

THIRD AMENDMENT

BILL NO. 88-29

Ordinance No. 3366

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7 AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMEND-  
8 ING TITLE 6, CHAPTER 50, SECTION 20, OF THE MUNICIPAL CODE OF THE  
9 CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO DEFINE THE TERM "DRUG  
10 STORE" AND TO LIMIT THE DEFINITIONS OF "OFF SALE" AND "ON SALE"  
11 TO SALES OF BEER, WINE AND COOLERS; AMENDING SECTION 40 OF SAID  
12 TITLE AND CHAPTER TO RECLASSIFY GENERAL OFF-SALE LICENSES AS  
13 PACKAGE LICENSES; AMENDING SECTION 50 OF SAID TITLE AND CHAPTER  
14 TO RECLASSIFY GENERAL ON-OFF-SALE LICENSES AS TAVERN LICENSES;  
15 AMENDING SECTION 70 OF SAID TITLE AND CHAPTER TO RECLASSIFY  
16 LIMITED OFF-SALE LICENSES AS GIFT SHOP LIMITED LICENSES AND TO  
17 REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-  
18 FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH  
19 ALCOHOLIC BEVERAGES MAY BE SOLD UNDER SUCH A LICENSE; AMENDING  
20 SECTION 90 OF SAID TITLE AND CHAPTER TO PROVIDE THAT BEER/  
21 WINE/COOLER LICENSES MAY BE ISSUED IN CONNECTION WITH DRUG  
22 STORES; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE  
23 THE LIMITATION ON THE PERIOD DURING WHICH AN ESTABLISHMENT WITH  
24 RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED  
25 MAY REMAIN NON-OPERATIONAL; AMENDING SECTIONS 220, 230, 240, 300  
26 AND 310 OF SAID TITLE AND CHAPTER TO MAKE THEM CONSISTENT WITH  
27 THE RECLASSIFICATION OF GENERAL OFF-SALE LICENSES AND GENERAL  
28 ON-OFF-SALE LICENSES AS PACKAGE LICENSES AND TAVERN LICENSES,  
29 RESPECTIVELY, AND WITH THE ELIMINATION OF GENERAL ON-SALE  
30 LICENSES AND GENERAL ON-SALE RESTAURANT LIMITED LICENSES;  
31 AMENDING SECTION 250 OF SAID TITLE AND CHAPTER TO PROVIDE THE  
32 DATE ON WHICH THE NEW SEMIANNUAL LICENSE FEE FOR TAVERN LICENSES  
SHALL TAKE EFFECT; AMENDING SECTION 260 OF SAID TITLE AND CHAPTER  
TO DELETE THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC  
BEVERAGE LICENSE MUST PAY THE FIRST TWO SEMIANNUAL BUSINESS  
LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS  
THE REFUND, ON A PRORATED BASIS, OF THE BUSINESS LICENSE FEE WITH  
RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS  
DURING THE COURSE OF ANY SEMIANNUAL LICENSE PERIOD; AMENDING  
SECTION 290 OF SAID TITLE AND CHAPTER TO PERMIT A LICENSEE WHO  
DESIRES TO SELL ITS LICENSE TO LIST THE SAME WITH THE DEPARTMENT  
OF BUSINESS ACTIVITY; AMENDING SECTION 360 OF SAID TITLE AND  
CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED  
SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH  
ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING  
SECTIONS 30, 60, 210, 280, 290, 330 AND 410 OF SAID TITLE AND  
CHAPTER; AMENDING TITLE 6, CHAPTER 40, SECTION 160, OF SAID CODE  
TO MAKE SAID SECTION CONSISTENT WITH THE ELIMINATION OF GENERAL  
ON-SALE LICENSES AND THE RECLASSIFICATION OF GENERAL ON-OFF-SALE  
LICENSES AS TAVERN LICENSES; PROVIDING FOR OTHER MATTERS PROPERLY  
RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF  
ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Mayor Ron Lurie

Summary: Revises Liquor Control  
Ordinance

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

3 SECTION 1: Title 6, Chapter 50, Section 1, of the  
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
5 hereby amended to read as follows:

6 6.50.010: The City Council declares that this Liquor Control  
7 Chapter is an exercise of the regulatory powers dele-  
8 gated to the [Board] City Council, by the State pursuant  
9 to Chapter 515, Statutes of Nevada 1971, as amended, and  
10 NRS 268.090, inter alia. The regulations contained in  
11 this Chapter involve, to the highest degree, the econo-  
12 mic, social, physical and moral well-being of the resi-  
13 dents and taxpayers of said City. The sale or other  
14 disposition of alcoholic beverages is not a matter of  
15 right but of privilege, which would otherwise be  
16 unlawful if it were not exercised pursuant to a license.  
17 This privilege may be denied, revoked, conditioned,  
18 suspended or subjected to any other disciplinary action  
19 by said City in the exercise of its police powers for  
20 the protection of the safety, welfare, health, peace and  
21 morals of the residents and taxpayers thereof. Such  
22 businesses must therefore comply with Chapter 6.06.  
23 Nothing in this Chapter shall be construed to confer any  
24 legitimate claim of entitlement to any benefit which  
25 might otherwise devolve upon any licensee or any person  
26 approved for suitability.

27 SECTION 2: Title 6, Chapter 50, Section 2, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30 6.50.020: Unless the context otherwise requires, the scope of  
31 all words in this Chapter shall be liberally construed  
32 in order to effectuate the purpose of this Chapter, and,

1 in particular, the following words shall have the  
2 meaning ascribed to them as follows:

3 (A) "Alcoholic beverage" includes alcohol, spirits,  
4 liquor, wine and beer, and every liquid or solid  
5 which contains alcohol, spirits, liquor, wine or  
6 beer; and which contains one-half of one percent or  
7 more of alcohol by volume; and which is fit for  
8 beverage purposes, either alone or when diluted,  
9 mixed or combined with other substances. Any  
10 liquid or solid containing beer or wine in com-  
11 bination with any other alcoholic beverage shall  
12 not be construed to be beer or wine.

13 (B) "Beer" means any alcoholic beverage obtained by the  
14 fermentation of any infusion or decoction of  
15 barley, malt, hops or similar product, or any com-  
16 bination thereof, in water.

17 (C) "Cooler" means any prebottled alcoholic beverage,  
18 other than beer or wine, that is a distillate  
19 obtained from the fermentation of the natural con-  
20 tents of fruits or other agricultural products con-  
21 taining natural or added sugar, which contains not  
22 more than five and seven-tenths percent of alcohol  
23 by volume.

24 (D) "Drug store" means a business which has a regis-  
25 tered pharmacist in attendance at all times and  
26 which is located in a building, or in a portion of  
27 a building which is segregated physically or spa-  
28 tially from the rest of the building, selling at  
29 retail a stock of merchandise having a retail value  
30 of at least thirty thousand dollars, of which at  
31 least sixty percent consists of prescription and  
32 non-prescription drugs and medicines, remedies and

1 devices for use in curing or preventing human  
2 ailments and diseases and alleviating pain, other  
3 pharmaceuticals, items associated with personal  
4 hygiene, cosmetics, notions and sundries, and  
5 having at least one thousand two hundred square  
6 feet of floor space, exclusive of warehouse and  
7 office areas, devoted to the display of such stock  
8 of merchandise. No more than twenty-five percent  
9 of a drug store's retail inventory shall consist of  
10 beer, wine, cooler and tobacco products.

11 [D] (E) "Grocery store" means a business located in a  
12 building, or in a portion of a building which is  
13 segregated physically or spatially from the rest of  
14 the building, selling at retail a stock of merchan-  
15 dise having a retail value of at least thirty  
16 thousand dollars, of which at least sixty percent  
17 consists of articles for human consumption custo-  
18 marily served as food in the home or entering into  
19 the preparation of food in the home, and having at  
20 least one thousand two hundred square feet of floor  
21 space, exclusive of warehouse and office areas,  
22 devoted to the display of such stock of merchan-  
23 dise. No more than twenty-five percent of a gro-  
24 cery store's retail inventory shall consist of  
25 beer, wine, cooler and tobacco products.

26 [(E)] (F) "Meals" means the usual assortment of foods com-  
27 monly ordered at various hours of the day; pro-  
28 vided, however, that the service of such food only  
29 as sandwiches and salads shall not be deemed a  
30 compliance with this requirement.

31 [(F)] (G) "Nonprofit club" means any nonprofit corporation,  
32 nonprofit association or nonprofit organization

1 which is organized or qualified to do business and  
2 operating under the laws of the State; and which  
3 has and maintains tax-exempt status granted by the  
4 United States Internal Revenue Service; and which  
5 has at the time of application for a license and  
6 maintains continuously thereafter a bona fide mem-  
7 bership of at least one hundred dues-paying members  
8 over the age of twenty-one years; and which has  
9 been in continual existence for at least two years  
10 prior to the application for the license; and which  
11 owns or leases and operates or maintains a club-  
12 house, clubroom or meeting room in a permanent  
13 location.

14 [(G)] (H) "Off-sale" means the sale of [alcoholic beverages]  
15 beer, wine and coolers in original sealed or corked  
16 containers for consumption off the premises where  
17 the same are sold.

18 [(H)] (I) "On-sale" means the sale of [alcoholic beverages]  
19 beer, wine and coolers for consumption on the pre-  
20 mises where the same are sold.

21 [(I)] (J) "Restaurant" means a place which is regularly and  
22 in a bona fide manner used and kept open for the  
23 service of meals to guests for compensation; and  
24 which has suitable kitchen facilities connected  
25 therewith, containing convenience for cooking an  
26 assortment of foods which may be required for ordi-  
27 nary meals.

28 [(J)] (K) "Sale" or "sell" means, for compensation or any  
29 other business purpose, to sell, serve, give away  
30 or distribute; or to cause or permit to be sold,  
31 served, given away or distributed or to possess  
32 with the intent to sell, serve, give away or

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distribute; or to solicit or receive orders to  
sell, serve, give away or distribute.

[(K)] (L) "Wholesale dealer" or "wholesaler" means a person  
who sells alcoholic beverages for the purposes of  
resale.

[(L)] (M) "Wine" means any alcoholic beverage, other than  
beer, obtained by the fermentation of the natural  
contents of fruits or other agricultural products  
containing natural or added sugar, which contains  
not more than twenty-two percent of alcohol by  
volume.

SECTION 3: Title 6, Chapter 50, Section 4, of the  
Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
hereby amended to read as follows:

6.50.040: A [general off-sale] package license authorizes the  
sale, to consumers only and not for resale, of alcoholic  
beverages, in original sealed or corked containers, for  
consumption off the premises where the same are sold.

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

6.50.050: A [general on-off-sale] tavern license authorizes the  
sale of alcoholic beverages for consumption on the pre-  
mises where the same are sold and authorizes the sale,  
to consumers only and not for resale, of alcoholic  
beverages, in original sealed or corked containers, for  
consumption off the premises where the same are sold.

SECTION 5: Title 6, Chapter 50, Section 70, of the  
Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
hereby amended to read as follows:

6.50.070: A gift shop limited [off-sale] license authorizes the  
sale, to consumers only and not for resale, of alcoholic

1 beverages, in original sealed or corked containers in  
2 quantities less than one pint, measured in the English  
3 system of weights and measures, or in quantities less  
4 than [four hundred] three hundred seventy-five millili-  
5 ters, measured in the metric system of weights and  
6 measures, for consumption off the premises where the  
7 same are sold, and may only be issued in connection with  
8 a gift shop located within the physical structure of an  
9 establishment which also houses an unrestricted gaming  
10 licensee.

11 SECTION 6: Title 6, Chapter 50, Section 90, of the  
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
13 hereby amended to read as follows:

14 6.50.090: A beer/wine/cooler off-sale license authorizes the  
15 sale, to consumers only and not for resale, only of  
16 beer, wine and coolers, in original sealed or corked  
17 containers, for consumption off the premises where the  
18 same are sold, and may only be issued in connection with  
19 a grocery store[.] or a drug store.

20 SECTION 7: Title 6, Chapter 50, Section 140, of the  
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
22 hereby amended to read as follows:

23 6.50.140: A nonprofit club general license authorizes the sale  
24 of alcoholic beverages only for consumption on the pre-  
25 mises and only to bona fide members of the club and  
26 their bona fide guests. Persons [holding] who held  
27 valid licenses in this classification existing on [the  
28 effective date of the 1980 ordinance codified in this  
29 Chapter] November 1, 1980, shall be entitled to retain  
30 such licenses; provided, however, that each such license  
31 shall be transferable only to another corporation, asso-  
32 ciation or organization which has the same organiza-

1 tional structure as the [transferor] transferer and only  
2 for a use which is similar to that conducted by the  
3 [transferor] transferer and at the same location as that  
4 occupied by the [transferor.] transferer.

5 SECTION 8: Title 6, Chapter 50, Section 160, of the  
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
7 hereby amended to read as follows:

8 6.50.160: A wholesale general license authorizes only the sale  
9 of alcoholic beverages, which must be packaged in origi-  
10 nal sealed or corked containers, to any licensee for the  
11 purposes of resale. In order to maintain this license,  
12 the licensee must keep on hand a stock of alcoholic  
13 beverages whose cost of acquisition is fifty thousand  
14 dollars or more. [Persons holding valid licenses in  
15 this classification existing on the effective date of  
16 the 1980 ordinance codified in this Chapter shall have  
17 until October 31, 1983 to acquire the value of stock of  
18 alcoholic beverages necessary to maintain this license.]

