

1 **FIRST AMENDMENT**

2 **BILL NO. 2008-25**

3 **ORDINANCE NO. 5987**

4 AN ORDINANCE TO ELIMINATE THE REQUIREMENT THAT A GENERAL  
5 BUSINESS-RELATED GAMING ESTABLISHMENT LICENSED TO SELL ALCOHOLIC  
6 BEVERAGES OBTAIN A SEPARATE SPECIAL USE PERMIT FOR THE GAMING USE, AND  
7 TO PROVIDE FOR OTHER RELATED MATTERS.

8 Sponsored by: Mayor Oscar B. Goodman

Summary: Eliminates the requirement that a  
general business-related gaming establishment  
licensed to sell alcoholic beverages obtain a  
separate special use permit for the gaming use.

9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

10 AS FOLLOWS:

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

13 **6.40.140:** (A) Restricted gaming shall be limited to the following locations within the City  
14 and limited in scope of operation as follows:

15 [(A)] (1) Locations licensed for the sale of alcoholic beverages, other than a  
16 tavern, supper club or urban lounge, having less than five thousand square feet of usable floor space  
17 shall be permitted to operate not more than seven slot machines.

18 [(B)] (2) Locations licensed for the sale of alcoholic beverages, other than a  
19 supper club or urban lounge, having at least five thousand square feet of usable floor space, and  
20 taverns, regardless of the amount of their usable floor space, shall be permitted to operate not more  
21 than fifteen slot machines.

22 [(C)] (3) Locations that are licensed as supper clubs may operate not more than  
23 five slot machines, but only if the slot machines[:

24 (1) Are] are counter top or table top video gaming devices that are  
25 located within the bar area of the business operation.]; and

26 (2) Have been approved by means of a special use permit for a  
27 general business-related gaming establishment in accordance with LVMC Title 19.]

28 [(D)] (4) Locations that are licensed as urban lounges may operate not more than



1 five slot machines, [, but only if the slot machines have been approved by means of a special use  
2 permit for a general business-related gaming establishment in accordance with LVMC Title 19.]

3 [(E)] (5) Locations not licensed for the sale of alcoholic beverages but for which  
4 locations a special use permit for a general business-related gaming establishment is obtained in  
5 accordance with LVMC Title 19, having less than five thousand square feet of usable floor space shall  
6 be permitted to operate not more than four slot machines;

7 [(F)] (6) Locations not licensed for the sale of alcoholic beverages but for which  
8 locations a special use permit for a general business-related gaming establishment is obtained in  
9 accordance with LVMC Title 19, having at least five thousand square feet of usable floor space shall  
10 be permitted to operate not more than fifteen slot machines;

11 [(G)] (7) Locations licensed to operate not more than fifteen slot machines prior  
12 to February 6, 1991; provided, however, that a location with less than five thousand square feet of  
13 usable floor space which has in excess of the number of slot machines permitted by [Subsections (A)  
14 and (E) of this Section] Paragraphs (1) and (5) of this Subsection (A) shall be limited to the operation  
15 of the number of slot machines licensed for such location as of February 6, 1991.

16 (B) Nothing in Subsection (A) of this Section shall be deemed to prohibit the  
17 imposition of a condition restricting the number of slot machines in connection with the approval of  
18 a special use permit for the sale of alcoholic beverages.

19 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
20 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
21 amending the description of the use "Gaming Establishment, General Business-Related," as found in  
22 the "Recreation, Entertainment & Amusement" element of Table 2, to read as follows:

23 **Description:**

24 A building or structure which is primarily used for some business other than gaming but in which  
25 restricted gaming is permitted pursuant to Title 6. For purposes of the Special Use Permit  
26 requirements of this Title, this use does not include a location that has obtained and maintains current  
27 licensing and zoning approvals to sell alcoholic beverages.

28 SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the following term and its  
2 corresponding definition:

3 “Gaming Establishment, General Business Related” means a building or structure which is primarily  
4 used for some business other than gaming but in which restricted gaming is permitted pursuant to Title  
5 6. For purposes of the Special Use Permit requirements of this Title, the term does not include a  
6 location that has obtained and maintains current licensing and zoning approvals to sell alcoholic  
7 beverages.

8 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010  
9 and 19.20.020 are deemed to be subchapters rather than sections.

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

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

PASSED, ADOPTED and APPROVED this 4<sup>th</sup> day of June, 2008.


APPROVED:

By   
OSCAR B. GOODMAN, Mayor

ATTEST:

  
BEVERLY K. BRIDGES, CMO  
City Clerk

APPROVED AS TO FORM:

 6-4-08  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council  
2 on the 16<sup>th</sup> day of April, 2008 and referred to a committee for recommendation; thereafter  
3 the said committee reported favorably on said ordinance on the 4<sup>th</sup> day of June, 2008  
4 which was a regular meeting of said Council; that at said regular meeting, the proposed  
5 ordinance was read by title to the City Council as amended and adopted by the following  
6 vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Wolfson,

8 Tarkanian, Ross and Barlow

9 VOTING "NAY": NONE

10 EXCUSED: NONE

11 ABSTAINED: NONE

12 DID NOT VOTE: NONE

13 APPROVED:

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

18 ATTEST:

19   
20 \_\_\_\_\_  
21 BEVERLY K. BRIDGES, CMC City Clerk

RECEIVED  
CITY CLERK

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

2008 MAY 19 A 11:05

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

3947177

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/09/2008 to 05/09/2008, on the following days:

05/09/2008

BILL NO. 2008-25

AN ORDINANCE TO ELIMINATE THE REQUIREMENT THAT A GENERAL BUSINESS RELATED GAMING ESTABLISHMENT LICENSED TO SELL ALCOHOLIC BEVERAGES OBTAIN A SEPARATE SPECIAL USE PERMIT FOR THE GAMING USE, AND TO PROVIDE FOR OTHER RELATED MATTERS.

