.030.

15 (B) Pawnshops may be permitted in the C-2 District sub-
16 ject to the securing of a special use permit in each case pur-
17 suant to the procedure provided for in Section 19.90.080, except
18 that no pawnshop may be located on either side of Fremont Street
19 or Las Vegas Boulevard South between Charleston Boulevard and
20 Sahara Avenue. Those pawnshops which were located on Fremont
21 Street or Las Vegas Boulevard South between Charleston Boulevard
22 and Sahara Avenue at the time of enactment of the 1974 amendatory
23 ordinance which is codified, in part, in this Section shall be
24 allowed to remain only as long as their present leases do not
25 expire. No such lease may be modified to extend its term or
26 otherwise prevent it from expiring. Those pawnshops which are
27 located in a C-2 Zone, other than on Fremont Street or Las Vegas
28 Boulevard South between Charleston Boulevard and Sahara Avenue,
29 at the time of enactment of the 1974 amendatory ordinance which
30 is codified, in part, in this Section shall be allowed to remain
31 at their locations without the necessity of securing a special
32 use permit.

1 (C) Class III secondhand dealers, retail demonstration
2 merchandise sales stores, transient sales lots, open sales lots
3 and off-premises signs may be permitted in the C-2 District sub-
4 ject to the securing of a special use permit in each case pur-
5 suant to the procedure provided for in Section 19.90.080 of this
6 Chapter, except that Class III secondhand dealers shall not be
7 allowed on Fremont Street and Las Vegas Boulevard South between
8 Charleston Boulevard or Sahara Avenue as prescribed by Section
9 6.74.050.

10 (D) Custodial institutions and detention facilities may
11 be permitted in the C-2 District subject to the securing of a
12 special use permit in each case pursuant to the procedure pro-
13 vided for in Section 19.90.080.

14 (E) Subject to the limitations contained in this
15 Subsection, commercial storage units may be permitted in the C-2
16 District subject to the securing of a special use permit in each
17 case pursuant to the procedure provided for in Section 19.90.080.
18 All stored items must be located within an enclosed building and
19 there must be no wholesale storage or sale of the stored items,
20 nor any commercial repair or sale of passenger cars, trucks, two-
21 wheeled vehicles, three-wheeled vehicles, trailers, boats or
22 other like vehicles. "Commercial repair" means any repair work
23 except work done by the owner on his own personal property.

24 (F) Liquefied petroleum gas installations for which a
25 special use permit is required by Section 19.55.010, subject to
26 the limitations set forth in Sections 19.55.010 and 19.55.020.

27 (G) Gaming establishments operated in connection with a
28 hotel pursuant to Section 6.40.175, when located outside the
29 areas specified in Subsection (A) of said Section, may be per-
30 mitted in the C-2 District subject to the securing of a special
31 use permit in each case pursuant to the procedure provided for
32 in Section 19.90.080.

1 (H) Exception: If an application for a reclassifica-
2 tion to a C-2 District under Chapter 19.92 includes any of the
3 uses hereinabove enumerated, the approval of the application
4 shall constitute approval of the use or uses and no special use
5 permit shall be required; provided, however, that the notice of
6 public hearing for reclassification shall specifically list the
7 use or uses.

8 SECTION 8: Title 19, Chapter 48, Section 20, of the
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
10 hereby amended to read as follows:

11 19.48.020: (A) The following uses may be permitted in the C-M
12 District subject to the securing of a special use permit as pro-
13 vided in Chapter 19.90, except that the uses enumerated in this
14 Subsection may be permitted as a matter of right when in accor-
15 dance with the exception shown in Subsection (B) of this
16 Section:

17 (1) Cemeteries, as provided for in Section 19.10.080;

18 (2) Pawnshops, subject to the securing of a special use per-
19 mit in each case pursuant to the procedure provided for in
20 Section 19.90.080;

21 (3) Custodial institutions and detention facilities, subject
22 to the securing of a special use permit in each case pursuant to
23 the procedure provided for in Section 19.90.080;

24 (4) Commercial storage units, subject to the limitations
25 contained in this Subsection and subject to the securing of a
26 special use permit in each case pursuant to the procedure pro-
27 vided for in Section 19.90.080. All stored items must be located
28 within an enclosed building and there must be no wholesale
29 storage or sale of the stored items, nor any commercial repair
30 or sale of passenger cars, trucks, two-wheeled vehicles,
31 three-wheeled vehicles, trailers, boats or other like vehicles.
32 "Commercial repair" means any repair work except work done by

1 the owner on his own personal property;

2 (5) Transient sales lots and open sales lots, subject to the
3 securing of a special use permit in each case pursuant to the
4 procedure provided for in Section 19.90.080;

5 (6) Off-premises signs, subject to the securing of a special
6 use permit in each case pursuant to the procedure provided for in
7 Section 19.90.080;

8 (7) Liquefied petroleum gas installations for which a spe-
9 cial use permit is required by Section 19.55.010, subject to the
10 limitations set forth in Sections 19.55.010 and 19.55.020[.];

11 (8) Gaming establishments operated in connection with a
12 hotel pursuant to Section 6.40.175, when located outside the
13 areas specified in Subsection (A) of said Section, subject to
14 the securing of a special use permit in each case pursuant to
15 the procedure provided for in Section 19.90.080.

16 (B) Exception: If an application for reclassification
17 to a C-M District under Chapter 19.92 includes any of the uses
18 hereinabove enumerated, the approval of the application shall
19 constitute approval of the use or uses and no special use permit
20 shall be required; provided, however, that the notice of public
21 hearing for reclassification shall specifically list the use or
22 uses.

23 SECTION 9: Title 19, Chapter 50, Section 20, of the
24 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
25 as follows:

26 19.50.020: (A) The following uses may be permitted in the M
27 District upon securing a special use permit as provided in Chap-
28 ter 19.90, except that the uses enumerated in this Subsection may
29 be permitted as of right when in accordance with the exception
30 set forth in Subsection (B) of this Section:

31 (1) Any manufacturing, processing or assembling use which is
32 unable to meet the letter of the standards designated in Section

1 19.50.040. Such use permit may be properly granted provided the
2 applicant can provide evidence to document a favorable conclusion
3 on all of the following factors:

4 (a) The proposed use can be operated substantially in
5 conformity with the requirements of the standards listed under
6 Section 19.50.040;

7 (b) The use, as proposed, will not be materially detri-
8 mental to the uses of surrounding property;

9 (c) The public interest will best be served by the
10 granting of the permit;

11 (2) Cemeteries, as provided for in Section 19.10.080;

12 (3) Pawnshops, subject to the securing of a special use per-
13 mit in each case pursuant to the procedure provided for in
14 Section 19.90.080;

15 (4) Custodial institutions and detention facilities, subject
16 to the securing of a special use permit in each case pursuant to
17 the procedure provided for in Section 19.90.080;

18 (5) Junk yards, wrecking yards and salvage yards;

19 (6) Commercial storage units, subject to the limitations
20 contained in this Subsection and subject to the securing of a
21 special use permit in each case pursuant to the procedure pro-
22 vided for in Section 19.90.080. All stored items must be located
23 within an enclosed building and there must be no wholesale
24 storage or sale of the stored items, nor any commercial repair or
25 sale of passenger cars, trucks, two-wheeled vehicles, three-
26 wheeled vehicles, trailers, boats or other like vehicles.

27 "Commercial repair" means any repair work except work done by the
28 owner on his own personal property;

29 (7) Transient sales lots and open sales lots, subject to the
30 securing of a special use permit in each case pursuant to the
31 procedure provided for in Section 19.90.080;

32 (8) Off-premises signs, subject to the securing of a special

1 use permit in each case pursuant to the procedure provided for in
2 Section 19.90.080;

3 (9) Liquefied petroleum gas installations for which a spe-
4 cial use permit is required by Section 19.55.010, subject to the
5 limitations set forth in Sections 19.55.010 and 19.55.020[.];

6 (10) Gaming establishments operated in connection with a
7 hotel pursuant to Section 6.40.175, when located outside the
8 areas specified in Subsection (A) of said Section, subject to
9 the securing of a special use permit in each case pursuant to
10 the procedure provided for in Section 19.90.080.

11 (B) Exception: If an application for a reclassifica-
12 tion to an M District under Chapter 19.92 includes any of the
13 uses hereinabove enumerated, the approval of the application
14 shall constitute approval of the use or uses, and no special use
15 permit shall be required; provided, however, that the notice of
16 public hearing for reclassification shall specifically list the
17 use or uses.