19 SECTION 9: Title 6, Chapter 50, Section 190, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 6.50.190: The licensee must commence operation of the business  
23 within thirty days after the license has been issued  
24 [and may not discontinue operation of the business for  
25 more than a three-month period without the approval of  
26 the City Council. The City Council may approve non  
27 operation of the business for additional three-month  
28 periods, but in no event shall the City Council approve  
29 any nonoperation of a business beyond any one year  
30 period. A license shall be automatically revoked at the  
31 expiration of the time periods provided by this Section  
32 unless City Council approval has been granted pursuant

1 to this Section. All]. Thereafter, all semiannual  
2 license fees must be paid notwithstanding the  
3 [licensee's nonoperational status. The provisions of  
4 this Section, except the requirement of the payment of  
5 semiannual license fees, do not apply to beer/wine/  
6 cooler on-sale licenses, beer/wine/cooler off-sale  
7 licenses, beer/wine/cooler on-off-sale licenses, nonpro-  
8 fit club general licenses and keg beer licenses.] fact  
9 that the licensee may temporarily discontinue its opera-  
10 tion of the business.

11 SECTION 10: Title 6, Chapter 50, Section 220, of the  
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
13 hereby amended to read as follows:

14 6.50.220: All provisions of this Chapter become operable on the  
15 effective date hereof, except that any establishment  
16 which, on [the effective date of the 1980 ordinance  
17 codified in this Chapter, holds] November 1, 1980, held  
18 a valid license which [is] was reclassified [by virtue  
19 of Section 6.50.210(A)(1) to a general on-sale restau-  
20 rant limited license,] as a beer/wine/cooler on-sale  
21 license, a beer/wine/cooler off-sale license or a  
22 beer/wine/cooler on-off-sale license, but the premises  
23 of which do not conform to the definitions for those  
24 license classifications, shall be permitted to retain  
25 the license under the following provisions:

26 (A) In the case of a [general on-sale restaurant  
27 limited license or a] beer/wine/cooler on-sale  
28 license, where the licensed premises have insuf-  
29 ficient floor space under the Uniform Building and  
30 Fire Codes for the seating capacity required by  
31 this Chapter, such license shall be limited to  
32 seating only the number of patrons allowed under

such codes.

(B) In the case of a beer/wine/cooler off-sale license which is issued to a grocery store which is in non-conformance with the square footage requirement of Section 6.50.020(D) the license may be retained but the licensee will be required to comply with all other provisions of that Section.

(C) In the case of a beer/wine/cooler on-off-sale license, any existing license in nonconformance with the seating or square footage requirements is subject to the provisions of Subsections (A) and (B) of this Section.

SECTION 11: Title 6, Chapter 50, Section 230, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.230: Each licensee shall pay to the Department of Business Activity the license fees set forth in the following schedule:

		Semiannual	Original New
(A)	[General on-sale.....	\$900.....	\$40,000
	Plus: for each bar		
	over one.....	900	
(B)	General off-sale.....	750.....	20,000
(C)	General on-off-sale..	1,200.....	60,000
	Plus: for each bar		
	over one.....	900	
(D)	General on-sale res-		
	taurant limited.....	900.....	40,000
(E)]	Beer/wine/cooler on-		
	sale.....	300.....	1,000
[(F)]	(B) Beer/wine/cooler off-		
	sale.....	300.....	1,000
[(G)]	(C) Beer/wine/cooler on-		
	off-sale.....	600.....	2,000
	(D) Gift shop limited....	500.....	2,500
[(H)]	(E) Nonprofit club gen-		
	eral.....	150.....	1,000
	[(I) Wholesale general....	1,000.....	5,000
(J)]	(F) Keg beer.....	300.....	1,000
	[(K) Limited off-sale.....	500.....	2,500]
	(G) Package.....	750.....	20,000

1	(H)	<u>Tavern.....</u>	<u>1,200.....</u>	<u>60,000</u>
2		<u>Plus: for each bar</u>		
		<u>over one.....</u>	<u>900</u>	
3	(I)	<u>Wholesale general....</u>	<u>1,000.....</u>	<u>5,000</u>

4 Each special event general licensee shall pay a  
5 license fee of fifty dollars per day. Each special  
6 event beer/wine/cooler licensee shall pay a license fee  
7 of twenty-five dollars per day.

8 SECTION 12: Title 6, Chapter 50, Section 240, of the  
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
10 hereby amended to read as follows:

11 6.50.240: The [presently existing] licensees who [both] hold [a  
12 "tavern" license and have the ancillary right to sell  
13 alcoholic beverages "off-sale" by means of a display of  
14 package liquor within the tavern premises not to exceed  
15 more than twenty-four square feet of display area, the  
16 area not to exceed more than twelve inches in depth,  
17 shall pay a semiannual fee of one thousand dollars.  
18 These licenses] general on-sale licenses, general on-  
19 off-sale licenses or general on-sale restaurant limited  
20 licenses on July 24, 1988, shall [be] have such  
21 licenses automatically reclassified [to general on-off-  
22 sale] as tavern licenses [on the effective date of the  
23 1980 ordinance codified in this Chapter but the display  
24 limitation shall continue. This Section shall automati-  
25 cally expire on September 30, 1985, at which time these  
26 licenses shall be treated identically to all other  
27 general on-off-sale licenses.], the licensees who hold  
28 general off-sale licenses on July 24, 1988, shall  
29 have such licenses automatically reclassified as  
30 package licenses, and the licensees who hold limited  
31 off-sale licenses on July 24, 1988, shall have such  
32 licenses automatically reclassified as gift shop

1           limited licenses, on that date

2           SECTION 13: Title 6, Chapter 50, Section 250, of the  
3 Municipal code of the City of Las Vegas, Nevada, 1983 Edition, is  
4 hereby amended to read as follows:

5 6.50.250: All tavern licenses existing and valid [as of the  
6 effective date of the 1980 ordinance codified in this  
7 Chapter] on July 24, 1988, shall be assessed the new  
8 semiannual fee beginning on [April 1, 1981.] October 1,  
9 1988. All other licenses issued as a result of a new  
10 application [or a transfer of an existing license] shall  
11 be assessed the new semiannual fees from the date of  
12 issuance of the license.

13           SECTION 14: Title 6, Chapter 50, Section 260, of the  
14 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
15 hereby amended to read as follows:

16 6.50.260: (A) Each semiannual fee is due in advance on April  
17 1st and October 1st in each year except that the  
18 applicant for a new alcoholic beverage license  
19 [shall pay, at the time of filing its application,  
20 the first and second semiannual fees in advance.  
21 (B) Each licensee which] who starts business between  
22 April 1st and October 1st or between October 1st  
23 and April 1st shall have its semiannual fees  
24 prorated on a monthly basis [at the end of the  
25 first year of its operation. Each licensee which  
26 terminates its business by a transfer of its  
27 license shall have its semiannual fees prorated on  
28 a monthly basis upon the Board's approval of such  
29 transfer. There shall be no proration or refund of  
30 the semiannual fees in situations in which the  
31 business is terminated otherwise than through a  
32 transfer of its license.].

1            [[C)] (B) Any semiannual fee which is not received by  
2            the Department on or before the due date shall be  
3            assessed a late-payment penalty in an amount equal  
4            to ten percent of the amount of such semiannual  
5            fee. If the semiannual fee and penalty is not  
6            received by the Department within fifteen days  
7            after the due date, an additional penalty in an  
8            amount equal to twenty-five percent of such semian-  
9            nual fee shall be assessed. If the semiannual fee  
10           and all penalties are not received by the Depart-  
11           ment within sixty days after the due date, the  
12           license shall be automatically revoked.

13           SECTION 15: Title 6, Chapter 50, Section 290, of the  
14           Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
15           hereby amended to read as follows:

16           6.50.290: [Each applicant for a license which is not the subject  
17           of a transfer, other than a beer/wine/cooler on-sale  
18           license, beer/wine/cooler off-sale license, beer/wine/  
19           cooler on-off-sale license, special event license, a  
20           nonprofit club general license or a keg beer license  
21           shall give notice to each licensee in the same classifi-  
22           cation as the license which is sought by the applicant  
23           of the applicant's intention to obtain such license.  
24           This notice shall be given not less than fifteen days  
25           and not more than thirty days prior to the filing of the  
26           license application with the Department. The notice  
27           shall specify the classification of license which the  
28           applicant desires to acquire and shall contain the name,  
29           address and telephone number of the applicant or its  
30           agent. The notice shall be sent by certified mail to  
31           all licensees in the same classification as the license  
32           which is sought by the applicant, as shown by the

1 records of the Department. The Department is authorized  
2 to require the applicant to furnish satisfactory evi-  
3 dence of compliance with this requirement.] Any licensee  
4 who desires permanently to discontinue its operation of  
5 the business and to sell its license may notify the  
6 Department of its desire to sell such license, and the  
7 Department shall maintain a list of such licensees and  
8 make it available to any person who is interested in  
9 obtaining a license.

10 SECTION 16: Title 6, Chapter 50, Section 300, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 6.50.300: No [general on-sale, general off-sale, general on-off-  
14 sale, general on-sale restaurant limited,] beer/wine/  
15 cooler on-sale, beer/wine/cooler off-sale, beer/wine/  
16 cooler on-off-sale, package, tavern or wholesale general  
17 license shall be located within four hundred feet of  
18 any church or school. The distance between the  
19 establishments shall be measured in a straight line  
20 from the primary public entrance of the church or  
21 school to the primary public entrance of the proposed  
22 premises, disregarding all intervening obstacles. At  
23 the request of the applicant, the City Council, in its  
24 discretion, may waive this provision based on a con-  
25 sideration of the nature and character of the surround-  
26 ing neighborhood. In connection with such a request,  
27 the Department of Business Activity shall give notice  
28 to the officials of the affected church or school  
29 within a reasonable time prior to the City Council's  
30 consideration of the request, in order to permit such  
31 officials to present their views to the City Council.  
32 Establishments which are included in the classifications

1 listed in this Section and which [hold] held valid  
2 licenses therefor [as of the effective date of the 1980  
3 ordinance codified in this Chapter] on November 1, 1980,  
4 are exempt from the provisions of this Section.

5 SECTION 17: Title 6, Chapter 50, Section 310, of the  
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
7 hereby amended to read as follows:

8 6.50.310: No [general on-sale license or general on-off-sale]  
9 tavern license shall be located within one thousand five  
10 hundred feet of any other [general on-sale license or  
11 general on-off-sale] tavern license. The distance be-  
12 tween the establishments shall be measured in a straight  
13 line from the primary public entrance of the proposed  
14 establishment to the primary public entrance of any  
15 existing licensed premises, disregarding all intervening  
16 obstacles. At the request of the applicant, the City  
17 Council, in its discretion, may waive this provision  
18 based on a consideration of the nature and character of  
19 the surrounding neighborhood. Notice of the time and  
20 place of the [Board's] City Council's consideration of  
21 the request for waiver shall be given by a published  
22 announcement in a newspaper of general circulation in  
23 the City not less than five days or more than ten days  
24 prior to the date of the hearing. Licensed premises  
25 which are included in the classifications listed in this  
26 Section and which [hold] held valid licenses therefor  
27 [as of the effective date of the 1980 ordinance codified  
28 in this Chapter] on November 1, 1980, are exempt from  
29 the provisions of this Section only as long as they  
30 continue to to hold valid licenses. This Section does  
31 not apply to [any general on-sale restaurant limited  
32 license nor to] an establishment which has a nonre-

1           stricted gaming license in connection with a hotel  
2           having one hundred or more guestrooms.

3           SECTION 18: Title 6, Chapter 50, Section 360, of the  
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
5 hereby amended to read as follows:

6 6.50.360: Whenever an ["offsale"] "off-sale" of alcoholic  
7           beverages is made, the alcoholic beverages, except beer,  
8           wine and coolers, must only be displayed for sale in an  
9           area of the licensed premises in which such alcoholic  
10          beverages are not accessible by persons under the age of  
11          twenty-one years. This area must be kept under the  
12          exclusive control of a person who is at least twenty-one  
13          years of age. When self-service of alcoholic beverages,  
14          except beer, wine and coolers, is provided, the area in  
15          which the alcoholic beverages are displayed must be par-  
16          titioned from the rest of the premises; provided,  
17          however, that such alcoholic beverages may be selected  
18          by the customer and purchased at a common check-out  
19          stand at which nonalcoholic beverages may be purchased.  
20          No self-service shall be permitted in original sealed or  
21          corked containers in quantities less than one pint,  
22          measured in the English system of weights and measures,  
23          or in quantities less than [four hundred] three hundred  
24          seventy-five milliliters, measured in the metric system  
25          of weights and measures.

26          SECTION 19: Title 6, Chapter 50, Section 420, of the  
27 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
28 hereby amended to read as follows:

29 6.50.420: It is unlawful for any person to encumber any license  
30          by means of a lease, pledge, mortgage, deed of trust,  
31          security interest or other manner of alienation; pro-  
32          vided, however, that this prohibition shall not apply to

1 a transfer or encumbrance of a person's interest in the  
2 licensee pursuant to the prior approval of the [Board of  
3 Commissioners,] City Council, if such approval is other-  
4 wise required by this Chapter.