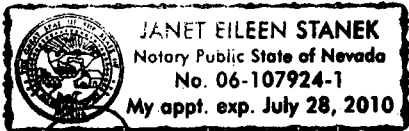
Sponsored by: Mayor Oscar B. Goodman  
Summary: Eliminates the requirement that a general business-related gaming establishment licensed to sell alcoholic beverages obtain a separate special use permit for the gaming use.

At the City Council meeting of APRIL 16, 2008

BILL NO. 2008-25 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: May 9, 2008  
LV Review-Journal



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

9th day of May 2008.

Janet Eileen StaneK  
Notary Public

AFFP DISTRICT COURT  
Clark County, Nevada

RECEIVED  
CITY CLERK

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

2008 JUN 16 A 10:45

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 4059662

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/07/2008 to 06/07/2008, on the following days:

06/07/2008

FIRST AMENDMENT  
BILL NO. 2008-25  
ORDINANCE NO. 5987

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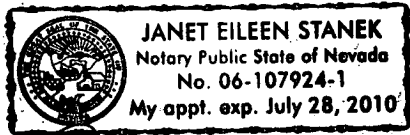
Sponsored by:  
Mayor Oscar B. Goodman  
Summary: Eliminates the requirement that a general business-related gaming establishment licensed to sell alcoholic beverages obtain a separate special use permit for the gaming use.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of April 2008 and referred to a committee for recommendation; thereafter, the committee reported favorably on said ordinance on the 4th day of June 2008, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and was adopted by the following vote:

VOTING "AYE": Mayor, Goodman and Councilmembers Reese, Brown, Wolfson, Tarkanian, Ross, and Barlow  
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: June 7, 2008  
LV Review-Journal



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE  
9th day of June, 2008

Janet Eileen Stanek  
Notary Public

**BILL NO. 2008-25**

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

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Sponsored by: Mayor Oscar B. Goodman

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THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

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(A) Locations licensed for the sale of alcoholic beverages, other than a tavern, supper club or urban lounge, having less than five thousand square feet of usable floor space shall be permitted to operate not more than seven slot machines.

(B) Locations licensed for the sale of alcoholic beverages, other than a supper club or urban lounge, having at least five thousand square feet of usable floor space, and taverns, regardless of the amount of their usable floor space, shall be permitted to operate not more than fifteen slot machines.

(C) Locations that are licensed as supper clubs may operate not more than five slot machines, but only if the slot machines[:

(1) Are] are counter top or table top video gaming devices that are located within the bar area of the business operation.]; and

(2) Have been approved by means of a special use permit for a general business-related gaming establishment in accordance with LVMC Title 19.]

(D) Locations that are licensed as urban lounges may operate not more than five slot machines. ], but only if the slot machines have been approved by means of a special use permit for a

1 general business-related gaming establishment in accordance with LVMC Title 19.]

2 (E) Locations not licensed for the sale of alcoholic beverages but for which  
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4 accordance with LVMC Title 19, having less than five thousand square feet of usable floor space shall  
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8 accordance with LVMC Title 19, having at least five thousand square feet of usable floor space shall  
9 be permitted to operate not more than fifteen slot machines;

10 (G) Locations licensed to operate not more than fifteen slot machines prior to  
11 February 6, 1991; provided, however, that a location with less than five thousand square feet of usable  
12 floor space which has in excess of the number of slot machines permitted by Subsections (A) and (E)  
13 of this Section shall be limited to the operation of the number of slot machines licensed for such  
14 location as of February 6, 1991.

15 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
16 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
17 amending the description of the use "Gaming Establishment; General Business-Related," as found in  
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19 **Description:**

20 A building or structure which is primarily used for some business other than gaming but in which  
21 restricted gaming is permitted pursuant to Title 6. For purposes of the Special Use Permit  
22 requirements of this Title, this use does not include a location that has obtained and maintains current  
23 licensing and zoning approvals to sell alcoholic beverages.

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3 beverages.

4 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010  
5 and 19.20.020 are deemed to be subchapters rather than sections.

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

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

17 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008:

18 APPROVED:

19  
20 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

21 ATTEST:

22 \_\_\_\_\_  
23 BEVERLY K. BRIDGES, CMC  
City Clerk

24 APPROVED AS TO FORM:  
25 Val Steed      4-3-08  
26 \_\_\_\_\_  
Date

27  
28

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2 on the 16<sup>th</sup> day of April, 2008, and referred to a committee for recommendation; thereafter  
3 the committee reported favorably on said ordinance on the 6<sup>th</sup> day of May, 2008, which as  
4 a regular meeting of said Council; that at said regular meeting, the proposed ordinance  
5 was read by title to the City Council as first introduced and adopted by the following vote:

6 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Wolfson,  
Tarkanian, Ross and Barlow

7 VOTING "NAY": None

8 EXCUSED: None

9 ABSTAINED: None

10  
11 APPROVED

12  
13 OSCAR B. GOODMAN, Mayor

14 ATTEST

15  
16 BEVERLY K. BRIDGES, CMC City Clerk