18 SECTION 10: Title 19, Chapter 88, Section 130, of the
19 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
20 as follows:

21 19.88.130: (A) Once the City Council has rendered a decision
22 on an application and thereafter a subsequent application for
23 variance involving the same property for the same or similar or
24 more intensive use is filed, then the same procedure set forth
25 herein shall apply, except that if the application is approved by
26 the Board of Zoning Adjustment, then there shall be an automatic
27 appeal to the City Council, and the Secretary of the Board of
28 Zoning Adjustment shall file with the City Clerk a proper notice
29 of the appeal within ten days of the decision of the Board of
30 Zoning Adjustment, and all notices and procedures shall be the
31 same as provided for other appeals.

32 (B) If an application is approved by the Board of

1 Zoning Adjustment concerning any:

2 (1) Matter with regard to which the City Council has indica-
3 ted a specific position, or

4 (2) Deviation from the provisions of the C-D Design
5 Commercial or C-V Civic Districts,

6 the same shall be transmitted to the City Council for final
7 decision; provided, however, that such matter may not be con-
8 sidered by the City Council until after the time for filing of an
9 appeal with respect to such matter pursuant to Section 19.88.120
10 has expired.

11 (C) A variance application for any of the following
12 uses shall be transmitted to the City Council for final decision
13 in accordance with the procedures set forth in Section 19.90.080:

14 (1) Sexually oriented businesses;

15 (2) Pawnshops;

16 (3) Class III or other secondhand dealers, except for anti-
17 que shops and used car lots;

18 (4) Transient sales lots or open sales lots;

19 (5) Retail demonstration merchandise sales stores;

20 (6) Custodial institutions or detention facilities;

21 (7) Publicly-operated convention and stadium facilities;

22 (8) Commercial storage units;

23 (9) Off-premises signs;

24 (10) Liquefied petroleum gas installations[.];

25 (11) Gaming establishments.

26 SECTION 11: Title 19, Chapter 90, Section 80, of the
27 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
28 as follows:

29 19.90.080: Following the conduct of a public hearing on any
30 application for a special use permit to allow a pawnshop; a
31 retail demonstration merchandise sales store; a Class III or
32 other secondhand dealer, except for an antique store or used car

1 lot; a transient sales lot; an open sales lot; a custodial insti-
2 tution or a detention facility; a publicly-operated convention
3 and stadium facility; commercial storage units; off-premises
4 signs; [or] a liquefied petroleum gas installation[,]
5 or a gaming establishment, the Board of Zoning Adjustment shall report its
6 recommendation on said application to the City Council. Prior to
7 the next subsequent meeting of the City Council, the Secretary of
8 the Board of Zoning Adjustment shall transmit a copy of said
9 recommendation to the City Clerk. Within not to exceed thirty
10 days from the date of the Board of Zoning Adjustment's recommen-
11 dation, the City Council shall set the date for a public hearing,
12 and public notice shall be given by the City Clerk not less than
13 ten days prior to the public hearing to all property owners who
14 received notice of the public hearing conducted by the Board of
15 Zoning Adjustment. The City Council shall consider the applica-
16 tion for said special use permit and the recommendation of the
17 Board of Zoning Adjustment at the public hearing. Action by the
18 City Council on such application, following a public hearing,
19 shall be by majority vote of the entire Council and shall be
20 final and conclusive.

21 SECTION 12: Whenever in this ordinance any act is
22 prohibited or is made or declared to be unlawful or an offense or
23 a misdemeanor, or whenever in this ordinance the doing of any act
24 is required or the failure to do any act is made or declared to
25 be unlawful or an offense or a misdemeanor, the doing of any such
26 prohibited act or the failure to do any such required act shall
27 constitute a misdemeanor and upon conviction thereof, shall be
28 punished by a fine of not more than \$1,000.00 or by imprisonment
29 for a term of not more than six (6) months, or by any combination
30 of such fine and imprisonment. Any day of any violation of this
31 ordinance shall constitute a separate offense.

32 SECTION 13: If any section, subsection, subdivision,

1 paragraph, sentence, clause or phrase in this ordinance or any
2 part thereof, is for any reason held to be unconstitutional or
3 invalid or ineffective by any court of competent jurisdiction,
4 such decision shall not affect the validity or effectiveness of
5 the remaining portions of this ordinance or any part thereof.
6 The City Council of the City of Las Vegas, Nevada, hereby
7 declares that it would have passed each section, subsection, sub-
8 division, paragraph, sentence, clause or phrase thereof irrespec-
9 tive of the fact that any one or more sections, subsections, sub-
10 divisions, paragraphs, sentences, clauses or phrases be declared
11 unconstitutional, invalid or ineffective.

12 SECTION 14: All ordinances or parts of ordinances,
13 sections, subsections, phrases, sentences, clauses or paragraphs
14 contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED AND APPROVED this ____ day of _____,
17 1986.

18 APPROVED:

19
20 By _____
WILLIAM H. BRIARE, MAYOR

21 ATTEST:

22
23 _____
CAROL ANN HAWLEY, CITY CLERK
24
25
26
27
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31
32

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 1986, and referred to the following committee composed of Councilmen _____ and _____ _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 1986, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen: _____

VOTING "NAY" Councilmen: _____

ABSENT: _____

APPROVED:

WILLIAM H. BRIARE, MAYOR

ATTEST:

CAROL ANN HAWLEY, CITY CLERK

FIRST AMENDMENT

BILL NO. 86-32

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE LOCATION OF GAMING ESTABLISHMENTS; AMENDING TITLE 6, CHAPTER 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 175, TO REQUIRE SPECIAL USE PERMITS, WITH FINAL ACTION BY THE CITY COUNCIL, FOR GAMING ESTABLISHMENTS, EXCEPT IN THE DOWNTOWN AND OTHER SPECIFIED AREAS; AMENDING TITLE 19, CHAPTER 4, OF SAID CODE TO PROVIDE A DEFINITION OF "GAMING ESTABLISHMENT"; AMENDING SAID TITLE 19 FURTHER BY AMENDING THE VARIOUS ZONING DISTRICT REGULATIONS TO REFLECT THE SPECIAL USE PERMIT REQUIREMENT; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored By:

Councilman Al Levy

Summary: Requires special use permits, with final action by the City Council, for gaming establishments, except in the downtown and other specified areas.

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

SECTION 1: Title 6, Chapter 40, Section 150, of the
Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
hereby amended to read as follows:

6.40.150: Notwithstanding Section 6.40.140, the following
nonrestricted gaming may be permitted by the City Council outside
said districts:

(A) At those locations which have been approved by the
Council for a nonrestricted license prior to the adoption of the
1981 ordinance codified in this Chapter;

(B) In hotels having at least one hundred guestrooms
available to the public[.], subject to the provisions contained
in Section 6.40.175.

SECTION 2: Title 6, Chapter 40, Section 170, of the
Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
hereby amended to read as follows:

6.40.170: Nothing contained in Sections 6.40.140, 6.40.150
[and], 6.40.160 and 6.40.175 shall be construed to require the

1 issuance of a gaming license to any applicant because of any
2 zoning approval, location, structure involved or nature of any
3 allied business.

4 SECTION 3: Title 6, Chapter 40, of the Municipal
5 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
6 amended by adding thereto a new section, designated as Section
7 175, reading as follows:

8 6.40.175: Nonrestricted gaming may be permitted in a hotel
9 which has at least one hundred guestrooms and which is located
10 outside the districts specified in Section 6.40.140 only as
11 follows:

12 (A) In any C-2, C-M or M District which fronts on
13 Fremont Street, Rancho Drive north of Vegas Drive, Main Street or
14 Las Vegas Boulevard, or which is located within the Central
15 Business District as defined in Section 19.64.030, such gaming
16 use is a permitted land use.

17 (B) In any C-1 District, wherever located, and any C-2,
18 C-M or M District other than at the locations specified in
19 Subsection (A) of this Section, such gaming use is permitted only
20 by means of special use permit in accordance with the provisions
21 of Title 19; provided, however, that any such use which is
22 existing on the effective date of the ordinance codified in this
23 Section may continue to operate without the necessity of securing
24 a special use permit.

25 SECTION 4: Title 19, Chapter 4, of the Municipal
26 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
27 amended by adding thereto a new section, designated as Section
28 413, reading as follows:

29 19.04.413: "Gaming establishment" means a building or struc-
30 ture any part of which is used or intended to be used for gaming
31 activities for which a nonrestricted gaming license is required
32 under Chapter 6.40.