5 SECTION 20: Title 6, Chapter 50, Sections 30, 60, 210,  
6 280, 330 and 410 are hereby repealed in their entirety.

7 SECTION 21: Title 6, Chapter 40, Section 160, of the  
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
9 hereby amended to read as follows:

10 6.40.160: Notwithstanding Section 6.40.140, slot machines only  
11 may be permitted by the City Council outside said  
12 districts upon premises whereon there is conducted a  
13 licensed business [whole] whose principal activity is  
14 other than gaming, if:

15 (A) The business operates under a [general on-sale or a  
16 general on-off-sale alcoholic beverage] tavern  
17 license with a restaurant connected therewith  
18 having full kitchen facilities and all located  
19 within a freestanding building having in excess of  
20 three thousand square feet of usable floor space  
21 under one roof, provided that such license is  
22 limited to not more than thirty-five slot machines;

23 (B) The licensed business premises have in excess of  
24 nine thousand square feet of usable floor space  
25 under one roof and the slot machines are under the  
26 supervision of a change attendant at all times;  
27 provided, however, that such licenses are limited  
28 to not more than thirty-five slot machines;

29 (C) The gaming license is limited to not more than fif-  
30 teen slot machines.

31 SECTION 22: If any section, subsection, subdivision  
32 paragraph, sentence, clause or phrase in this ordinance or any

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

11 SECTION 23: All ordinances or parts of ordinances, sec-  
12 tions, subsections, phrases, sentences, clauses or paragraphs  
13 contained in the Municipal Code of the City of Las Vegas, Nevada,  
14 1983 Edition, in conflict herewith are hereby repealed.

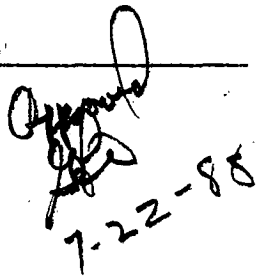
15 PASSED, ADOPTED and APPROVED this 20th day of  
16 July, 1988.

17 APPROVED:

18  
19 By   
RON LURIE, Mayor

20 ATTEST:

21  
22   
23 KATHLEEN M. TIGHE, City Clerk

  
7-22-88

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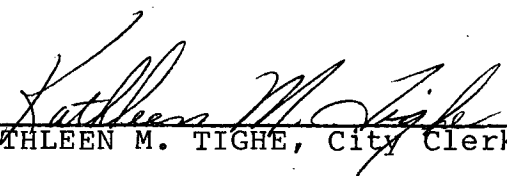
The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of July, 1988, and referred to the following committee composed of Councilman Nolen and Mayor Lurie for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of July, 1988, which was a regular meeting of said 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 Adamsen, Bunker, Miller, Nolen and Mayor Lurie  
VOTING "NAY": NONE  
ABSENT: NONE

APPROVED:

By   
RON LURIE, Mayor

ATTEST:

  
KATHLEEN M. TIGHE, City Clerk

3766

SECOND AMENDMENT

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BILL NO. 88-29

Ordinance No. \_\_\_\_\_

AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMENDING TITLE 6, CHAPTER 50, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO DEFINE THE TERM "DRUG STORE" AND TO LIMIT THE DEFINITIONS OF "OFF SALE" AND "ON SALE" TO SALES OF BEER, WINE AND COOLERS; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL OFF-SALE LICENSES AS PACKAGE LICENSES; AMENDING SECTION 50 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL ON-OFF-SALE LICENSES AS TAVERN LICENSES; AMENDING SECTION 70 OF SAID TITLE AND CHAPTER TO RECLASSIFY LIMITED OFF-SALE LICENSES AS GIFT SHOP LIMITED LICENSES AND TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD UNDER SUCH A LICENSE; AMENDING SECTION 90 OF SAID TITLE AND CHAPTER TO PROVIDE THAT BEER/WINE/COOLER LICENSES MAY BE ISSUED IN CONNECTION WITH DRUG STORES; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE THE LIMITATION ON THE PERIOD DURING WHICH AN ESTABLISHMENT WITH RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED MAY REMAIN NON-OPERATIONAL; AMENDING SECTIONS 220, 230, 240, 300 AND 310 OF SAID TITLE AND CHAPTER TO MAKE THEM CONSISTENT WITH THE RECLASSIFICATION OF GENERAL OFF-SALE LICENSES AND GENERAL ON-OFF-SALE LICENSES AS PACKAGE LICENSES AND TAVERN LICENSES, RESPECTIVELY, AND WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES AND GENERAL ON-SALE RESTAURANT LIMITED LICENSES; AMENDING SECTION 250 OF SAID TITLE AND CHAPTER TO PROVIDE THE DATE ON WHICH THE NEW SEMIANNUAL LICENSE FEE FOR TAVERN LICENSES SHALL TAKE EFFECT; AMENDING SECTION 260 OF SAID TITLE AND CHAPTER TO DELETE THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC BEVERAGE LICENSE MUST PAY THE FIRST TWO SEMIANNUAL BUSINESS LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE REFUND, ON A PRORATED BASIS, OF THE BUSINESS LICENSE FEE WITH RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS DURING THE COURSE OF ANY SEMIANNUAL LICENSE PERIOD; AMENDING SECTION 290 OF SAID TITLE AND CHAPTER TO PERMIT A LICENSEE WHO DESIRES TO SELL ITS LICENSE TO LIST THE SAME WITH THE DEPARTMENT OF BUSINESS ACTIVITY; AMENDING SECTION 360 OF SAID TITLE AND CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING SECTIONS 30, 60, 210, 280, 290, 330 AND 410 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Mayor Ron Lurie

Summary: Revises Liquor Control Ordinance

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

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

4 6.50.010: The City Council declares that this Liquor Control  
5 Chapter is an exercise of the regulatory powers dele-  
6 gated to the [Board] City Council, by the State pursuant  
7 to Chapter 515, Statutes of Nevada 1971, as amended, and  
8 NRS 268.090, inter alia. The regulations contained in  
9 this Chapter involve, to the highest degree, the econo-  
10 mic, social, physical and moral well-being of the resi-  
11 dents and taxpayers of said City. The sale or other  
12 disposition of alcoholic beverages is not a matter of  
13 right but of privilege, which would otherwise be  
14 unlawful if it were not exercised pursuant to a license.  
15 This privilege may be denied, revoked, conditioned,  
16 suspended or subjected to any other disciplinary action  
17 by said City in the exercise of its police powers for  
18 the protection of the safety, welfare, health, peace and  
19 morals of the residents and taxpayers thereof. Such  
20 businesses must therefore comply with Chapter 6.06.  
21 Nothing in this Chapter shall be construed to confer any  
22 legitimate claim of entitlement to any benefit which  
23 might otherwise devolve upon any licensee or any person  
24 approved for suitability.

25 SECTION 2: Title 6, Chapter 50, Section 2, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 6.50.020: Unless the context otherwise requires, the scope of  
29 all words in this Chapter shall be liberally construed  
30 in order to effectuate the purpose of this Chapter, and,  
31 in particular, the following words shall have the  
32 meaning ascribed to them as follows:

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(A) "Alcoholic beverage" includes alcohol, spirits, liquor, wine and beer, and every liquid or solid which contains alcohol, spirits, liquor, wine or beer; and which contains one-half of one percent or more of alcohol by volume; and which is fit for beverage purposes, either alone or when diluted, mixed or combined with other substances. Any liquid or solid containing beer or wine in combination with any other alcoholic beverage shall not be construed to be beer or wine.

(B) "Beer" means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops or similar product, or any combination thereof, in water.

(C) "Cooler" means any prebottled alcoholic beverage, other than beer or wine, that is a distillate obtained from the fermentation of the natural contents of fruits or other agricultural products containing natural or added sugar, which contains not more than five and seven-tenths percent of alcohol by volume.

(D) "Drug store" means a business which has a registered pharmacist in attendance at all times and which is located in a building, or in a portion of a building which is segregated physically or spatially from the rest of the building, selling at retail a stock of merchandise having a retail value of at least thirty thousand dollars, of which at least sixty percent consists of prescription and non-prescription drugs and medicines, remedies and devices for use in curing or preventing human ailments and diseases and alleviating pain, other

1 pharmaceuticals, items associated with personal  
2 hygiene, cosmetics, notions and sundries, and  
3 having at least one thousand two hundred square  
4 feet of floor space, exclusive of warehouse and  
5 office areas, devoted to the display of such stock  
6 of merchandise. No more than twenty-five percent  
7 of a drug store's retail inventory shall consist of  
8 beer, wine, cooler and tobacco products.

9 [D] (E) "Grocery store" means a business located in a  
10 building, or in a portion of a building which is  
11 segregated physically or spatially from the rest of  
12 the building, selling at retail a stock of merchan-  
13 dise having a retail value of at least thirty  
14 thousand dollars, of which at least sixty percent  
15 consists of articles for human consumption custo-  
16 marily served as food in the home or entering into  
17 the preparation of food in the home, and having at  
18 least one thousand two hundred square feet of floor  
19 space, exclusive of warehouse and office areas,  
20 devoted to the display of such stock of merchan-  
21 dise. No more than twenty-five percent of a gro-  
22 cery store's retail inventory shall consist of  
23 beer, wine, cooler and tobacco products.

24 [(E)] (F) "Meals" means the usual assortment of foods com-  
25 monly ordered at various hours of the day; pro-  
26 vided, however, that the service of such food only  
27 as sandwiches and salads shall not be deemed a  
28 compliance with this requirement.

29 [(F)] (G) "Nonprofit club" means any nonprofit corporation,  
30 nonprofit association or nonprofit organization  
31 which is organized or qualified to do business and  
32 operating under the laws of the State; and which

1 has and maintains tax-exempt status granted by the  
2 United States Internal Revenue Service; and which  
3 has at the time of application for a license and  
4 maintains continuously thereafter a bona fide mem-  
5 bership of at least one hundred dues-paying members  
6 over the age of twenty-one years; and which has  
7 been in continual existence for at least two years  
8 prior to the application for the license; and which  
9 owns or leases and operates or maintains a club-  
10 house, clubroom or meeting room in a permanent  
11 location.

12 [(G)] (H) "Off-sale" means the sale of [alcoholic beverages]  
13 beer, wine and coolers in original sealed or corked  
14 containers for consumption off the premises where  
15 the same are sold.

16 [(H)] (I) "On-sale" means the sale of [alcoholic beverages]  
17 beer, wine and coolers for consumption on the pre-  
18 mises where the same are sold.

19 [(I)] (J) "Restaurant" means a place which is regularly and  
20 in a bona fide manner used and kept open for the  
21 service of meals to guests for compensation; and  
22 which has suitable kitchen facilities connected  
23 therewith, containing convenience for cooking an  
24 assortment of foods which may be required for ordi-  
25 nary meals.

26 [(J)] (K) "Sale" or "sell" means, for compensation or any  
27 other business purpose, to sell, serve, give away  
28 or distribute; or to cause or permit to be sold,  
29 served, given away or distributed or to possess  
30 with the intent to sell, serve, give away or  
31 distribute; or to solicit or receive orders to  
32 sell, serve, give away or distribute.



1 system of weights and measures, or in quantities less  
2 than [four hundred] three hundred seventy-five millili-  
3 ters, measured in the metric system of weights and  
4 measures, for consumption off the premises where the  
5 same are sold, and may only be issued in connection with  
6 a gift shop located within the physical structure of an  
7 establishment which also houses an unrestricted gaming  
8 licensee.

9 SECTION 6: Title 6, Chapter 50, Section 90, of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
11 hereby amended to read as follows:

12 6.50.090: A beer/wine/cooler off-sale license authorizes the  
13 sale, to consumers only and not for resale, only of  
14 beer, wine and coolers, in original sealed or corked  
15 containers, for consumption off the premises where the  
16 same are sold, and may only be issued in connection with  
17 a grocery store[.] or a drug store.

18 SECTION 7: Title 6, Chapter 50, Section 140, of the  
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
20 hereby amended to read as follows:

21 6.50.140: A nonprofit club general license authorizes the sale  
22 of alcoholic beverages only for consumption on the pre-  
23 mises and only to bona fide members of the club and  
24 their bona fide guests. Persons [holding] who held  
25 valid licenses in this classification existing on [the  
26 effective date of the 1980 ordinance codified in this  
27 Chapter] November 1, 1980, shall be entitled to retain  
28 such licenses; provided, however, that each such license  
29 shall be transferable only to another corporation, asso-  
30 ciation or organization which has the same organiza-  
31 tional structure as the [transferor] transferer and only  
32 for a use which is similar to that conducted by the

1 [transferor] transferer and at the same location as that  
2 occupied by the [transferor.] transferer.

3 SECTION 8: Title 6, Chapter 50, Section 160, of the  
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
5 hereby amended to read as follows:

6 6.50.160: A wholesale general license authorizes only the sale  
7 of alcoholic beverages, which must be packaged in origi-  
8 nal sealed or corked containers, to any licensee for the  
9 purposes of resale. In order to maintain this license,  
10 the licensee must keep on hand a stock of alcoholic  
11 beverages whose cost of acquisition is fifty thousand  
12 dollars or more. [Persons holding valid licenses in  
13 this classification existing on the effective date of  
14 the 1980 ordinance codified in this Chapter shall have  
15 until October 31, 1983 to acquire the value of stock of  
16 alcoholic beverages necessary to maintain this license.]

