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BILL NO. 2010-1

ORDINANCE NO. 6077

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

Sponsored by: Mayor Oscar B. Goodman

Summary: Authorizes, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

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

SECTION 1: In order to encourage new urban lounge and tavern-limited licenses within the districts to which they pertain, the Department of Finance and Business Services, in accordance with Section 2 of this Ordinance, may waive the origination charge otherwise imposed by LVMC 6.50.380 and Ordinance Nos. 6047 and 6071.

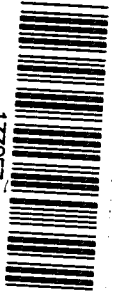
SECTION 2: The waiver referred to in Section 1 of this Ordinance may be granted pursuant to a qualifying waiver application that is filed with the Department between the effective date of this Ordinance and one year thereafter. Any such waiver shall be conditioned upon activation of the business license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

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

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

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

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



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

3 (B) "Qualifying waiver application" means an application for waiver that is:
4 (1) Submitted in connection with a business license application; and
5 (2) Accompanied by a copy of an application for special use permit that has
6 been filed with the Planning and Development Department pursuant to Title 19 of the Las Vegas
7 Municipal Code.

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

16 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this 3rd day of February, 2010.

20 APPROVED:

21 By 
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:

24 
25 BEVERLY K. BRIDGES, MMC
City Clerk

26 APPROVED AS TO FORM:

27 Valted 12-17-09
28 Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of January, 2010, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 19th day of January, 2010, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

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

APPROVED:



OSCAR B. GOODMAN, Mayor

ATTEST:



BEVERLY K. BRIDGES, MMC City Clerk

BUSINESS IMPACT STATEMENT

BILL NO. 2010-1

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

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2010-1, that would authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

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

Not applicable

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

Adverse effects:

None

Beneficial effects:

Availability of waiver of origination charges

Direct effects:

Availability of waiver of origination charges

Indirect effects:

None

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

Not applicable

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

No additional cost

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

Not applicable

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

Not applicable

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

Not applicable

Date: December 17, 2009

RECEIVED
CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

2010 JAN 29 A 11:50

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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

LV CITY CLERK 2296311LV 6022146

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/22/2010 to 01/22/2010, on the following days:

01/22/2010

BILL-NO. 2010-1

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

Sponsored by: Mayor Oscar B. Goodman
Summary: Authorizes, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

At the City Council meeting of JANUARY 6, 2010
BILL NO. 2010-1 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE.

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 22, 2010
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
22nd day of Jan., 2010.

Emily Gonzalez
Notary Public



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

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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

LV CITY CLERK 2296311LV 6067188

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/06/2010 to 02/06/2010, on the following days:

02/06/2010

BILL NO. 2010-1
ORDINANCE NO. 6077

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

Sponsored by: Mayor Oscar B. Goodman
Summary: Authorizes, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of January 2010 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 3rd day of February 2010, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Wolfson, Tarkanian, Ross, Barlow, and Anthony
VOTING "NAY": NONE
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: February 6, 2010
LV Review-Journal

RECEIVED
CITY CLERK
2010 FEB 11 AM 11:11

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 8th day of Feb., 2010.

Emily Gonzalez
Notary Public