1 SECTION 5: Title 19, Chapter 44, Section 20, of the
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
3 hereby amended to read as follows:

4 19.44.020: (A) The following uses may be permitted in the C-1
5 District upon securing a special use permit as provided in
6 Chapter 19.90, except that the uses enumerated in this Subsection
7 may be permitted as a matter of right when in accordance with the
8 exception shown in Subsection (C) of this Section:

9 (1) Automobile service stations for the sale of gasoline,
10 oil and minor accessories only, where no repair work is done,
11 except minor repairs made by the attendant and provided all
12 lubrications, washing, repairing and storage are conducted within
13 an enclosed permanent building;

14 (2) Apartment houses;

15 (3) Customer-operated car washes;

16 (4) Lodginghouses, boardinghouses or roominghouses, hotels,
17 motels and other like tourist accommodations;

18 (5) Emergency ground ambulance facilities.

19 (B) The following uses may be permitted upon securing a
20 special use permit in each case pursuant to the procedure pro-
21 vided for in Section 19.90.080, except that the uses enumerated
22 in this Subsection may be permitted as a matter of right when in
23 accordance with the exception shown in Subsection (C) of this
24 Section:

25 (1) Class III secondhand dealers as defined in Section
26 19.04.250, except that these uses shall not be allowed on Fremont
27 Street or Las Vegas Boulevard South between Charleston Boulevard
28 and Sahara Avenue as prescribed by Section 6.74.050;

29 (2) Retail demonstration merchandise sales stores as defined
30 in Section 6.72.010;

31 (3) Commercial storage units, provided all stored items are
32 located within an enclosed building and there is no wholesale

1 storage or sale of the stored items, nor any commercial repair or
2 sale of passenger cars, trucks, two-wheeled vehicles, three-
3 wheeled vehicles, trailers, boats or other like vehicles.

4 "Commercial repair" means any repair work except work done by the
5 owner on his own personal property;

6 (4) Off-premises signs;

7 (5) Liquefied petroleum gas installations for which a
8 special use permit is required by Section 19.55.010, subject to
9 the limitations set forth in Sections 19.55.010 and 19.55.020[.];

10 (6) Gaming establishments operated in connection with a
11 hotel pursuant to Section 6.40.155.

12 (C) Exception: If an application for reclassification
13 to a C-1 District under Chapter 19.92 includes any of the uses
14 hereinabove enumerated, the approval of the application shall
15 constitute approval of the use or uses and no special use permit
16 shall be required; provided, however, that the notice of public
17 hearing for reclassification shall specifically list the use or
18 uses.

19 SECTION 6: Title 19, Chapter 46, Section 10, of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
21 hereby amended to read as follows:

22 19.46.010: Uses permitted in the C-2 District include:

23 (A) Any use permitted in a C-C or C-1 District;

24 (B) Automobile sales and service facilities, excluding
25 body and fender shops. Subject use may include an outdoor used
26 car sales lot, when operated by a franchised new car dealer and
27 located directly adjacent to the new car sales and service faci-
28 lity and operated as an incidental use to the conduct of the new
29 car sales and service facility;

30 (C) Wedding chapels;

31 (D) Public parking areas, when located and developed as
32 required in Chapter 19.64;

1 (E) Restaurants;

2 (F) Mortuaries and mausoleums, which may include ceme-
3 teries when the cemeteries are developed in conjunction with a
4 mortuary and/or a mausoleum;

5 (G) Customer-operated car washes;

6 (H) R-5-density and R-6-density residential develop-
7 ments, when located within the Central Business District, as
8 defined in Section 19.64.030;

9 (I) Hotels, motels, and other like tourist accommoda-
10 tions;

11 (J) Gaming establishments, when located within the
12 districts specified in Section 6.40.140;

13 (K) Gaming establishments operated in connection with
14 a hotel, when located within the areas specified in Section
15 6.40.155(A);

16 [(J)](L) Other similar enterprises or businesses of the
17 same general class which, in the opinion of the Planning
18 Commission, as evidenced by resolution of record, are not more
19 detrimental to the welfare and safety of the residents within the
20 particular district than other classifications enumerated in this
21 Section;

22 [(K)] (M) Uses customarily incidental to any of the
23 above, when located on the same premises.

24 SECTION 7: Title 19, Chapter 46, Section 20, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 19.46.020: (A) The following uses may be permitted in the C-2
28 District upon securing a special use permit as provided in
29 Chapter 19.90, except that the uses enumerated in this Subsection
30 may be permitted as a matter of right when in accordance with the
31 exception shown in Subsection [(G)] (H) of this Section:

32 (1) Used car lots;

1 (2) Trailer sales lots;

2 (3) Boat sales and service facilities, including all
3 floating craft;

4 (4) Automotive parts exchanges. This shall not include
5 public garages or salvage operations, but shall be limited to the
6 sale and installation of new or rebuilt major automotive parts;

7 (5) Drive-in theaters, miniature golf courses and other out-
8 door amusement centers;

9 (6) Automobile laundry;

10 (7) Body and fender repair operations when conducted by a
11 franchised new car agency;

12 (8) Cemeteries as provided for in Section 19.10.080;

13 (9) Apartment houses, when located outside the Central
14 Business District, as defined in Section 19.64.030.

15 (B) Pawnshops may be permitted in the C-2 District sub-
16 ject to the securing of a special use permit in each case pur-
17 suant to the procedure provided for in Section 19.90.080, except
18 that no pawnshop may be located on either side of Fremont Street
19 or Las Vegas Boulevard South between Charleston Boulevard and
20 Sahara Avenue. Those pawnshops which were located on Fremont
21 Street or Las Vegas Boulevard South between Charleston Boulevard
22 and Sahara Avenue at the time of enactment of the 1974 amendatory
23 ordinance which is codified, in part, in this Section shall be
24 allowed to remain only as long as their present leases do not
25 expire. No such lease may be modified to extend its term or
26 otherwise prevent it from expiring. Those pawnshops which are
27 located in a C-2 Zone, other than on Fremont Street or Las Vegas
28 Boulevard South between Charleston Boulevard and Sahara Avenue,
29 at the time of enactment of the 1974 amendatory ordinance which
30 is codified, in part, in this Section shall be allowed to remain
31 at their locations without the necessity of securing a special
32 use permit.

1 (C) Class III secondhand dealers, retail demonstration
2 merchandise sales stores, transient sales lots, open sales lots
3 and off-premises signs may be permitted in the C-2 District sub-
4 ject to the securing of a special use permit in each case pur-
5 suant to the procedure provided for in Section 19.90.080 of this
6 Chapter, except that Class III secondhand dealers shall not be
7 allowed on Fremont Street and Las Vegas Boulevard South between
8 Charleston Boulevard or Sahara Avenue as prescribed by Section
9 6.74.050.

10 (D) Custodial institutions and detention facilities may
11 be permitted in the C-2 District subject to the securing of a
12 special use permit in each case pursuant to the procedure pro-
13 vided for in Section 19.90.080.

14 (E) Subject to the limitations contained in this
15 Subsection, commercial storage units may be permitted in the C-2
16 District subject to the securing of a special use permit in each
17 case pursuant to the procedure provided for in Section 19.90.080.
18 All stored items must be located within an enclosed building and
19 there must be no wholesale storage or sale of the stored items,
20 nor any commercial repair or sale of passenger cars, trucks, two-
21 wheeled vehicles, three-wheeled vehicles, trailers, boats or
22 other like vehicles. "Commercial repair" means any repair work
23 except work done by the owner on his own personal property.

24 (F) Liquefied petroleum gas installations for which a
25 special use permit is required by Section 19.55.010, subject to
26 the limitations set forth in Sections 19.55.010 and 19.55.020.

27 (G) Gaming establishments operated in connection with a
28 hotel pursuant to Section 6.40.155, when located outside the
29 areas specified in Subsection (A) of said Section, may be per-
30 mitted in the C-2 District subject to the securing of a special
31 use permit in each case pursuant to the procedure provided for
32 in Section 19.90.080.

1 (H) Exception: If an application for a reclassifica-
2 tion to a C-2 District under Chapter 19.92 includes any of the
3 uses hereinabove enumerated, the approval of the application
4 shall constitute approval of the use or uses and no special use
5 permit shall be required; provided, however, that the notice of
6 public hearing for reclassification shall specifically list the
7 use or uses.