17 SECTION 9: Title 6, Chapter 50, Section 190, of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
19 hereby amended to read as follows:

20 6.50.190: The licensee must commence operation of the business  
21 within thirty days after the license has been issued  
22 [and may not discontinue operation of the business for  
23 more than a three-month period without the approval of  
24 the City Council. The City Council may approve non  
25 operation of the business for additional three-month  
26 periods, but in no event shall the City Council approve  
27 any nonoperation of a business beyond any one year  
28 period. A license shall be automatically revoked at the  
29 expiration of the time periods provided by this Section  
30 unless City Council approval has been granted pursuant  
31 to this Section. All]. Thereafter, all semiannual  
32 license fees must be paid notwithstanding the

1 [licensee's nonoperational status. The provisions of  
2 this Section, except the requirement of the payment of  
3 semiannual license fees, do not apply to beer/wine/  
4 cooler on-sale licenses, beer/wine/cooler off-sale  
5 licenses, beer/wine/cooler on-off-sale licenses, nonpro-  
6 fit club general licenses and keg beer licenses.] fact  
7 that the licensee may temporarily discontinue its opera-  
8 tion of the business.

9 SECTION 10: Title 6, Chapter 50, Section 220, of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
11 hereby amended to read as follows:

12 6.50.220: All provisions of this Chapter become operable on the  
13 effective date hereof, except that any establishment  
14 which, on [the effective date of the 1980 ordinance  
15 codified in this Chapter, holds] November 1, 1980, held  
16 a valid license which [is] was reclassified [by virtue  
17 of Section 6.50.210(A)(1) to a general on-sale restau-  
18 rant limited license,] as a beer/wine/cooler on-sale  
19 license, a beer/wine/cooler off-sale license or a  
20 beer/wine/cooler on-off-sale license, but the premises  
21 of which do not conform to the definitions for those  
22 license classifications, shall be permitted to retain  
23 the license under the following provisions:

24 (A) In the case of a [general on-sale restaurant  
25 limited license or a] beer/wine/cooler on-sale  
26 license, where the licensed premises have insuf-  
27 ficient floor space under the Uniform Building and  
28 Fire Codes for the seating capacity required by  
29 this Chapter, such license shall be limited to  
30 seating only the number of patrons allowed under  
31 such codes.

32 (B) In the case of a beer/wine/cooler off-sale license

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which is issued to a grocery store which is in non-conformance with the square footage requirement of Section 6.50.020(D) the license may be retained but the licensee will be required to comply with all other provisions of that Section.

(C) In the case of a beer/wine/cooler on-off-sale license, any existing license in nonconformance with the seating or square footage requirements is subject to the provisions of Subsections (A) and (B) of this Section.

SECTION 11: Title 6, Chapter 50, Section 230, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.230: Each licensee shall pay to the Department of Business Activity the license fees set forth in the following schedule:

		Semiannual	Original New
(A)	[General on-sale.....	\$900.....	\$40,000
	Plus: for each bar		
	over one.....	900	
(B)	General off-sale.....	750.....	20,000
(C)	General on-off-sale..	1,200.....	60,000
	Plus: for each bar		
	over one.....	900	
(D)	General on-sale res-		
	taurant limited.....	900.....	40,000
(E) ]	Beer/wine/cooler on-		
	sale.....	300.....	1,000
[(F) ]	(B) Beer/wine/cooler off-		
	sale.....	300.....	1,000
[(G) ]	(C) Beer/wine/cooler on-		
	off-sale.....	600.....	2,000
	(D) Gift shop limited....	500.....	2,500
[(H) ]	(E) Nonprofit club gen-		
	eral.....	150.....	1,000
	[(I) Wholesale general....	1,000.....	5,000
(J) ]	(F) Keg beer.....	300.....	1,000
	[(K) Limited off-sale.....	500.....	2,500 ]
	(G) Package.....	750.....	20,000

1	(H) Tavern.....	1,200.....	60,000
2	Plus: for each bar		
	over one.....	900	
3	(I) Wholesale general....	1,000.....	5,000

Each special event general licensee shall pay a license fee of fifty dollars per day. Each special event beer/wine/cooler licensee shall pay a license fee of twenty-five dollars per day.

SECTION 12: Title 6, Chapter 50, Section 240, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.240: The [presently existing] licensees who [both] hold [a "tavern" license and have the ancillary right to sell alcoholic beverages "off-sale" by means of a display of package liquor within the tavern premises not to exceed more than twenty-four square feet of display area, the area not to exceed more than twelve inches in depth, shall pay a semiannual fee of one thousand dollars. These licenses] general on-sale licenses, general on-off-sale licenses or general on-sale restaurant limited licenses on \_\_\_\_\_, 1988, shall [be] have such licenses automatically reclassified [to general on-off-sale] as tavern licenses [on the effective date of the 1980 ordinance codified in this Chapter but the display limitation shall continue. This Section shall automatically expire on September 30, 1985, at which time these licenses shall be treated identically to all other general on-off-sale licenses.], the licensees who hold general off-sale licenses on \_\_\_\_\_, 1988, shall have such licenses automatically reclassified as package licenses, and the licensees who hold limited off-sale licenses on \_\_\_\_\_, 1988, shall have such licenses automatically reclassified as gift shop limited licenses, on that date

1 SECTION 13: Title 6, Chapter 50, Section 250, of the  
2 Municipal code of the City of Las Vegas, Nevada, 1983 Edition, is  
3 hereby amended to read as follows:

4 6.50.250: All tavern licenses existing and valid [as of the  
5 effective date of the 1980 ordinance codified in this  
6 Chapter] on \_\_\_\_\_ 1988, shall be assessed the new  
7 semiannual fee beginning on [April 1, 1981.] October 1,  
8 1988. All other licenses issued as a result of a new  
9 application [or a transfer of an existing license] shall  
10 be assessed the new semiannual fees from the date of  
11 issuance of the license.

12 SECTION 14: Title 6, Chapter 50, Section 260, of the  
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
14 hereby amended to read as follows:

15 6.50.260: (A) Each semiannual fee is due in advance on April  
16 1st and October 1st in each year except that the  
17 applicant for a new alcoholic beverage license  
18 [shall pay, at the time of filing its application,  
19 the first and second semiannual fees in advance.  
20 (B) Each licensee which] who starts business between  
21 April 1st and October 1st or between October 1st  
22 and April 1st shall have its semiannual fees  
23 prorated on a monthly basis [at the end of the  
24 first year of its operation. Each licensee which  
25 terminates its business by a transfer of its  
26 license shall have its semiannual fees prorated on  
27 a monthly basis upon the Board's approval of such  
28 transfer. There shall be no proration or refund of  
29 the semiannual fees in situations in which the  
30 business is terminated otherwise than through a  
31 transfer of its license.]\_

32 [(C)] (B) Any semiannual fee which is not received by

1 the Department on or before the due date shall be  
2 assessed a late-payment penalty in an amount equal  
3 to ten percent of the amount of such semiannual  
4 fee. If the semiannual fee and penalty is not  
5 received by the Department within fifteen days  
6 after the due date, an additional penalty in an  
7 amount equal to twenty-five percent of such semian-  
8 nual fee shall be assessed. If the semiannual fee  
9 and all penalties are not received by the Depart-  
10 ment within sixty days after the due date, the  
11 license shall be automatically revoked.

12 SECTION 15: Title 6, Chapter 50, Section 290, of the  
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
14 hereby amended to read as follows:

15 6.50.290: [Each applicant for a license which is not the subject  
16 of a transfer, other than a beer/wine/cooler on-sale  
17 license, beer/wine/cooler off-sale license, beer/wine/  
18 cooler on-off-sale license, special event license, a  
19 nonprofit club general license or a keg beer license  
20 shall give notice to each licensee in the same classifi-  
21 cation as the license which is sought by the applicant  
22 of the applicant's intention to obtain such license.  
23 This notice shall be given not less than fifteen days  
24 and not more than thirty days prior to the filing of the  
25 license application with the Department. The notice  
26 shall specify the classification of license which the  
27 applicant desires to acquire and shall contain the name,  
28 address and telephone number of the applicant or its  
29 agent. The notice shall be sent by certified mail to  
30 all licensees in the same classification as the license  
31 which is sought by the applicant, as shown by the  
32 records of the Department. The Department is authorized

1 to require the applicant to furnish satisfactory evi-  
2 dence of compliance with this requirement.] Any licensee  
3 who desires permanently to discontinue its operation of  
4 the business and to sell its license may notify the  
5 Department of its desire to sell such license, and the  
6 Department shall maintain a list of such licensees and  
7 make it available to any person who is interested in  
8 obtaining a license.

9 SECTION 16: Title 6, Chapter 50, Section 300, of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
11 hereby amended to read as follows:

12 6.50.300: No [general on-sale, general off-sale, general on-off-  
13 sale, general on-sale restaurant limited,] beer/wine/  
14 cooler on-sale, beer/wine/cooler off-sale, beer/wine/  
15 cooler on-off-sale package, tavern or wholesale general  
16 license shall be located within four hundred feet of  
17 any church or school. The distance between the  
18 establishments shall be measured in a straight line  
19 from the primary public entrance of the church or  
20 school to the primary public entrance of the proposed  
21 premises, disregarding all intervening obstacles. At  
22 the request of the applicant, the City Council, in its  
23 discretion, may waive this provision based on a con-  
24 sideration of the nature and character of the surround-  
25 ing neighborhood. In connection with such a request,  
26 the Department of Business Activity shall give notice  
27 to the officials of the affected church or school  
28 within a reasonable time prior to the City Council's  
29 consideration of the request, in order to permit such  
30 officials to present their views to the City Council.  
31 Establishments which are included in the classifications  
32 listed in this Section and which [hold] held valid

1 licenses therefor [as of the effective date of the 1980  
2 ordinance codified in this Chapter] on November 1, 1980,  
3 are exempt from the provisions of this Section.

4 SECTION 17: Title 6, Chapter 50, Section 310, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 6.50.310: No [general on-sale license or general on-off-sale]  
8 tavern license shall be located within one thousand five  
9 hundred feet of any other [general on-sale license or  
10 general on-off-sale] tavern license. The distance be-  
11 tween the establishments shall be measured in a straight  
12 line from the primary public entrance of the proposed  
13 establishment to the primary public entrance of any  
14 existing licensed premises, disregarding all intervening  
15 obstacles. At the request of the applicant, the City  
16 Council, in its discretion, may waive this provision  
17 based on a consideration of the nature and character of  
18 the surrounding neighborhood. Notice of the time and  
19 place of the [Board's] City Council's consideration of  
20 the request for waiver shall be given by a published  
21 announcement in a newspaper of general circulation in  
22 the City not less than five days or more than ten days  
23 prior to the date of the hearing. Licensed premises  
24 which are included in the classifications listed in this  
25 Section and which [hold] held valid licenses therefor  
26 [as of the effective date of the 1980 ordinance codified  
27 in this Chapter] on November 1, 1980, are exempt from  
28 the provisions of this Section only as long as they  
29 continue to to hold valid licenses. This Section does  
30 not apply to [any general on-sale restaurant limited  
31 license nor to] an establishment which has a nonre-  
32 stricted gaming license in connection with a hotel

1           having one hundred or more guestrooms.

2           SECTION 18: Title 6, Chapter 50, Section 360, of the  
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
4 hereby amended to read as follows:

5 6.50.360: Whenever an ["offsale"] "off-sale" of alcoholic  
6 beverages is made, the alcoholic beverages, except beer,  
7 wine and coolers, must only be displayed for sale in an  
8 area of the licensed premises in which such alcoholic  
9 beverages are not accessible by persons under the age of  
10 twenty-one years. This area must be kept under the  
11 exclusive control of a person who is at least twenty-one  
12 years of age. When self-service of alcoholic beverages,  
13 except beer, wine and coolers, is provided, the area in  
14 which the alcoholic beverages are displayed must be par-  
15 titioned from the rest of the premises; provided,  
16 however, that such alcoholic beverages may be selected  
17 by the customer and purchased at a common check-out  
18 stand at which nonalcoholic beverages may be purchased.  
19 No self-service shall be permitted in original sealed or  
20 corked containers in quantities less than one pint,  
21 measured in the English system of weights and measures,  
22 or in quantities less than [four hundred] three hundred  
23 seventy-five milliliters, measured in the metric system  
24 of weights and measures.

25           SECTION 19: Title 6, Chapter 50, Section 420, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 6.50.420: It is unlawful for any person to encumber any license  
29 by means of a lease, pledge, mortgage, deed of trust,  
30 security interest or other manner of alienation; pro-  
31 vided, however, that this prohibition shall not apply to  
32 a transfer or encumbrance of a person's interest in the

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licensee pursuant to the prior approval of the [Board of Commissioners,] City Council, if such approval is otherwise required by this Chapter.

SECTION 20: Title 6, Chapter 50, Sections 30, 60, 210, 280, 330 and 410 are hereby repealed in their entirety.

SECTION 21: If any section, subsection, subdivision paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 22: All ordinances or parts of ordinances, 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 \_\_\_\_ day of \_\_\_\_\_, 1988.

APPROVED:

By \_\_\_\_\_  
RON LURIE, Mayor

ATTEST:

\_\_\_\_\_  
KATHLEEN M. TIGHE, City Clerk



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FIRST AMENDMENT

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BILL NO. 88-29

Ordinance No. \_\_\_\_\_

AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMENDING TITLE 6, CHAPTER 50, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO DEFINE THE TERM "DRUG STORE" AND TO LIMIT THE DEFINITIONS OF "OFF SALE" AND "ON SALE" TO SALES OF BEER, WINE AND COOLERS; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL OFF-SALE LICENSES AS PACKAGE LICENSES; AMENDING SECTION 50 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL ON-OFF-SALE LICENSES AS TAVERN LICENSES; AMENDING SECTION 70 OF SAID TITLE AND CHAPTER TO RECLASSIFY LIMITED OFF-SALE LICENSES AS GIFT SHOP LIMITED LICENSES AND TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD UNDER SUCH A LICENSE; AMENDING SECTION 90 OF SAID TITLE AND CHAPTER TO PROVIDE THAT BEER/WINE/COOLER LICENSES MAY BE ISSUED IN CONNECTION WITH DRUG STORES; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE THE LIMITATION ON THE PERIOD DURING WHICH AN ESTABLISHMENT WITH RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED MAY REMAIN NON-OPERATIONAL; AMENDING SECTIONS 220, 230, 240, 300 AND 310 OF SAID TITLE AND CHAPTER TO MAKE THEM CONSISTENT WITH THE RECLASSIFICATION OF GENERAL OFF-SALE LICENSES AND GENERAL ON-OFF-SALE LICENSES AS PACKAGE LICENSES AND TAVERN LICENSES, RESPECTIVELY, AND WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES AND GENERAL ON-SALE RESTAURANT LIMITED LICENSES; FURTHER AMENDING SAID SECTION 230 TO REDUCE FROM SIXTY THOUSAND DOLLARS TO FIFTY THOUSAND DOLLARS AND FROM ONE THOUSAND TWO HUNDRED DOLLARS TO ONE THOUSAND DOLLARS THE ORIGINAL LICENSE FEE AND THE SEMI-ANNUAL LICENSE FEE, RESPECTIVELY, FOR A TAVERN LICENSE; AMENDING SECTION 250 OF SAID TITLE AND CHAPTER TO PROVIDE THE DATE ON WHICH THE NEW SEMI-ANNUAL LICENSE FEE FOR TAVERN LICENSES SHALL TAKE EFFECT; AMENDING SECTION 260 OF SAID TITLE AND CHAPTER TO DELETE THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC BEVERAGE LICENSE MUST PAY THE FIRST TWO SEMI-ANNUAL BUSINESS LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE REFUND, ON A PRORATED BASIS, OF THE BUSINESS LICENSE FEE WITH RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS DURING THE COURSE OF ANY SEMI-ANNUAL LICENSE PERIOD; AMENDING SECTION 290 OF SAID TITLE AND CHAPTER TO PERMIT A LICENSEE WHO DESIRES TO SELL ITS LICENSE TO LIST THE SAME WITH THE DEPARTMENT OF BUSINESS ACTIVITY; AMENDING SECTION 360 OF SAID TITLE AND CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING SECTIONS 30, 60, 210, 280, 290, 330 AND 410 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by:

Summary: Revises Liquor Control Ordinance

Mayor Ron Lurie

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

3 SECTION 1: Title 6, Chapter 50, Section 1, of the  
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
5 hereby amended to read as follows:

6 6.50.010: The City Council declares that this Liquor Control  
7 Chapter is an exercise of the regulatory powers dele-  
8 gated to the [Board] City Council, by the State pursuant  
9 to Chapter 515, Statutes of Nevada 1971, as amended, and  
10 NRS 268.090, inter alia. The regulations contained in  
11 this Chapter involve, to the highest degree, the econo-  
12 mic, social, physical and moral well-being of the resi-  
13 dents and taxpayers of said City. The sale or other  
14 disposition of alcoholic beverages is not a matter of  
15 right but of privilege, which would otherwise be  
16 unlawful if it were not exercised pursuant to a license.  
17 This privilege may be denied, revoked, conditioned,  
18 suspended or subjected to any other disciplinary action  
19 by said City in the exercise of its police powers for  
20 the protection of the safety, welfare, health, peace and  
21 morals of the residents and taxpayers thereof. Such  
22 businesses must therefore comply with Chapter 6.06.  
23 Nothing in this Chapter shall be construed to confer any  
24 legitimate claim of entitlement to any benefit which  
25 might otherwise devolve upon any licensee or any person  
26 aproved for suitability.

27 SECTION 2: Title 6, Chapter 50, Section 2, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30 6.50.020: Unless the context otherwise requires, the scope of  
31 all words in this Chapter shall be liberally construed  
32 in order to effectuate the purpose of this Chapter, and,

1 in particular, the following words shall have the  
2 meaning ascribed to them as follows:

3 (A) "Alcoholic beverage" includes alcohol, spirits,  
4 liquor, wine and beer, and every liquid or solid  
5 which contains alcohol, spirits, liquor, wine or  
6 beer; and which contains one-half of one percent or  
7 more of alcohol by volume; and which is fit for  
8 beverage purposes, either alone or when diluted,  
9 mixed or combined with other substances. Any  
10 liquid or solid containing beer or wine in com-  
11 bination with any other alcoholic beverage shall  
12 not be construed to be beer or wine.

13 (B) "Beer" means any alcoholic beverage obtained by the  
14 fermentation of any infusion or decoction of  
15 barley, malt, hops or similar product, or any com-  
16 bination thereof, in water.

17 (C) "Cooler" means any prebottled alcoholic beverage,  
18 other than beer or wine, that is a distillate  
19 obtained from the fermentation of the natural con-  
20 tents of fruits or other agricultural products con-  
21 taining natural or added sugar, which contains not  
22 more than five and seven-tenths percent of alcohol  
23 by volume.

24 (D) "Drug store" means a business which has a regis-  
25 tered pharmacist in attendance at all times and  
26 which is located in a building, or in a portion of  
27 a building which is segregated physically or spa-  
28 tially from the rest of the building, selling at  
29 retail a stock of merchandise having a retail value  
30 of at least thirty thousand dollars, of which at  
31 least sixty percent consists of prescription and  
32 non-prescription drugs and medicines, remedies and

1 devices for use in curing or preventing human  
2 ailments and diseases and alleviating pain, other  
3 pharmaceuticals, items associated with personal  
4 hygiene, cosmetics, notions and sundries, and  
5 having at least one thousand two hundred square  
6 feet of floor space, exclusive of warehouse and  
7 office areas, devoted to the display of such stock  
8 of merchandise. No more than twenty-five percent  
9 of a drug store's retail inventory shall consist of  
10 beer, wine, cooler and tobacco products.

11 [D] (E) "Grocery store" means a business located in a  
12 building, or in a portion of a building which is  
13 segregated physically or spatially from the rest of  
14 the building, selling at retail a stock of merchan-  
15 dise having a retail value of at least thirty  
16 thousand dollars, of which at least sixty percent  
17 consists of articles for human consumption custo-  
18 marily served as food in the home or entering into  
19 the preparation of food in the home, and having at  
20 least one thousand two hundred square feet of floor  
21 space, exclusive of warehouse and office areas,  
22 devoted to the display of such stock of merchan-  
23 dise. No more than twenty-five percent of a gro-  
24 cery store's retail inventory shall consist of  
25 beer, wine, cooler and tobacco products.

26 [(E)] (F) "Meals" means the usual assortment of foods com-  
27 monly ordered at various hours of the day; pro-  
28 vided, however, that the service of such food only  
29 as sandwiches and salads shall not be deemed a  
30 compliance with this requirement.

31 [(F)] (G) "Nonprofit club" means any nonprofit corporation,  
32 nonprofit association or nonprofit organization

1 which is organized or qualified to do business and  
2 operating under the laws of the State; and which  
3 has and maintains tax-exempt status granted by the  
4 United States Internal Revenue Service; and which  
5 has at the time of application for a license and  
6 maintains continuously thereafter a bona fide mem-  
7 bership of at least one hundred dues-paying members  
8 over the age of twenty-one years; and which has  
9 been in continual existence for at least two years  
10 prior to the application for the license; and which  
11 owns or leases and operates or maintains a club-  
12 house, clubroom or meeting room in a permanent  
13 location.

14 [(G)] (H) "Off-sale" means the sale of [alcoholic beverages]  
15 beer, wine and coolers in original sealed or corked  
16 containers for consumption off the premises where  
17 the same are sold.

18 [(H)] (I) "On-sale" means the sale of [alcoholic beverages]  
19 beer, wine and coolers for consumption on the pre-  
20 mises where the same are sold.

21 [(I)] (J) "Restaurant" means a place which is regularly and  
22 in a bona fide manner used and kept open for the  
23 service of meals to guests for compensation; and  
24 which has suitable kitchen facilities connected  
25 therewith, containing convenience for cooking an  
26 assortment of foods which may be required for ordi-  
27 nary meals.

28 [(J)] (K) "Sale" or "sell" means, for compensation or any  
29 other business purpose, to sell, serve, give away  
30 or distribute; or to cause or permit to be sold,  
31 served, given away or distributed or to possess  
32 with the intent to sell, serve, give away or

1 distribute; or to solicit or receive orders to  
2 sell, serve, give away or distribute.

3 [(K)] (L) "Wholesale dealer" or "wholesaler" means a person  
4 who sells alcoholic beverages for the purposes of  
5 resale.

6 [(L)] (M) "Wine" means any alcoholic beverage, other than  
7 beer, obtained by the fermentation of the natural  
8 contents of fruits or other agricultural products  
9 containing natural or added sugar, which contains  
10 not more than twenty-two percent of alcohol by  
11 volume.

12 SECTION 3: Title 6, Chapter 50, Section 4, of the  
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
14 hereby amended to read as follows:

15 6.50.040: A [general off-sale] package license authorizes the  
16 sale, to consumers only and not for resale, of alcoholic  
17 beverages, in original sealed or corked containers, for  
18 consumption off the premises where the same are sold.

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

22 6.50.050: A [general on-off-sale] tavern license authorizes the  
23 sale of alcoholic beverages for consumption on the pre-  
24 mises where the same are sold and authorizes the sale,  
25 to consumers only and not for resale, of alcoholic  
26 beverages, in original sealed or corked containers, for  
27 consumption off the premises where the same are sold.

28 SECTION 5: Title 6, Chapter 50, Section 70, of the  
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
30 hereby amended to read as follows:

31 6.50.070: A gift shop limited [off-sale] license authorizes the  
32 sale, to consumers only and not for resale, of alcoholic

1 beverages, in original sealed or corked containers in  
2 quantities less than one pint, measured in the English  
3 system of weights and measures, or in quantities less  
4 than [four hundred] three hundred seventy-five millili-  
5 ters, measured in the metric system of weights and  
6 measures, for consumption off the premises where the  
7 same are sold, and may only be issued in connection with  
8 a gift shop located within the physical structure of an  
9 establishment which also houses an unrestricted gaming  
10 licensee.

11 SECTION 6: Title 6, Chapter 50, Section 90, of the  
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
13 hereby amended to read as follows:

14 6.50.090: A beer/wine/cooler off-sale license authorizes the  
15 sale, to consumers only and not for resale, only of  
16 beer, wine and coolers, in original sealed or corked  
17 containers, for consumption off the premises where the  
18 same are sold, and may only be issued in connection with  
19 a grocery store[.] or a drug store.

20 SECTION 7: Title 6, Chapter 50, Section 140, of the  
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
22 hereby amended to read as follows:

23 6.50.140: A nonprofit club general license authorizes the sale  
24 of alcoholic beverages only for consumption on the pre-  
25 mises and only to bona fide members of the club and  
26 their bona fide guests. Persons [holding] who held  
27 valid licenses in this classification existing on [the  
28 effective date of the 1980 ordinance codified in this  
29 Chapter] November 1, 1980, shall be entitled to retain  
30 such licenses; provided, however, that each such license  
31 shall be transferable only to another corporation, asso-  
32 ciation or organization which has the same organiza-

1 tional structure as the [transferor] transferer and only  
2 for a use which is similar to that conducted by the  
3 [transferor] transferer and at the same location as that  
4 occupied by the [transferor.] transferer.

5 SECTION 8: Title 6, Chapter 50, Section 160, of the  
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
7 hereby amended to read as follows:

8 6.50.160: A wholesale general license authorizes only the sale  
9 of alcoholic beverages, which must be packaged in origi-  
10 nal sealed or corked containers, to any licensee for the  
11 purposes of resale. In order to maintain this license,  
12 the licensee must keep on hand a stock of alcoholic  
13 beverages whose cost of acquisition is fifty thousand  
14 dollars or more. [Persons holding valid licenses in  
15 this classification existing on the effective date of  
16 the 1980 ordinance codified in this Chapter shall have  
17 until October 31, 1983 to acquire the value of stock of  
18 alcoholic beverages necessary to maintain this license.]