8 SECTION 8: Title 19, Chapter 48, Section 20, of the
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
10 hereby amended to read as follows:

11 19.48.020: (A) The following uses may be permitted in the C-M
12 District subject to the securing of a special use permit as pro-
13 vided in Chapter 19.90, except that the uses enumerated in this
14 Subsection may be permitted as a matter of right when in accor-
15 dance with the exception shown in Subsection (B) of this
16 Section:

17 (1) Cemeteries, as provided for in Section 19.10.080;

18 (2) Pawnshops, subject to the securing of a special use per-
19 mit in each case pursuant to the procedure provided for in
20 Section 19.90.080;

21 (3) Custodial institutions and detention facilities, subject
22 to the securing of a special use permit in each case pursuant to
23 the procedure provided for in Section 19.90.080;

24 (4) Commercial storage units, subject to the limitations
25 contained in this Subsection and subject to the securing of a
26 special use permit in each case pursuant to the procedure pro-
27 vided for in Section 19.90.080. All stored items must be located
28 within an enclosed building and there must be no wholesale
29 storage or sale of the stored items, nor any commercial repair
30 or sale of passenger cars, trucks, two-wheeled vehicles,
31 three-wheeled vehicles, trailers, boats or other like vehicles.
32 "Commercial repair" means any repair work except work done by

1 the owner on his own personal property;

2 (5) Transient sales lots and open sales lots, subject to the
3 securing of a special use permit in each case pursuant to the
4 procedure provided for in Section 19.90.080;

5 (6) Off-premises signs, subject to the securing of a special
6 use permit in each case pursuant to the procedure provided for in
7 Section 19.90.080;

8 (7) Liquefied petroleum gas installations for which a spe-
9 cial use permit is required by Section 19.55.010, subject to the
10 limitations set forth in Sections 19.55.010 and 19.55.020[.];

11 (8) Gaming establishments operated in connection with a
12 hotel pursuant to Section 6.40.155, when located outside the
13 areas specified in Subsection (A) of said Section, subject to
14 the securing of a special use permit in each case pursuant to
15 the procedure provided for in Section 19.90.080.

16 (B) Exception: If an application for reclassification
17 to a C-M District under Chapter 19.92 includes any of the uses
18 hereinabove enumerated, the approval of the application shall
19 constitute approval of the use or uses and no special use permit
20 shall be required; provided, however, that the notice of public
21 hearing for reclassification shall specifically list the use or
22 uses.

23 SECTION 9: Title 19, Chapter 50, Section 20, of the
24 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
25 as follows:

26 19.50.020: (A) The following uses may be permitted in the M
27 District upon securing a special use permit as provided in Chap-
28 ter 19.90, except that the uses enumerated in this Subsection may
29 be permitted as of right when in accordance with the exception
30 set forth in Subsection (B) of this Section:

31 (1) Any manufacturing, processing or assembling use which is
32 unable to meet the letter of the standards designated in Section

1 19.50.040. Such use permit may be properly granted provided the
2 applicant can provide evidence to document a favorable conclusion
3 on all of the following factors:

4 (a) The proposed use can be operated substantially in
5 conformity with the requirements of the standards listed under
6 Section 19.50.040;

7 (b) The use, as proposed, will not be materially detri-
8 mental to the uses of surrounding property;

9 (c) The public interest will best be served by the
10 granting of the permit;

11 (2) Cemeteries, as provided for in Section 19.10.080;

12 (3) Pawnshops, subject to the securing of a special use per-
13 mit in each case pursuant to the procedure provided for in
14 Section 19.90.080;

15 (4) Custodial institutions and detention facilities, subject
16 to the securing of a special use permit in each case pursuant to
17 the procedure provided for in Section 19.90.080;

18 (5) Junk yards, wrecking yards and salvage yards;

19 (6) Commercial storage units, subject to the limitations
20 contained in this Subsection and subject to the securing of a
21 special use permit in each case pursuant to the procedure pro-
22 vided for in Section 19.90.080. All stored items must be located
23 within an enclosed building and there must be no wholesale
24 storage or sale of the stored items, nor any commercial repair or
25 sale of passenger cars, trucks, two-wheeled vehicles, three-
26 wheeled vehicles, trailers, boats or other like vehicles.

27 "Commercial repair" means any repair work except work done by the
28 owner on his own personal property;

29 (7) Transient sales lots and open sales lots, subject to the
30 securing of a special use permit in each case pursuant to the
31 procedure provided for in Section 19.90.080;

32 (8) Off-premises signs, subject to the securing of a special

1 use permit in each case pursuant to the procedure provided for in
2 Section 19.90.080;

3 (9) Liquefied petroleum gas installations for which a spe-
4 cial use permit is required by Section 19.55.010, subject to the
5 limitations set forth in Sections 19.55.010 and 19.55.020[.];

6 (10) Gaming establishments operated in connection with a
7 hotel pursuant to Section 6.40.155, when located outside the
8 areas specified in Subsection (A) of said Section, subject to
9 the securing of a special use permit in each case pursuant to
10 the procedure provided for in Section 19.90.080.

11 (B) Exception: If an application for a reclassifica-
12 tion to an M District under Chapter 19.92 includes any of the
13 uses hereinabove enumerated, the approval of the application
14 shall constitute approval of the use or uses, and no special use
15 permit shall be required; provided, however, that the notice of
16 public hearing for reclassification shall specifically list the
17 use or uses.

18 SECTION 10: Title 19, Chapter 88, Section 130, of the
19 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
20 as follows:

21 19.88.130: (A) Once the City Council has rendered a decision
22 on an application and thereafter a subsequent application for
23 variance involving the same property for the same or similar or
24 more intensive use is filed, then the same procedure set forth
25 herein shall apply, except that if the application is approved by
26 the Board of Zoning Adjustment, then there shall be an automatic
27 appeal to the City Council, and the Secretary of the Board of
28 Zoning Adjustment shall file with the City Clerk a proper notice
29 of the appeal within ten days of the decision of the Board of
30 Zoning Adjustment, and all notices and procedures shall be the
31 same as provided for other appeals.

32 (B) If an application is approved by the Board of

1 Zoning Adjustment concerning any:

2 (1) Matter with regard to which the City Council has indica-
3 ted a specific position, or

4 (2) Deviation from the provisions of the C-D Design
5 Commercial or C-V Civic Districts,
6 the same shall be transmitted to the City Council for final
7 decision; provided, however, that such matter may not be con-
8 sidered by the City Council until after the time for filing of an
9 appeal with respect to such matter pursuant to Section 19.88.120
10 has expired.

11 (C) A variance application for any of the following
12 uses shall be transmitted to the City Council for final decision
13 in accordance with the procedures set forth in Section 19.90.080:

- 14 (1) Sexually oriented businesses;
15 (2) Pawnshops;
16 (3) Class III or other secondhand dealers, except for anti-
17 que shops and used car lots;
18 (4) Transient sales lots or open sales lots;
19 (5) Retail demonstration merchandise sales stores;
20 (6) Custodial institutions or detention facilities;
21 (7) Publicly-operated convention and stadium facilities;
22 (8) Commercial storage units;
23 (9) Off-premises signs;
24 (10) Liquefied petroleum gas installations[.];
25 (11) Gaming establishments.

26 SECTION 11: Title 19, Chapter 90, Section 80, of the
27 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
28 as follows:

29 19.90.080: Following the conduct of a public hearing on any
30 application for a special use permit to allow a pawnshop; a
31 retail demonstration merchandise sales store; a Class III or
32 other secondhand dealer, except for an antique store or used car

1 lot; a transient sales lot; an open sales lot; a custodial insti-
2 tution or a detention facility; a publicly-operated convention
3 and stadium facility; commercial storage units; off-premises
4 signs; [or] a liquefied petroleum gas installation[,]
5 or a gaming establishment, the Board of Zoning Adjustment shall report its
6 recommendation on said application to the City Council. Prior to
7 the next subsequent meeting of the City Council, the Secretary of
8 the Board of Zoning Adjustment shall transmit a copy of said
9 recommendation to the City Clerk. Within not to exceed thirty
10 days from the date of the Board of Zoning Adjustment's recommen-
11 dation, the City Council shall set the date for a public hearing,
12 and public notice shall be given by the City Clerk not less than
13 ten days prior to the public hearing to all property owners who
14 received notice of the public hearing conducted by the Board of
15 Zoning Adjustment. The City Council shall consider the applica-
16 tion for said special use permit and the recommendation of the
17 Board of Zoning Adjustment at the public hearing. Action by the
18 City Council on such application, following a public hearing,
19 shall be by majority vote of the entire Council and shall be
20 final and conclusive.

21 SECTION 12: Whenever in this ordinance any act is
22 prohibited or is made or declared to be unlawful or an offense or
23 a misdemeanor, or whenever in this ordinance the doing of any act
24 is required or the failure to do any act is made or declared to
25 be unlawful or an offense or a misdemeanor, the doing of any such
26 prohibited act or the failure to do any such required act shall
27 constitute a misdemeanor and upon conviction thereof, shall be
28 punished by a fine of not more than \$1,000.00 or by imprisonment
29 for a term of not more than six (6) months, or by any combination
30 of such fine and imprisonment. Any day of any violation of this
31 ordinance shall constitute a separate offense.

32 SECTION 13: If any section, subsection, subdivision,

1 paragraph, sentence, clause or phrase in this ordinance or any
2 part thereof, is for any reason held to be unconstitutional or
3 invalid or ineffective by any court of competent jurisdiction,
4 such decision shall not affect the validity or effectiveness of
5 the remaining portions of this ordinance or any part thereof.
6 The City Council of the City of Las Vegas, Nevada, hereby
7 declares that it would have passed each section, subsection, sub-
8 division, paragraph, sentence, clause or phrase thereof irrespec-
9 tive of the fact that any one or more sections, subsections, sub-
10 divisions, paragraphs, sentences, clauses or phrases be declared
11 unconstitutional, invalid or ineffective.

12 SECTION 14: All ordinances or parts of ordinances,
13 sections, subsections, phrases, sentences, clauses or paragraphs
14 contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED AND APPROVED this ____ day of _____,
17 1986.

18 APPROVED:

19
20 By _____
WILLIAM H. BRIARE, MAYOR

21 ATTEST:

22
23 _____
CAROL ANN HAWLEY, CITY CLERK

24

25

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The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 1986, and referred to the following committee composed of Councilmen _____ and _____ _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 1986, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" Councilmen: _____

VOTING "NAY" Councilmen:

ABSENT: _____

APPROVED:

WILLIAM H. BRIARE, MAYOR

ATTEST:

CAROL ANN HAWLEY, CITY CLERK

BILL NO. 86-32

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE LOCATION OF GAMING ESTABLISHMENTS; AMENDING TITLE 6, CHAPTER 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 155, TO REQUIRE SPECIAL USE PERMITS, WITH FINAL ACTION BY THE CITY COUNCIL, FOR GAMING ESTABLISHMENTS, EXCEPT IN THE DOWNTOWN AND OTHER SPECIFIED AREAS; AMENDING TITLE 19, CHAPTER 4, OF SAID CODE TO PROVIDE A DEFINITION OF "GAMING ESTABLISHMENT"; AMENDING SAID TITLE 19 FURTHER BY AMENDING THE VARIOUS ZONING DISTRICT REGULATIONS TO REFLECT THE SPECIAL USE PERMIT REQUIREMENT; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Al Levy

Summary: Requires special use permits, with final action by the City Council, for gaming establishments, except in the downtown and other specified areas.

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

SECTION 1: Title 6, Chapter 40, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.140: Except as otherwise provided in Sections 6.40.150, 6.40.155 and 6.40.160, [No] no gaming shall be conducted, maintained or operated in the City except as allowed within the following specified districts[;]:

(A) The area bounded by the east side of Main Street, the south side of Stewart Avenue, the west side of 3rd Street and the north side of Carson Avenue;

(B) The frontage on both sides of West Jackson Avenue between North "D" Street and North "G" Street and the frontage on both sides of Owens Avenue between "H" Street and Highland Avenue.

SECTION 2: Title 6, Chapter 40, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.150: Notwithstanding Section 6.40.140, the following

1 nonrestricted gaming may be permitted by the City Council outside
2 said districts:

3 (A) At those locations which have been approved by the
4 Council for a nonrestricted license prior to the adoption of the
5 1981 ordinance codified in this Chapter;

6 (B) In hotels having at least one hundred guestrooms
7 available to the public[.], subject to the provisions contained
8 in Section 6.40.155.

9 SECTION 3: Title 6, Chapter 40, of the Municipal
10 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
11 amended by adding thereto a new section, designated as Section
12 155, reading as follows:

13 6.40.155: Nonrestricted gaming may be permitted in a hotel
14 which has at least one hundred guestrooms and which is located
15 outside the districts specified in Section 6.40.140 only as
16 follows:

17 (A) In any C-2, C-M or M District which fronts on
18 Fremont Street, Rancho Drive north of Vegas Drive, Main Street or
19 Las Vegas Boulevard, or which is located within the Central
20 Business District as defined in Section 19.64.030, such gaming
21 use is a permitted land use.

22 (B) In any C-1 District, wherever located, and any C-2,
23 C-M or M District other than at the locations specified in
24 Subsection (A) of this Section, such gaming use is permitted only
25 by means of special use permit in accordance with the provisions
26 of Title 19; provided, however, that any such use which is
27 existing on the effective date of the ordinance codified in this
28 Section may continue to operate without the necessity of securing
29 a special use permit.

30 SECTION 4: Title 6, Chapter 40, Section 170, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
32 hereby amended to read as follows:

1 6.40.170: Nothing contained in Sections 6.40.140, 6.40.150,
2 6.40.155 and 6.40.160 shall be construed to require the issuance
3 of a gaming license to any applicant because of any zoning
4 approval, location, structure involved or nature of any allied
5 business.

6 SECTION 5: Title 19, Chapter 4, of the Municipal
7 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
8 amended by adding thereto a new section, designated as Section
9 413, reading as follows:

10 19.04.413: "Gaming establishment" means a building or struc-
11 ture any part of which is used or intended to be used for gaming
12 activities for which a nonrestricted gaming license is required
13 under Chapter 6.40.

14 SECTION 6: Title 19, Chapter 44, Section 20, of the
15 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
16 hereby amended to read as follows:

17 19.44.020: (A) The following uses may be permitted in the C-1
18 District upon securing a special use permit as provided in
19 Chapter 19.90, except that the uses enumerated in this Subsection
20 may be permitted as a matter of right when in accordance with the
21 exception shown in Subsection (C) of this Section:

22 (1) Automobile service stations for the sale of gasoline,
23 oil and minor accessories only, where no repair work is done,
24 except minor repairs made by the attendant and provided all
25 lubrications, washing, repairing and storage are conducted within
26 an enclosed permanent building;

27 (2) Apartment houses;

28 (3) Customer-operated car washes;

29 (4) Lodginghouses, boardinghouses or roominghouses, hotels,
30 motels and other like tourist accommodations;

31 (5) Emergency ground ambulance facilities.

32 (B) The following uses may be permitted upon securing a

1 special use permit in each case pursuant to the procedure pro-
2 vided for in Section 19.90.080, except that the uses enumerated
3 in this Subsection may be permitted as a matter of right when in
4 accordance with the exception shown in Subsection (C) of this
5 Section:

6 (1) Class III secondhand dealers as defined in Section
7 19.04.250, except that these uses shall not be allowed on Fremont
8 Street or Las Vegas Boulevard South between Charleston Boulevard
9 and Sahara Avenue as prescribed by Section 6.74.050;

10 (2) Retail demonstration merchandise sales stores as defined
11 in Section 6.72.010;

12 (3) Commercial storage units, provided all stored items are
13 located within an enclosed building and there is no wholesale
14 storage or sale of the stored items, nor any commercial repair or
15 sale of passenger cars, trucks, two-wheeled vehicles, three-
16 wheeled vehicles, trailers, boats or other like vehicles.

17 "Commercial repair" means any repair work except work done by the
18 owner on his own personal property;

19 (4) Off-premises signs;

20 (5) Liquefied petroleum gas installations for which a
21 special use permit is required by Section 19.55.010, subject to
22 the limitations set forth in Sections 19.55.010 and 19.55.020[.];

23 (6) Gaming establishments operated in connection with a
24 hotel pursuant to Section 6.40.155.

25 (C) Exception: If an application for reclassification
26 to a C-1 District under Chapter 19.92 includes any of the uses
27 hereinabove enumerated, the approval of the application shall
28 constitute approval of the use or uses and no special use permit
29 shall be required; provided, however, that the notice of public
30 hearing for reclassification shall specifically list the use or
31 uses.