19 SECTION 9: Title 6, Chapter 50, Section 190, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 6.50.190: The licensee must commence operation of the business  
23 within thirty days after the license has been issued  
24 [and may not discontinue operation of the business for  
25 more than a three-month period without the approval of  
26 the City Council. The City Council may approve non  
27 operation of the business for additional three-month  
28 periods, but in no event shall the City Council approve  
29 any nonoperation of a business beyond any one year  
30 period. A license shall be automatically revoked at the  
31 expiration of the time periods provided by this Section  
32 unless City Council approval has been granted pursuant

1 to this Section. All]. Thereafter, all semiannual  
2 license fees must be paid notwithstanding the  
3 [licensee's nonoperational status. The provisions of  
4 this Section, except the requirement of the payment of  
5 semiannual license fees, do not apply to beer/wine/  
6 cooler on-sale licenses, beer/wine/cooler off-sale  
7 licenses, beer/wine/cooler on-off-sale licenses, nonpro-  
8 fit club general licenses and keg beer licenses.] fact  
9 that the licensee may temporarily discontinue its opera-  
10 tion of the business.

11 SECTION 10: Title 6, Chapter 50, Section 220, of the  
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
13 hereby amended to read as follows:

14 6.50.220: All provisions of this Chapter become operable on the  
15 effective date hereof, except that any establishment  
16 which, on [the effective date of the 1980 ordinance  
17 codified in this Chapter, holds] November 1, 1980, held  
18 a valid license which [is] was reclassified [by virtue  
19 of Section 6.50.210(A)(1) to a general on-sale restau-  
20 rant limited license,] as a beer/wine/cooler on-sale  
21 license, a beer/wine/cooler off-sale license or a  
22 beer/wine/cooler on-off-sale license, but the premises  
23 of which do not conform to the definitions for those  
24 license classifications, shall be permitted to retain  
25 the license under the following provisions:

26 (A) In the case of a [general on-sale restaurant  
27 limited license or a] beer/wine/cooler on-sale  
28 license, where the licensed premises have insuf-  
29 ficient floor space under the Uniform Building and  
30 Fire Codes for the seating capacity required by  
31 this Chapter, such license shall be limited to  
32 seating only the number of patrons allowed under

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such codes.

(B) In the case of a beer/wine/cooler off-sale license which is issued to a grocery store which is in non-conformance with the square footage requirement of Section 6.50.020(D) the license may be retained but the licensee will be required to comply with all other provisions of that Section.

(C) In the case of a beer/wine/cooler on-off-sale license, any existing license in nonconformance with the seating or square footage requirements is subject to the provisions of Subsections (A) and (B) of this Section.

SECTION 11: Title 6, Chapter 50, Section 230, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.230: Each licensee shall pay to the Department of Business Activity the license fees set forth in the following schedule:

		Semiannual	Original New
(A)	[General on-sale.....	\$900.....	\$40,000
	Plus: for each bar		
	over one.....	900	
(B)	General off-sale.....	750.....	20,000
(C)	General on-off-sale..	1,200.....	60,000
	Plus: for each bar		
	over one.....	900	
(D)	General on-sale res-		
	taurant limited.....	900.....	40,000
(E)]	Beer/wine/cooler on-		
	sale.....	300.....	1,000
[(F)]	(B) Beer/wine/cooler off-		
	sale.....	300.....	1,000
[(G)]	(C) Beer/wine/cooler on-		
	off-sale.....	600.....	2,000
	(D) Gift shop limited....	500.....	2,500
[(H)]	(E) Nonprofit club gen-		
	eral.....	150.....	1,000
	(I) Wholesale general....	1,000.....	5,000
(J)]	(F) Keg beer.....	300.....	1,000
	[(K) Limited off-sale.....	500.....	2,500]
	(G) Package.....	750.....	20,000

1	(H) Tavern.....	1,000.....	50,000
2	Plus: for each bar		
	over one.....	900	
3	(I) Wholesale general....	1,000.....	5,000

Each special event general licensee shall pay a license fee of fifty dollars per day. Each special event beer/wine/cooler licensee shall pay a license fee of twenty-five dollars per day.

SECTION 12: Title 6, Chapter 50, Section 240, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.240: The [presently existing] licensees who [both] hold [a "tavern" license and have the ancillary right to sell alcoholic beverages "off-sale" by means of a display of package liquor within the tavern premises not to exceed more than twenty-four square feet of display area, the area not to exceed more than twelve inches in depth, shall pay a semiannual fee of one thousand dollars. These licenses] general on-sale licenses, general on-off-sale licenses or general on-sale restaurant limited licenses on \_\_\_\_\_, 1988, shall [be] have such licenses automatically reclassified [to general on-off-sale] as tavern licenses [on the effective date of the 1980 ordinance codified in this Chapter but the display limitation shall continue. This Section shall automatically expire on September 30, 1985, at which time these licenses shall be treated identically to all other general on-off-sale licenses.], the licensees who hold general off-sale licenses on \_\_\_\_\_, 1988, shall have such licenses automatically reclassified as package licenses, and the licensees who hold limited off-sale licenses on \_\_\_\_\_, 1988, shall have such licenses automatically reclassified as gift shop limited licenses, on that date

1 SECTION 13: Title 6, Chapter 50, Section 250, of the  
2 Municipal code of the City of Las Vegas, Nevada, 1983 Edition, is  
3 hereby amended to read as follows:

4 6.50.250: All tavern licenses existing and valid [as of the  
5 effective date of the 1980 ordinance codified in this  
6 Chapter] on \_\_\_\_\_ 1988, shall be assessed the new  
7 semiannual fee beginning on [April 1, 1981.] October 1,  
8 1988. All other licenses issued as a result of a new  
9 application [or a transfer of an existing license] shall  
10 be assessed the new semiannual fees from the date of  
11 issuance of the license.

12 SECTION 14: Title 6, Chapter 50, Section 260, of the  
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
14 hereby amended to read as follows:

15 6.50.260: (A) Each semiannual fee is due in advance on April  
16 1st and October 1st in each year except that the  
17 applicant for a new alcoholic beverage license  
18 [shall pay, at the time of filing its application,  
19 the first and second semiannual fees in advance.

20 (B) Each licensee which] who starts business between  
21 April 1st and October 1st or between October 1st  
22 and April 1st shall have its semiannual fees  
23 prorated on a monthly basis [at the end of the  
24 first year of its operation. Each licensee which  
25 terminates its business by a transfer of its  
26 license shall have its semiannual fees prorated on  
27 a monthly basis upon the [Board's] City Council's  
28 approval of such transfer. There shall be no  
29 proration or refund of the semiannual fees in  
30 situations in which the business is terminated  
31 otherwise than through a transfer of its license.]

32 ~~[(C)]~~ (B) Any semiannual fee which is not received by

1 the Department on or before the due date shall be  
2 assessed a late-payment penalty in an amount equal  
3 to ten percent of the amount of such semiannual  
4 fee. If the semiannual fee and penalty is not  
5 received by the Department within fifteen days  
6 after the due date, an additional penalty in an  
7 amount equal to twenty-five percent of such semian-  
8 nual fee shall be assessed. If the semiannual fee  
9 and all penalties are not received by the Depart-  
10 ment within sixty days after the due date, the  
11 license shall be automatically revoked.

12 SECTION 15: Title 6, Chapter 50, Section 290, of the  
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
14 hereby amended to read as follows:

15 6.50.290: [Each applicant for a license which is not the subject  
16 of a transfer, other than a beer/wine/cooler on-sale  
17 license, beer/wine/cooler off-sale license, beer/wine/  
18 cooler on-off-sale license, special event license, a  
19 nonprofit club general license or a keg beer license  
20 shall give notice to each licensee in the same classifi-  
21 cation as the license which is sought by the applicant  
22 of the applicant's intention to obtain such license.  
23 This notice shall be given not less than fifteen days  
24 and not more than thirty days prior to the filing of the  
25 license application with the Department. The notice  
26 shall specify the classification of license which the  
27 applicant desires to acquire and shall contain the name,  
28 address and telephone number of the applicant or its  
29 agent. The notice shall be sent by certified mail to  
30 all licensees in the same classification as the license  
31 which is sought by the applicant, as shown by the  
32 records of the Department. The Department is authorized

1 to require the applicant to furnish satisfactory evi-  
2 dence of compliance with this requirement.] Any licensee  
3 who desires permanently to discontinue its operation of  
4 the business and to sell its license may notify the  
5 Department of its desire to sell such license, and the  
6 Department shall maintain a list of such licensees and  
7 make it available to any person who is interested in  
8 obtaining a license.

9 SECTION 16: Title 6, Chapter 50, Section 300, of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
11 hereby amended to read as follows:

12 6.50.300: No [general on-sale, general off-sale, general on-off-  
13 sale, general on-sale restaurant limited,] beer/wine/  
14 cooler on-sale, beer/wine/cooler off-sale, beer/wine/  
15 cooler on-off-sale package, tavern or wholesale general  
16 license shall be located within four hundred feet of  
17 any church or school. The distance between the  
18 establishments shall be measured in a straight line  
19 from the primary public entrance of the church or  
20 school to the primary public entrance of the proposed  
21 premises, disregarding all intervening obstacles. At  
22 the request of the applicant, the City Council, in its  
23 discretion, may waive this provision based on a con-  
24 sideration of the nature and character of the surround-  
25 ing neighborhood. In connection with such a request,  
26 the Department of Business Activity shall give notice  
27 to the officials of the affected church or school  
28 within a reasonable time prior to the City Council's  
29 consideration of the request, in order to permit such  
30 officials to present their views to the City Council.  
31 Establishments which are included in the classifications  
32 listed in this Section and which [hold] held valid

1 licenses therefor [as of the effective date of the 1980  
2 ordinance codified in this Chapter] on November 1, 1980,  
3 are exempt from the provisions of this Section.

4 SECTION 17: Title 6, Chapter 50, Section 310, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 6.50.310: No [general on-sale license or general on-off-sale]  
8 tavern license shall be located within one thousand five  
9 hundred feet of any other [general on-sale license or  
10 general on-off-sale] tavern license. The distance be-  
11 tween the establishments shall be measured in a straight  
12 line from the primary public entrance of the proposed  
13 establishment to the primary public entrance of any  
14 existing licensed premises, disregarding all intervening  
15 obstacles. At the request of the applicant, the City  
16 Council, in its discretion, may waive this provision  
17 based on a consideration of the nature and character of  
18 the surrounding neighborhood. Notice of the time and  
19 place of the [Board's] City Council's consideration of  
20 the request for waiver shall be given by a published  
21 announcement in a newspaper of general circulation in  
22 the City not less than five days or more than ten days  
23 prior to the date of the hearing. Licensed premises  
24 which are included in the classifications listed in this  
25 Section and which [hold] held valid licenses therefor  
26 [as of the effective date of the 1980 ordinance codified  
27 in this Chapter] on November 1, 1980, are exempt from  
28 the provisions of this Section only as long as they  
29 continue to to hold valid licenses. This Section does  
30 not apply to [any general on-sale restaurant limited  
31 license nor to] an establishment which has a nonre-  
32 stricted gaming license in connection with a hotel

1           having one hundred or more guestrooms.

2           SECTION 18: Title 6, Chapter 50, Section 360, of the  
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
4 hereby amended to read as follows:

5 6.50.360: Whenever an ["offsale"] "off-sale" of alcoholic  
6 beverages is made, the alcoholic beverages, except beer,  
7 wine and coolers, must only be displayed for sale in an  
8 area of the licensed premises in which such alcoholic  
9 beverages are not accessible by persons under the age of  
10 twenty-one years. This area must be kept under the  
11 exclusive control of a person who is at least twenty-one  
12 years of age. When self-service of alcoholic beverages,  
13 except beer, wine and coolers, is provided, the area in  
14 which the alcoholic beverages are displayed must be par-  
15 titioned from the rest of the premises; provided,  
16 however, that such alcoholic beverages may be selected  
17 by the customer and purchased at a common check-out  
18 stand at which nonalcoholic beverages may be purchased.  
19 No self-service shall be permitted in original sealed or  
20 corked containers in quantities less than one pint,  
21 measured in the English system of weights and measures,  
22 or in quantities less than [four hundred] three hundred  
23 seventy-five milliliters, measured in the metric system  
24 of weights and measures.

25           SECTION 19: Title 6, Chapter 50, Section 420, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 6.50.420: It is unlawful for any person to encumber any license  
29 by means of a lease, pledge, mortgage, deed of trust,  
30 security interest or other manner of alienation; pro-  
31 vided, however, that this prohibition shall not apply to  
32 a transfer or encumbrance of a person's interest in the

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licensee pursuant to the prior approval of the [Board of Commissioners,] City Council, if such approval is otherwise required by this Chapter.

SECTION 20: Title 6, Chapter 50, Sections 30, 60, 210, 280, 330 and 410 are hereby repealed in their entirety.

SECTION 21: If any section, subsection, subdivision paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

The City Council of the City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 22: All ordinances or parts of ordinances, 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 \_\_\_\_ day of \_\_\_\_\_, 1988.