32 SECTION 7: Title 19, Chapter 46, Section 10, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 19.46.010: Uses permitted in the C-2 District include:

4 (A) Any use permitted in a C-C or C-1 District;

5 (B) Automobile sales and service facilities, excluding
6 body and fender shops. Subject use may include an outdoor used
7 car sales lot, when operated by a franchised new car dealer and
8 located directly adjacent to the new car sales and service faci-
9 lity and operated as an incidental use to the conduct of the new
10 car sales and service facility;

11 (C) Wedding chapels;

12 (D) Public parking areas, when located and developed as
13 required in Chapter 19.64;

14 (E) Restaurants;

15 (F) Mortuaries and mausoleums, which may include ceme-
16 teries when the cemeteries are developed in conjunction with a
17 mortuary and/or a mausoleum;

18 (G) Customer-operated car washes;

19 (H) R-5-density and R-6-density residential develop-
20 ments, when located within the Central Business District, as
21 defined in Section 19.64.030;

22 (I) Hotels, motels, and other like tourist accommoda-
23 tions;

24 (J) Gaming establishments, when located within the
25 districts specified in Section 6.40.140;

26 (K) Gaming establishments operated in connection with
27 a hotel, when located within the areas specified in Section
28 6.40.155(A);

29 [(J)](L) Other similar enterprises or businesses of the
30 same general class which, in the opinion of the Planning
31 Commission, as evidenced by resolution of record, are not more
32 detrimental to the welfare and safety of the residents within the

1 particular district than other classifications enumerated in this
2 Section;

3 [(K)] (M) Uses customarily incidental to any of the
4 above, when located on the same premises.

5 SECTION 8: Title 19, Chapter 46, Section 20, of the
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
7 hereby amended to read as follows:

8 19.46.020: (A) The following uses may be permitted in the C-2
9 District upon securing a special use permit as provided in
10 Chapter 19.90, except that the uses enumerated in this Subsection
11 may be permitted as a matter of right when in accordance with the
12 exception shown in Subsection [(G)] (H) of this Section:

13 (1) Used car lots;

14 (2) Trailer sales lots;

15 (3) Boat sales and service facilities, including all
16 floating craft;

17 (4) Automotive parts exchanges. This shall not include
18 public garages or salvage operations, but shall be limited to the
19 sale and installation of new or rebuilt major automotive parts;

20 (5) Drive-in theaters, miniature golf courses and other out-
21 door amusement centers;

22 (6) Automobile laundry;

23 (7) Body and fender repair operations when conducted by a
24 franchised new car agency;

25 (8) Cemeteries as provided for in Section 19.10.080;

26 (9) Apartment houses, when located outside the Central
27 Business District, as defined in Section 19.64.030.

28 (B) Pawnshops may be permitted in the C-2 District sub-
29 ject to the securing of a special use permit in each case pur-
30 suant to the procedure provided for in Section 19.90.080, except
31 that no pawnshop may be located on either side of Fremont Street
32 or Las Vegas Boulevard South between Charleston Boulevard and

1 Sahara Avenue. Those pawnshops which were located on Fremont
2 Street or Las Vegas Boulevard South between Charleston Boulevard
3 and Sahara Avenue at the time of enactment of the 1974 amendatory
4 ordinance which is codified, in part, in this Section shall be
5 allowed to remain only as long as their present leases do not
6 expire. No such lease may be modified to extend its term or
7 otherwise prevent it from expiring. Those pawnshops which are
8 located in a C-2 Zone, other than on Fremont Street or Las Vegas
9 Boulevard South between Charleston Boulevard and Sahara Avenue,
10 at the time of enactment of the 1974 amendatory ordinance which
11 is codified, in part, in this Section shall be allowed to remain
12 at their locations without the necessity of securing a special
13 use permit.

14 (C) Class III secondhand dealers, retail demonstration
15 merchandise sales stores, transient sales lots, open sales lots
16 and off-premises signs may be permitted in the C-2 District sub-
17 ject to the securing of a special use permit in each case pur-
18 suant to the procedure provided for in Section 19.90.080 of this
19 Chapter, except that Class III secondhand dealers shall not be
20 allowed on Fremont Street and Las Vegas Boulevard South between
21 Charleston Boulevard or Sahara Avenue as prescribed by Section
22 6.74.050.

23 (D) Custodial institutions and detention facilities may
24 be permitted in the C-2 District subject to the securing of a
25 special use permit in each case pursuant to the procedure pro-
26 vided for in Section 19.90.080.

27 (E) Subject to the limitations contained in this
28 Subsection, commercial storage units may be permitted in the C-2
29 District subject to the securing of a special use permit in each
30 case pursuant to the procedure provided for in Section 19.90.080.
31 All stored items must be located within an enclosed building and
32 there must be no wholesale storage or sale of the stored items,

1 nor any commercial repair or sale of passenger cars, trucks, two-
2 wheeled vehicles, three-wheeled vehicles, trailers, boats or
3 other like vehicles. "Commercial repair" means any repair work
4 except work done by the owner on his own personal property.

5 (F) Liquefied petroleum gas installations for which a
6 special use permit is required by Section 19.55.010, subject to
7 the limitations set forth in Sections 19.55.010 and 19.55.020.

8 (G) Gaming establishments operated in connection with a
9 hotel pursuant to Section 6.40.155, when located outside the
10 areas specified in Subsection (A) of said Section, may be per-
11 mitted in the C-2 District subject to the securing of a special
12 use permit in each case pursuant to the procedure provided for
13 in Section 19.90.080.

14 (H) Exception: If an application for a reclassifica-
15 tion to a C-2 District under Chapter 19.92 includes any of the
16 uses hereinabove enumerated, the approval of the application
17 shall constitute approval of the use or uses and no special use
18 permit shall be required; provided, however, that the notice of
19 public hearing for reclassification shall specifically list the
20 use or uses.

21 SECTION 9: Title 19, Chapter 48, Section 20, of the
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
23 hereby amended to read as follows:

24 19.48.020: (A) The following uses may be permitted in the C-M
25 District subject to the securing of a special use permit as pro-
26 vided in Chapter 19.90, except that the uses enumerated in this
27 Subsection may be permitted as a matter of right when in accor-
28 dance with the exception shown in Subsection (B) of this
29 Section:

30 (1) Cemeteries, as provided for in Section 19.10.080;

31 (2) Pawnshops, subject to the securing of a special use per-
32 mit in each case pursuant to the procedure provided for in

1 Section 19.90.080;

2 (3) Custodial institutions and detention facilities, subject
3 to the securing of a special use permit in each case pursuant to
4 the procedure provided for in Section 19.90.080;

5 (4) Commercial storage units, subject to the limitations
6 contained in this Subsection and subject to the securing of a
7 special use permit in each case pursuant to the procedure pro-
8 vided for in Section 19.90.080. All stored items must be located
9 within an enclosed building and there must be no wholesale
10 storage or sale of the stored items, nor any commercial repair
11 or sale of passenger cars, trucks, two-wheeled vehicles,
12 three-wheeled vehicles, trailers, boats or other like vehicles.
13 "Commercial repair" means any repair work except work done by
14 the owner on his own personal property;

15 (5) Transient sales lots and open sales lots, subject to the
16 securing of a special use permit in each case pursuant to the
17 procedure provided for in Section 19.90.080;

18 (6) Off-premises signs, subject to the securing of a special
19 use permit in each case pursuant to the procedure provided for in
20 Section 19.90.080;

21 (7) Liquefied petroleum gas installations for which a spe-
22 cial use permit is required by Section 19.55.010, subject to the
23 limitations set forth in Sections 19.55.010 and 19.55.020[.];

24 (8) Gaming establishments operated in connection with a
25 hotel pursuant to Section 6.40.155, when located outside the
26 areas specified in Subsection (A) of said Section, subject to
27 the securing of a special use permit in each case pursuant to
28 the procedure provided for in Section 19.90.080.

29 (B) Exception: If an application for reclassification
30 to a C-M District under Chapter 19.92 includes any of the uses
31 hereinabove enumerated, the approval of the application shall
32 constitute approval of the use or uses and no special use permit

1 shall be required; provided, however, that the notice of public
2 hearing for reclassification shall specifically list the use or
3 uses.

4 SECTION 10: Title 19, Chapter 50, Section 20, of the
5 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
6 as follows:

7 19.50.020: (A) The following uses may be permitted in the M
8 District upon securing a special use permit as provided in Chap-
9 ter 19.90, except that the uses enumerated in this Subsection may
10 be permitted as of right when in accordance with the exception
11 set forth in Subsection (B) of this Section:

12 (1) Any manufacturing, processing or assembling use which is
13 unable to meet the letter of the standards designated in Section
14 19.50.040. Such use permit may be properly granted provided the
15 applicant can provide evidence to document a favorable conclusion
16 on all of the following factors:

17 (a) The proposed use can be operated substantially in
18 conformity with the requirements of the standards listed under
19 Section 19.50.040;

20 (b) The use, as proposed, will not be materially detri-
21 mental to the uses of surrounding property;

22 (c) The public interest will best be served by the
23 granting of the permit;

24 (2) Cemeteries, as provided for in Section 19.10.080;

25 (3) Pawnshops, subject to the securing of a special use per-
26 mit in each case pursuant to the procedure provided for in
27 Section 19.90.080;

28 (4) Custodial institutions and detention facilities, subject
29 to the securing of a special use permit in each case pursuant to
30 the procedure provided for in Section 19.90.080;

31 (5) Junk yards, wrecking yards and salvage yards;

32 (6) Commercial storage units, subject to the limitations

1 contained in this Subsection and subject to the securing of a
2 special use permit in each case pursuant to the procedure pro-
3 vided for in Section 19.90.080. All stored items must be located
4 within an enclosed building and there must be no wholesale
5 storage or sale of the stored items, nor any commercial repair or
6 sale of passenger cars, trucks, two-wheeled vehicles, three-
7 wheeled vehicles, trailers, boats or other like vehicles.

8 "Commercial repair" means any repair work except work done by the
9 owner on his own personal property;

10 (7) Transient sales lots and open sales lots, subject to the
11 securing of a special use permit in each case pursuant to the
12 procedure provided for in Section 19.90.080;

13 (8) Off-premises signs, subject to the securing of a special
14 use permit in each case pursuant to the procedure provided for in
15 Section 19.90.080;

16 (9) Liquefied petroleum gas installations for which a spe-
17 cial use permit is required by Section 19.55.010, subject to the
18 limitations set forth in Sections 19.55.010 and 19.55.020[.];

19 (10) Gaming establishments operated in connection with a
20 hotel pursuant to Section 6.40.155, when located outside the
21 areas specified in Subsection (A) of said Section, subject to
22 the securing of a special use permit in each case pursuant to
23 the procedure provided for in Section 19.90.080.

24 (B) Exception: If an application for a reclassifica-
25 tion to an M District under Chapter 19.92 includes any of the
26 uses hereinabove enumerated, the approval of the application
27 shall constitute approval of the use or uses, and no special use
28 permit shall be required; provided, however, that the notice of
29 public hearing for reclassification shall specifically list the
30 use or uses.

31 SECTION 11: Title 19, Chapter 88, Section 130, of the
32 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read

1 as follows:

2 19.88.130: (A) Once the City Council has rendered a decision
3 on an application and thereafter a subsequent application for
4 variance involving the same property for the same or similar or
5 more intensive use is filed, then the same procedure set forth
6 herein shall apply, except that if the application is approved by
7 the Board of Zoning Adjustment, then there shall be an automatic
8 appeal to the City Council, and the Secretary of the Board of
9 Zoning Adjustment shall file with the City Clerk a proper notice
10 of the appeal within ten days of the decision of the Board of
11 Zoning Adjustment, and all notices and procedures shall be the
12 same as provided for other appeals.

13 (B) If an application is approved by the Board of
14 Zoning Adjustment concerning any:

15 (1) Matter with regard to which the City Council has indica-
16 ted a specific position, or

17 (2) Deviation from the provisions of the C-D Design
18 Commercial or C-V Civic Districts,
19 the same shall be transmitted to the City Council for final
20 decision; provided, however, that such matter may not be con-
21 sidered by the City Council until after the time for filing of an
22 appeal with respect to such matter pursuant to Section 19.88.120
23 has expired.

24 (C) A variance application for any of the following
25 uses shall be transmitted to the City Council for final decision
26 in accordance with the procedures set forth in Section 19.90.080:

27 (1) Sexually oriented businesses;

28 (2) Pawnshops;

29 (3) Class III or other secondhand dealers, except for anti-
30 que shops and used car lots;

31 (4) Transient sales lots or open sales lots;

32 (5) Retail demonstration merchandise sales stores;

- 1 (6) Custodial institutions or detention facilities;
- 2 (7) Publicly-operated convention and stadium facilities;
- 3 (8) Commercial storage units;
- 4 (9) Off-premises signs;
- 5 (10) Liquefied petroleum gas installations[.];
- 6 (11) Gaming establishments.

7 SECTION 12: Title 19, Chapter 90, Section 80, of the
8 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read
9 as follows:

10 19.90.080: Following the conduct of a public hearing on any
11 application for a special use permit to allow a pawnshop; a
12 retail demonstration merchandise sales store; a Class III or
13 other secondhand dealer, except for an antique store or used car
14 lot; a transient sales lot; an open sales lot; a custodial insti-
15 tution or a detention facility; a publicly-operated convention
16 and stadium facility; commercial storage units; off-premises
17 signs; [or] a liquefied petroleum gas installation[,] or a gaming
18 establishment, the Board of Zoning Adjustment shall report its
19 recommendation on said application to the City Council. Prior to
20 the next subsequent meeting of the City Council, the Secretary of
21 the Board of Zoning Adjustment shall transmit a copy of said
22 recommendation to the City Clerk. Within not to exceed thirty
23 days from the date of the Board of Zoning Adjustment's recommen-
24 dation, the City Council shall set the date for a public hearing,
25 and public notice shall be given by the City Clerk not less than
26 ten days prior to the public hearing to all property owners who
27 received notice of the public hearing conducted by the Board of
28 Zoning Adjustment. The City Council shall consider the applica-
29 tion for said special use permit and the recommendation of the
30 Board of Zoning Adjustment at the public hearing. Action by the
31 City Council on such application, following a public hearing,
32 shall be by majority vote of the entire Council and shall be

1 final and conclusive.

2 SECTION 13: Whenever in this ordinance any act is
3 prohibited or is made or declared to be unlawful or an offense or
4 a misdemeanor, or whenever in this ordinance the doing of any act
5 is required or the failure to do any act is made or declared to
6 be unlawful or an offense or a misdemeanor, the doing of any such
7 prohibited act or the failure to do any such required act shall
8 constitute a misdemeanor and upon conviction thereof, shall be
9 punished by a fine of not more than \$1,000.00 or by imprisonment
10 for a term of not more than six (6) months, or by any combination
11 of such fine and imprisonment. Any day of any violation of this
12 ordinance shall constitute a separate offense.

13 SECTION 14: If any section, subsection, subdivision,
14 paragraph, sentence, clause or phrase in this ordinance or any
15 part thereof, is for any reason held to be unconstitutional or
16 invalid or ineffective by any court of competent jurisdiction,
17 such decision shall not affect the validity or effectiveness of
18 the remaining portions of this ordinance or any part thereof.
19 The City Council of the City of Las Vegas, Nevada, hereby
20 declares that it would have passed each section, subsection, sub-
21 division, paragraph, sentence, clause or phrase thereof irrespec-
22 tive of the fact that any one or more sections, subsections, sub-
23 divisions, paragraphs, sentences, clauses or phrases be declared
24 unconstitutional, invalid or ineffective.

25 SECTION 15: All ordinances or parts of ordinances,
26 sections, subsections, phrases, sentences, clauses or paragraphs
27
28
29
30
31
32

1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED AND APPROVED this ____ day of _____,
4 1986.