APPROVED:

By \_\_\_\_\_  
RON LURIE, Mayor

ATTEST:

\_\_\_\_\_  
KATHLEEN M. TIGHE, City Clerk

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The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_ 1988, and referred to the following committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 1988, 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" : \_\_\_\_\_  
VOTING "NAY" : \_\_\_\_\_  
ABSENT: \_\_\_\_\_

APPROVED:

By \_\_\_\_\_  
RON LURIE, MAYOR

ATTEST:  
  
\_\_\_\_\_  
Kathleen M. Tighe, City Clerk

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BILL NO. 88-29

Ordinance No. \_\_\_\_\_

AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMENDING TITLE 6, CHAPTER 50, SECTION 70, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD UNDER A LIMITED OFF-SALE LICENSE; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE THE LIMITATION ON THE PERIOD DURING WHICH AN ESTABLISHMENT WITH RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED MAY REMAIN NON-OPERATIONAL; AMENDING SECTION 260 OF SAID TITLE AND CHAPTER TO DELETE THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC BEVERAGE LICENSE MUST PAY THE FIRST TWO SEMIANNUAL BUSINESS LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE REFUND, ON A PRORATED BASIS, THE BUSINESS LICENSE FEE IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE REFUND, ON A PRORATED BASIS, OF THE BUSINESS LICENSE FEE WITH RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS DURING THE COURSE OF ANY SEMIANNUAL LICENSE PERIOD; AMENDING SECTION 360 OF SAID TITLE AND CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING SECTIONS 210, 240, 250, 280, 290, 310, 330 AND 410 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Mayor Ron Lurie  
Summary: Revises Liquor Control Ordinance

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

SECTION 1: Title 6, Chapter 50, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.070: A limited off-sale license authorizes the sale, to consumers only and not for resale, of alcoholic beverages, in original sealed or corked containers in quantities less than one pint, measured in the English system of weights and measures, or in quantities less than [four hundred] three hundred seventy-five milliliters, measured in the metric system of weights and measures, for consumption off the premises where the

1 same are sold, and may only be issued in connection with  
2 a gift shop located within the physical structure of an  
3 establishment which also houses an unrestricted gaming  
4 licensee.

5 SECTION 2: Title 6, Chapter 50, Section 190, of the  
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
7 hereby amended to read as follows:

8 6.50.190: The licensee must commence operation of the business  
9 within thirty days after the license has been issued  
10 [and may not discontinue operation of the business for  
11 more than a three-month period without the approval of  
12 the City Council. The City Council may approve non-  
13 operation of the business for additional three-month  
14 periods, but in no event shall the City Council approve  
15 any nonoperation of a business beyond any one year  
16 period. A license shall be automatically revoked at the  
17 expiration of the time periods provided by this Section  
18 unless City Council approval has been granted pursuant  
19 to this Section.]. All semiannual license fees must be  
20 paid notwithstanding the licensee's nonoperational sta-  
21 tus. [The provisions of this Section, except the  
22 requirement of the payment of semiannual license fees,  
23 do not apply to beer/wine/cooler on-sale licenses,  
24 beer/wine/cooler off-sale licenses, beer/wine/cooler on-  
25 off-sale licenses, nonprofit club general licenses and  
26 keg beer licenses.]

27 SECTION 3: Title 6, Chapter 50, Section 260, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30 6.50.260: (A) Each semiannual fee is due in advance on April  
31 1st and October 1st in each year except that the  
32 applicant for a new alcoholic beverage license

1 [shall pay, at the time of filing its application,  
2 the first and second semiannual fees in advance.

3 (B) Each licensee which] who starts business between  
4 April 1st and October 1st or between October 1st  
5 and April 1st shall have its semiannual fees  
6 prorated on a monthly basis [at the end of the  
7 first year of its operation. Each licensee which  
8 terminates its business by a transfer of its  
9 license shall have its semiannual fees prorated on  
10 a monthly basis upon the Board's approval of such  
11 transfer. There shall be no proration or refund of  
12 the semiannual fees in situations in which the  
13 business is terminated otherwise than through a  
14 transfer of its license.]\_

15 [(C)] (B) Any semiannual fee which is not received by  
16 the Department on or before the due date shall be  
17 assessed a late-payment penalty in an amount equal  
18 to ten percent of the amount of such semiannual  
19 fee. If the semiannual fee and penalty is not  
20 received by the Department within fifteen days  
21 after the due date, an additional penalty in an  
22 amount equal to twenty-five percent of such semian-  
23 nual fee shall be assessed. If the semiannual fee  
24 and all penalties are not received by the Depart-  
25 ment within sixty days after the due date, the  
26 license shall be automatically revoked.

27 SECTION 4: Title 6, Chapter 50, Section 360, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30 6.50.360: Whenever an "offsale" of alcoholic beverages is made,  
31 the alcoholic beverages, except beer, wine and coolers,  
32 must only be displayed for sale in an area of the

1 licensed premises in which such alcoholic beverages are  
2 not accessible by persons under the age of twenty-one  
3 years. This area must be kept under the exclusive  
4 control of a person who is at least twenty-one years of  
5 age. When self-service of alcoholic beverages, except  
6 beer, wine and coolers, is provided, the area in which  
7 the alcoholic beverages are displayed must be parti-  
8 tioned from the rest of the premises; provided, however,  
9 that such alcoholic beverages may be selected by the  
10 customer and purchased at a common check-out stand at  
11 which nonalcoholic beverages may be purchased. No  
12 self-service shall be permitted in original sealed or  
13 corked containers in quantities less than one pint,  
14 measured in the English system of weights and measures,  
15 or in quantities less than [four hundred] three hundred  
16 seventy-five milliliters, measured in the metric system  
17 of weights and measures.

18 SECTION 5: Title 6, Chapter 50, Sections 210, 240, 250,  
19 280, 290, 310, 330 and 410 are hereby repealed in their entirety.

20 SECTION 6: If any section, subsection, subdivision  
21 paragraph, sentence, clause or phrase in this ordinance or any  
22 part thereof, is for any reason held to be unconstitutional or  
23 invalid or ineffective by any court of competent jurisdiction,  
24 such decision shall not affect the validity or effectiveness of  
25 the remaining portions of this ordinance or any part thereof.  
26 The City Council of the City of Las Vegas, Nevada, hereby  
27 declares that it would have passed each section, subsection, sub-  
28 division, paragraph, sentence, clause or phrase thereof,  
29 irrespective of the fact that any one or more sections, subsec-  
30 tions, subdivisions, paragraphs, sentences, clauses or phrases be  
31 declared unconstitutional, invalid or ineffective.

32 SECTION 7: All ordinances or parts of ordinances, sec-

1 tions, subsections, phrases, sentences, clauses or paragraphs  
2 contained in the Municipal Code of the City of Las Vegas, Nevada,  
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of  
5 \_\_\_\_\_, 1988.

6 APPROVED:

7  
8 By \_\_\_\_\_  
RON LURIE, Mayor

9 ATTEST:

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12 \_\_\_\_\_  
KATHLEEN M. TIGHE, City Clerk

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The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 198\_\_, and referred to the following committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 198\_\_, 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" : \_\_\_\_\_  
VOTING "NAY" : \_\_\_\_\_  
ABSENT: \_\_\_\_\_

APPROVED:

By \_\_\_\_\_  
RON LURIE, MAYOR

ATTEST:  
  
\_\_\_\_\_  
Kathleen M. Tighe, City Clerk

# AFFIDAVIT OF PUBLICATION

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STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 One insertions from period of June 30, 1988 to June 30, 1988 inclusive, being the issue of said newspaper for the following dates, to wit:

June 30, 1988

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

FIRST AMENDMENT  
BILL NO. 88-29  
AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMENDING TITLE 6, CHAPTER 50, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO DEFINE THE TERM "DRUG STORE" AND TO LIMIT THE DEFINITIONS OF "OFF SALE" AND "ON SALE" TO SALES OF BEER, WINE AND COOLERS; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL OFF-SALE LICENSES AS PACKAGE LICENSES; AMENDING SECTION 50 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL ON-OFF-SALE LICENSES AS TAVERN LICENSES; AMENDING SECTION 70 OF SAID TITLE AND CHAPTER TO RECLASSIFY LIMITED OFF-SALE LICENSES AS GIFT SHOP LIMITED LICENSES AND TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD UNDER SUCH A LICENSE; AMENDING SECTION 90 OF SAID TITLE AND CHAPTER TO PROVIDE THAT BEER/WINE/COOLER LICENSES MAY BE ISSUED IN CONNECTION

WITH DRUG STORES; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE THE LIMITATION ON THE PERIOD DURING WHICH AN ESTABLISHMENT WITH RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED MAY REMAIN NON-OPERATIONAL; AMENDING SECTIONS 220, 230, 240, 300 AND 310 OF SAID TITLE AND CHAPTER TO MAKE THEM CONSISTENT WITH THE RECLASSIFICATION OF GENERAL OFF-SALE LICENSES AND GENERAL ON-OFF-SALE LICENSES AS PACKAGE LICENSES AND TAVERN LICENSES, RESPECTIVELY, AND WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES AND GENERAL ON-SALE RESTAURANT LIMITED LICENSES; FURTHER AMENDING SAID SECTION 230 TO REDUCE FROM SIXTY THOUSAND DOLLARS TO FIFTY THOUSAND DOLLARS AND FROM ONE THOUSAND TWO HUNDRED DOLLARS TO ONE THOUSAND DOLLARS THE ORIGINAL LICENSE FEE AND THE SEMI-ANNUAL LICENSE FEE, RESPECTIVELY, FOR A TAVERN LICENSE; AMENDING SECTION 250 OF SAID TITLE AND CHAPTER TO PROVIDE THE DATE ON WHICH THE NEW SEMI-ANNUAL LICENSE FEE FOR TAVERN LICENSES SHALL TAKE EFFECT; AMENDING SECTION 260 OF SAID TITLE AND CHAPTER TO DELETE

THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC BEVERAGE LICENSE MUST PAY THE FIRST TWO SEMI-ANNUAL BUSINESS LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE REFUND, ON A PRORATED BASIS, OF THE BUSINESS LICENSE FEE WITH RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS DURING THE COURSE OF ANY SEMI-ANNUAL LICENSE PERIOD; AMENDING SECTION 290 OF SAID TITLE AND CHAPTER TO PERMIT A LICENSEE WHO DESIRES TO SELL ITS LICENSE TO LIST THE SAME WITH THE DEPARTMENT OF BUSINESS ACTIVITY; AMENDING SECTION 360 OF SAID TITLE AND CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING SECTIONS 30, 60, 210, 280, 290, 330 and 410 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.  
SPONSORED BY:  
Mayor Ron Lurie  
SUMMARY:  
Revises Liquor Control Ordinance At a City Council meeting May 18, 1988  
BILL NO. 88-29 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:  
Councilman Nolen and Mayor 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: June 30, 1988

SIGNED George J. Vasconi  
GEORGE J. VASCONI

Subscribed and sworn to before me this 30 day of June, 1988

Marjorie E. Ouellette  
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



MARJORIE E. OUELLETTE  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Dec. 2, 1989

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AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMENDING TITLE 6, CHAPTER 50, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO DEFINE THE TERM "DRUG STORE" AND TO LIMIT THE DEFINITIONS OF "OFF-SALE" AND "ON-SALE" TO SALES OF BEER, WINE AND COOLERS; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL OFF-SALE LICENSES AS PACKAGE LICENSES; AMENDING SECTION 50 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL ON-OFF SALE LICENSES AS TAVERN LICENSES; AMENDING SECTION 70 OF SAID TITLE AND CHAPTER TO RECLASSIFY LIMITED OFF-SALE LICENSES AS GIFT SHOPS LIMITED LICENSES AND TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD UNDER SUCH A LICENSE; AMENDING SECTION 90 OF SAID TITLE AND CHAPTER TO PROVIDE THAT BEER/WINE/COOLER LICENSES MAY BE ISSUED IN CONNECTION WITH DRUG STORES; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE THE LIMITATION OF THE PERIOD DURING WHICH AN ESTABLISHMENT WITH RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED MAY REMAIN NON-OPERATIONAL; AMENDING SECTIONS 220, 230, 240, 300 AND 310 OF SAID TITLE AND CHAPTER TO MAKE THEM CONSISTENT WITH THE RECLASSIFICATION OF GENERAL OFF-SALE LICENSES AND GENERAL ON-OFF SALE LICENSES AS PACKAGE LICENSES AND TAVERN LICENSES RESPECTIVELY, AND WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES AND GENERAL ON-SALE RESTAURANT LIMITED LICENSES; AMENDING SECTION 250 OF SAID TITLE AND CHAPTER TO PROVIDE THE DATE ON WHICH THE NEW SEMIANNUAL LICENSE FEE FOR TAVERN LICENSES

# AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 28 10 05 AM '88

STATE OF NEVADA, }  
COUNTY OF CLARK } ss.