5 APPROVED:

6 By _____
7 WILLIAM H. BRIARE, MAYOR

8 ATTEST:

9
10 _____
11 CAROL ANN HAWLEY, CITY CLERK

12 The above and foregoing ordinance was first proposed and
13 read by title to the City Council on the ____ day of _____,
14 1986, and referred to the following committee composed of
15 Councilmen _____ and _____
16 _____ for recommendation; thereafter the
17 said committee reported favorably on said ordinance on the ____
18 day of _____, 1986, which was a _____ meeting of
19 said Council; that at said _____ meeting, the proposed
20 ordinance was read by title to the City Council as first intro-
21 duced and adopted by the following vote:

22 VOTING "AYE" Councilmen: _____

23 VOTING "NAY" Councilmen: _____

24 ABSENT: _____

25 APPROVED:

26
27 _____
28 WILLIAM H. BRIARE, MAYOR

29 ATTEST:

30
31 _____
32 CAROL ANN HAWLEY, CITY CLERK

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

JUL 14 12 06 PM '86

Carol Black

CITY CLERK

, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from July 3, 1986

to July 3, 1986

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 3, 1986

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Carol Black

Subscribed and sworn to before me this 3rd
day of July, 1986

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada

My Commission Expires



RUTHE V. DESKIN
Notary Public-State of Nevada
CLARK COUNTY

My Appointment Expires Apr. 14, 1989

BILL NO. 88-32
SECOND AMENDMENT
AN ORDINANCE RELATING TO
THE LOCATION OF GAMING ES-
TABLISHMENTS; AMENDING TI-
TLE 6, CHAPTER 40, OF THE
MUNICIPAL CODE OF THE CITY
OF LAS VEGAS, NEVADA, 1983
EDITION, BY ADDING THERETO A
NEW SECTION, DESIGNATED AS
SECTION 175, TO REQUIRE SPE-
CIAL USE PERMITS, WITH FINAL
ACTION BY THE CITY COUNCIL,
FOR GAMING ESTABLISHMENTS,
EXCEPT IN THE DOWNTOWN AND
OTHER SPECIFIED AREAS; AMEN-
DING TITLE 19, CHAPTER 4, OF
SAID CODE TO PROVIDE A DEFIN-
ITION OF "GAMING ESTABLISH-
MENT"; AMENDING SAID TITLE 19
FURTHER BY AMENDING THE
VARIOUS ZONING DISTRICT REG-
ULATIONS TO REFLECT THE SPE-
CIAL USE PERMIT REQUIREMENT;
PROVIDING PENALTIES FOR VIOL-
ATIONS HEREOF; PROVIDING
FOR OTHER MATTERS PROPERLY
RELATING THERETO; AND RE-
PEALING ALL ORDINANCES AND
PARTS OF ORDINANCES IN CON-
FLICT HEREWITH.

Sponsored By:
Councilman Al Levy
Summary: Requires special use per-
mits, with final action by the City
Council, for gaming establishments,
except in the downtown and other
specified areas.

At a City Council meeting

June 18, 1988
BILL NO. 88-32 WAS READ BY
TITLE AND REFERRED TO:
RECOMMENDING COMMITTEE:
COUNCILMEN Levy and Lurie
COPIES OF THE COMPLETE
ORDINANCE ARE AVAILABLE
FOR PUBLIC INFORMATION
IN THE OFFICE
OF THE CITY CLERK,
10TH FLOOR, CITY HALL,
400 EAST STEWART AVENUE,
LAS VEGAS, NEVADA.

PUB: July 3, 1986
Las Vegas SUN

THIRD AMENDMENT

BILL NO. 86-32

ORDINANCE NO. 3238

AN ORDINANCE RELATING TO THE LOCATION OF GAMING ESTABLISHMENTS; AMENDING TITLE 6, CHAPTER 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 175, TO REQUIRE SPECIAL USE PERMITS, WITH FINAL ACTION BY THE CITY COUNCIL, FOR GAMING ESTABLISHMENTS, EXCEPT IN THE DOWNTOWN AND OTHER SPECIFIED AREAS; AMENDING TITLE 19, CHAPTER 4, OF SAID CODE TO PROVIDE DEFINITIONS OF "GAMING ESTABLISHMENT" (HOTEL) AND "GAMING ESTABLISHMENT (NON-HOTEL)"; AMENDING SAID TITLE 19 FURTHER BY AMENDING THE VARIOUS ZONING DISTRICT REGULATIONS TO REFLECT THE SPECIAL USE PERMIT REQUIREMENT; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored By:

Councilman Al Levy

Summary: Requires special use permits, with final action by the City Council, for gaming establishments, except in the downtown and other specified areas.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 18th day of June, 1986, and referred to the following committee composed of Councilmen Levy and Lurie, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 16th day of July, 1986, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen: Bunker, Levy, Lurie, Nolen and Mayor Briare

VOTING "NAY" Councilmen: NONE

ABSENT: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION

IN THE OFFICE

OF THE CITY CLERK,
10TH FLOOR, CITY HALL,
400 EAST STEWART AVENUE,
LAS VEGAS, NEVADA.

PUB: July 25, 1986

Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

ss.

Carol Black

, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from July 25, 1986

to July 25, 1986

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 25, 1986

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Carol Black

Subscribed and sworn to before me this 25th
day of July, 1986

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada

My Commission Expires



RUTHE V. DESKIN

Notary Public-State of Nevada

CLARK COUNTY

My Appointment Expires Apr. 14, 1989

THIRD AMENDMENT
BILL NO. 86-32
ORDINANCE NO. 3238
AN ORDINANCE RELATING TO
THE LOCATION OF GAMING ES-
TABLISHMENTS; AMENDING TI-
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FOR GAMING ESTABLISHMENTS
EXCEPT IN THE DOWNTOWN AND
OTHER SPECIFIED AREAS; AMEN-
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THER BY AMENDING THE VAR-
IOUS ZONING DISTRICT
REGULATIONS TO REFLECT THE
SPECIAL USE PERMIT RE-
QUIREMENT; PROVIDING PENAL-
TIES FOR VIOLATIONS HEREOF;
PROVIDING FOR OTHER MATTERS
PROPERLY RELATING THERETO;
AND REPEALING ALL ORDI-
NANCES AND PARTS OF ORDI-
NANCES IN CONFLICT HERewith.
Sponsored By:
Councilman Al Levy
Summary: Requires special use
permits, with final action by the City
Council, for gaming establishments,
except in the downtown and other
specified areas.
The above and foregoing amended
ordinance was first proposed and
read by title to the City Council on
the 18th day of June, 1986, and
referred to the following committee
composed of Councilmen Levy and
Lurie, for recommendation;
thereafter the said committee re-
ported favorably on said amended
ordinance on the 18th day of July,
1986, which was a regular meeting
of said City Council; that at said
regular meeting the proposed ordi-
nance was read by title to the City
Council as amended and adopted
by the following vote:
VOTING "AYE" Councilmen:
Bunker, Levy, Lurie, Nolan and
Mayor Briare
VOTING "NAY" Councilmen: NONE
ABSENT: NONE
COPIES OF THE COMPLETE
ORDINANCE ARE AVAILABLE
FOR PUBLIC INFORMATION
IN THE OFFICE
OF THE CITY CLERK,
10TH FLOOR, CITY HALL,
400 EAST STEWART AVENUE,
LAS VEGAS, NEVADA
PUB: July 25, 1986
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Carol Black

being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from July 25, 1986 to July 25, 1986

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 25, 1986

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed Carol Black

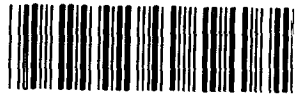
Subscribed and sworn to before me this 25th
day of July, 1986

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada

My Commission Expires

RUTHE V. DESKIN
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Apr. 14, 1989



BILL NO. 86-32
SECOND AMENDMENT
AN ORDINANCE RELATING TO
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FOR GAMING ESTABLISHMENTS,
EXCEPT IN THE DOWNTOWN AND
OTHER SPECIFIED AREAS; AMEN-
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HEREOF; PROVIDING
FOR OTHER MATTERS PROPERLY
RELATING THERETO; AND RE-
PEALING ALL ORDINANCES AND
PARTS OF ORDINANCES IN CON-
FLICT HEREWITH.
Sponsored By:
Councilman Al Levy
Summary: Requires special use per-
mits, with final action by the City
Council, for gaming establishments,
except in the downtown and other
specified areas.
At a City Council meeting
June 18, 1986
BILL NO. 86-32 WAS READ BY
TITLE AND REFERRED TO
RECOMMENDING COMMITTEE.
COUNCILMEN Levy and Lurie
COPIES OF THE COMPLETE
ORDINANCE ARE AVAILABLE
FOR PUBLIC INFORMATION
IN THE OFFICE
OF THE CITY CLERK,
10TH FLOOR, CITY HALL,
400 EAST STEWART AVENUE,
LAS VEGAS, NEVADA.
PUB: July 3, 1986
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF NEVADA,
COUNTY OF CLARK

{^{ss} JUL 14 12 06 PM '86

Carol Black

CITY CLERK

, being first duly sworn,

deposes and says: That he is _____ Legal Clerk _____ of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
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from July 3, 1986

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inclusive, being the issues of said newspaper for the following dates, to-wit:

July 3, 1986

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Signed

Carol Black

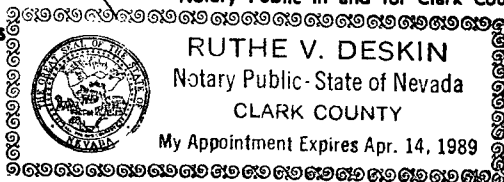
Subscribed and sworn to before me this
day of July, 1986

3rd

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada

My Commission Expires



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