CITY CLERK

Susan Laas, 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 23, 1988 to July 23, 1988

inclusive, being the issues of said newspaper for the following dates, to-wit:  
July 23, 1988

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

Signed Susan Laas

Subscribed and sworn to before me this 24th day of July, 1988

Ruthe V. Deskin

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

My Commission Expires

SHALL TAKE EFFECT; AMENDING SECTION 260 OF SAID TITLE AND CHAPTER TO DELETE THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC BEVERAGE LICENSE MUST PAY THE FIRST TWO SEMIANNUAL BUSINESS LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE REFUND, ON A PRORATED BASIS, OF THE BUSINESS LICENSE FEE WITH RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS DURING THE COURSE OF ANY SEMI-ANNUAL LICENSE PERIOD; AMENDING SECTION 290 OF SAID TITLE AND CHAPTER TO PERMIT A LICENSEE WHO DESIRES TO SELL ITS LICENSE TO LIST THE SAME WITH THE DEPARTMENT OF BUSINESS ACTIVITY; AMENDING SECTION 360 OF SAID TITLE AND CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING SECTIONS 30, 60, 210, 280, 290, 330, and 410 OF SAID TITLE AND CHAPTER; AMENDING TITLE 8, CHAPTER 40, SECTION 160, OF SAID CODE TO MAKE SAID SECTION CONSISTENT WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES AND THE RECLASSIFICATION OF GENERAL ON-OFF SALE LICENSES AS TAVERN LICENSES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Mayor Ron Lurie

Summary: Revises Liquor Control Ordinance.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 18th day of May, 1988, and referred to the following committee composed of Councilman Nolen and Mayor Lurie, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 20th day of July, 1988, 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" Councilman:  
Adamsen, Bunker, Miller, Nolen and Mayor Lurie  
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 23, 1988  
Las Vegas SUN

# AFFIDAVIT OF PUBLICATION

RECEIVED  
JUL 7 11 18 AM '88  
CITY CLERK

STATE OF NEVADA)  
COUNTY OF CLARK)

SS

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 One insertions from period of June 30, 1988 to June 30, 1988 inclusive, being the issue of said newspaper for the following dates, to wit:

June 30, 1988

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

FIRST AMENDMENT  
BILL NO. 88-29

AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMENDING TITLE 6, CHAPTER 50, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO DEFINE THE TERM "DRUG STORE" AND TO LIMIT THE DEFINITIONS OF "OFF SALE" AND "ON SALE" TO SALES OF BEER, WINE AND COOLERS; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL OFF-SALE LICENSES AS PACKAGE LICENSES; AMENDING SECTION 50 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL ON-OFF-SALE LICENSES AS TAVERN LICENSES; AMENDING SECTION 70 OF SAID TITLE AND CHAPTER TO RECLASSIFY LIMITED OFF-SALE LICENSES AS GIFT SHOP LIMITED LICENSES AND TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD UNDER SUCH A LICENSE; AMENDING SECTION 90 OF SAID TITLE AND CHAPTER TO PROVIDE THAT BEER/WINE/COOLER LICENSES MAY BE ISSUED IN CONNECTION

WITH DRUG STORES; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE THE LIMITATION ON THE PERIOD DURING WHICH AN ESTABLISHMENT WITH RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED MAY REMAIN NON-OPERATIONAL; AMENDING SECTIONS 220, 230, 240, 300 AND 310 OF SAID TITLE AND CHAPTER TO MAKE THEM CONSISTENT WITH THE RECLASSIFICATION OF GENERAL OFF-SALE LICENSES AND GENERAL ON-OFF-SALE LICENSES AS PACKAGE LICENSES AND TAVERN LICENSES, RESPECTIVELY, AND WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES AND GENERAL ON-SALE RESTAURANT LIMITED LICENSES; FURTHER AMENDING SAID SECTION 230 TO REDUCE FROM SIXTY THOUSAND DOLLARS TO FIFTY THOUSAND DOLLARS AND FROM ONE THOUSAND TWO HUNDRED DOLLARS TO ONE THOUSAND DOLLARS THE ORIGINAL LICENSE FEE AND THE SEMI-ANNUAL LICENSE FEE, RESPECTIVELY, FOR A TAVERN LICENSE; AMENDING SECTION 250 OF SAID TITLE AND CHAPTER TO PROVIDE THE DATE

ON WHICH THE NEW SEMI-ANNUAL LICENSE FEE FOR TAVERN LICENSES SHALL TAKE EFFECT; AMENDING SECTION 260 OF SAID TITLE AND CHAPTER TO DELETE THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC BEVERAGE LICENSE MUST PAY THE FIRST TWO SEMI-ANNUAL BUSINESS LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE REFUND, ON A PRORATED BASIS, OF THE BUSINESS LICENSE FEE WITH RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS DURING THE COURSE OF ANY SEMI-ANNUAL LICENSE PERIOD; AMENDING SECTION 290 OF SAID TITLE AND CHAPTER TO PERMIT A LICENSEE WHO DESIRES TO SELL ITS LICENSE TO LIST THE SAME WITH THE DEPARTMENT OF BUSINESS ACTIVITY; AMENDING SECTION 360 OF SAID TITLE AND CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING SECTIONS 30, 60, 210, 280, 290, 330 and 410 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. SPONSORED BY: Mayor Ron Lurie  
SUMMARY: Revises Liquor Control Ordinance At a City Council meeting May 18, 1988  
BILL NO. 88-29 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilman Nolen and Mayor 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: June 30, 1988.

SIGNED

*George J. Vasconi*

GEORGE J. VASCONI

Subscribed and sworn to before me this 30 day of June, 1988

*Marjorie E. Ouellette*

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



MARJORIE E. OUELLETTE

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Dec. 2, 1989

FINANCIAL DEPT

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AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMENDING TITLE 6, CHAPTER 50, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO DEFINE THE TERM "DRUG STORE" AND TO LIMIT THE DEFINITIONS OF "OFF-SALE" AND "ON-SALE" TO SALES OF BEER, WINE AND COOLERS; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL OFF-SALE LICENSES AS PACKAGE LICENSES; AMENDING SECTION 50 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL ON-OFF SALE LICENSES AS TAVERN LICENSES; AMENDING SECTION 70 OF SAID TITLE AND CHAPTER TO RECLASSIFY LIMITED OFF-SALE LICENSES AS GIFT SHOPS LIMITED LICENSES AND TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD UNDER SUCH A LICENSE; AMENDING SECTION 90 OF SAID TITLE AND CHAPTER TO PROVIDE THAT BEER/WINE/COOLER LICENSES MAY BE ISSUED IN CONNECTION WITH DRUG STORES; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE THE LIMITATION OF THE PERIOD DURING WHICH AN ESTABLISHMENT WITH RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED MAY REMAIN NON-OPERATIONAL; AMENDING SECTIONS 220, 230, 240, 300 AND 310 OF SAID TITLE AND CHAPTER TO MAKE THEM CONSISTENT WITH THE RECLASSIFICATION OF GENERAL OFF-SALE LICENSES AND GENERAL ON-OFF SALE LICENSES AS PACKAGE LICENSES AND TAVERN LICENSES RESPECTIVELY, AND WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES AND GENERAL ON-SALE RESTAURANT LIMITED LICENSES; AMENDING SECTION 250 OF SAID TITLE AND CHAPTER TO PROVIDE THE DATE ON WHICH THE NEW SEMI-ANNUAL LICENSE FEE FOR TAVERN LICENSES

# RECEIVED AFFIDAVIT OF PUBLICATION

JUL 28 10 05 AM '88

STATE OF NEVADA, }  
COUNTY OF CLARK } ss.

CITY CLERK

JOAN POLLACK

, 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 23, 1988 to July 23, 1988

inclusive, being the issues of said newspaper for the following dates, to-wit:  
July 23, 1988

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

Signed Joan Pollack

Subscribed and sworn to before me this 24th day of July, 1988

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

SHALL TAKE EFFECT: AMENDING SECTION 260 OF SAID TITLE AND CHAPTER TO DELETE THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC BEVERAGE LICENSE MUST PAY THE FIRST TWO SEMI-ANNUAL BUSINESS LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE REFUND, ON A PRO-RATA BASIS, OF THE BUSINESS LICENSE FEE WITH RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS DURING THE COURSE OF ANY SEMI-ANNUAL LICENSE PERIOD; AMENDING SECTION 290 OF SAID TITLE AND CHAPTER TO PERMIT A LICENSEE WHO DESIRES TO SELL ITS LICENSE TO LIST THE SAME WITH THE DEPARTMENT OF BUSINESS ACTIVITY; AMENDING SECTION 360 OF SAID TITLE AND CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING SECTIONS 30, 60, 210, 280, 290, 330, and 410 OF SAID TITLE AND CHAPTER; AMENDING TITLE 6, CHAPTER 40, SECTION 180, OF SAID CODE TO MAKE SAID SECTION CONSISTENT WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES; AND THE RECLASSIFICATION OF GENERAL ON-OFF SALE LICENSES AS TAVERN LICENSES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Mayor Ron Lurie  
Summary: Revises Liquor Control Ordinances.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 18th day of May, 1988, and referred to the following committee composed of Councilman Nolan and Mayor Lurie, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 20th day of July, 1988, which was a regular meeting of the City Council, that at said regular meeting the Mayor and Council all amended and adopted by the following vote:

VOTING "AYE": Councilmen: Adamsen, Bunker, Miller, Nolan and Mayor Lurie.  
VOTING "NAY": Councilman: 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 23, 1988  
Las Vegas SUN



AN ORDINANCE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES; AMENDING TITLE 6, CHAPTER 50, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO DEFINE THE TERM "DRUG STORE" AND TO LIMIT THE DEFINITIONS OF "OFF-SALE" AND "ON-SALE" TO SALES OF BEER, WINE AND COOLERS; AMENDING SECTION 40 OF SAID TITLE CHAPTER TO RECLASSIFY LICENSES AS PACKAGE SALES; AMENDING SECTION 50 OF SAID TITLE AND CHAPTER TO RECLASSIFY GENERAL ON-OFF SALE LICENSES AS TAVERN LICENSES; AMENDING SECTION 70 OF SAID TITLE AND CHAPTER TO RECLASSIFY LIMITED OFF-SALE LICENSES AS GIFT SHOPS LIMITED LICENSES AND TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD UNDER SUCH A LICENSE; AMENDING CHAPTER 90 OF SAID TITLE AND CHAPTER TO PROVIDE THAT BEER/WINE/COOLER LICENSES MAY BE ISSUED IN CONNECTION WITH DRUG STORES; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO DELETE THE LIMITATION OF THE PERIOD DURING WHICH AN ESTABLISHMENT WITH RESPECT TO WHICH AN ALCOHOLIC BEVERAGE LICENSE HAS BEEN ISSUED MAY REMAIN NON-OPERATIONAL; AMENDING SECTIONS 220, 230, 240, 300 AND 310 OF SAID TITLE AND CHAPTER TO MAKE THEM CONSISTENT WITH THE RECLASSIFICATION OF GENERAL OFF-SALE LICENSES AND GENERAL ON-OFF SALE LICENSES AS PACKAGE LICENSES AND TAVERN LICENSES RESPECTIVELY AND WITH THE ELIMINATION OF GENERAL ON-SALE RESTAURANT LIMITED LICENSES; AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO PROVIDE THE DATE ON WHICH THE NEW BIENNIAL LICENSE FEE FOR TAVERN LICENSES

SHALL TAKE EFFECT; AMENDING SECTION 200 OF SAID TITLE AND CHAPTER TO DELETE THE REQUIREMENT THAT THE APPLICANT FOR A NEW ALCOHOLIC BEVERAGE LICENSE MUST PAY THE FIRST TWO BIENNIAL BUSINESS LICENSE FEES IN ADVANCE AND TO DELETE THE PROVISION THAT PERMITS THE RETURN ON A PRORATED BASIS OF THE BUSINESS LICENSE FEE WITH RESPECT TO AN ESTABLISHMENT THAT HAS DISCONTINUED DOING BUSINESS DURING THE COURSE OF ANY BIENNIAL LICENSE PERIOD; AMENDING SECTION 290 OF SAID TITLE AND CHAPTER TO PERMIT A LICENSEE WHO DESIRES TO SELL ITS LICENSE TO LIST THE SAME WITH THE DEPARTMENT OF BUSINESS ACTIVITY; AMENDING SECTION 300 OF SAID TITLE AND CHAPTER TO REDUCE FROM FOUR HUNDRED MILLILITERS TO THREE HUNDRED SEVENTY-FIVE MILLILITERS THE CAPACITY OF THE CONTAINERS IN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IN A SELF-SERVICE AREA; REPEALING SECTIONS 90, 90, 110, 250, 290, 300 AND 410 OF SAID TITLE AND CHAPTER; AMENDING TITLE 6 AND CHAPTER 40, SECTION 180 OF SAID CODE TO MAKE SAID SECTION CONSISTENT WITH THE ELIMINATION OF GENERAL ON-SALE LICENSES AND THE RECLASSIFICATION OF GENERAL ON-OFF SALE LICENSES AS TAVERN LICENSES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

# AFFIDAVIT OF PUBLICATION

RECEIVED  
Jul 28 10 05 AM '88

STATE OF NEVADA, }  
COUNTY OF CLARK } ss.

CITY CLERK

JOAN POLLACK, 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 23, 1988 to July 23, 1988

inclusive, being the issues of said newspaper for the following dates, to-wit:  
July 23, 1988

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

Signed Joan Pollack

Subscribed and sworn to before me this 24th day of July, 1988

Ruth E. Deskin

Notary Public in and for Clark County, Nevada  
RUTH E. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Apr. 14, 1989

My Commission Expires

Sponsored by:  
Mayor Ron Lurie  
Summary: Revises Liquor Control Ordinance.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 18th day of May, 1988, and referred to the following committee composed of Councilman Nolen and Mayor Lurie, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 20th day of July, 1988, 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:  
Adamsen, Bunker, Miller, Nolen and Mayor Lurie  
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 23, 1988  
Las Vegas SUN

