

Bill No. 95-41

Ordinance No. 3917

AN ORDINANCE RELATING TO PRIVILEGED LICENSES; AMENDING TITLE 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER CONTAINING LICENSING REQUIREMENTS FOR ADULT NIGHTCLUB ESTABLISHMENTS, INCLUDING DEFINITIONS AND ADMINISTRATIVE PROCEDURES; PROVIDING FOR PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Mayor Jan Laverty Jones

Summary: Establishes a definition for adult nightclub establishments, creates new licensing requirements therefor and other matters relating thereto.

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

SECTION 1: Title 6 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 6B, consisting of the provisions set forth as Sections 2 to 4, inclusive, of this Ordinance.

SECTION 2: **6.06B.010 Findings.** The Las Vegas City Council finds that:

(A) Adult nightclubs have solicited prostitution, offered sexual stimulation and sexual conduct to patrons for the purchase of alcoholic drinks for exorbitant prices. The patron, being defrauded and swindled as the drinks are actually nonalcoholic and the patron is threatened, coerced, or forced from the premises without a refund of the admission or drink price, or fee charged for services promised but not performed;

(B) Adult nightclubs are sometimes fronts for or operated by persons associated with a pattern of criminal activities and the need for law enforcement agencies to scrutinize such adult nightclubs is thereby required to protect the public, especially the tourist; and

1 (C) The law enforcement resources available for responding to problems
2 associated with or created by adult nightclubs are limited and are best conserved
3 by regulating and licensing adult nightclubs and those associated with them; and
4 (D) The public health, safety, welfare and convenience require that adult
5 nightclubs and their employees be regulated and licensed in order to reduce fraud
6 and abuse upon patrons and protect the reputation of the community.

7 **6.06B.020 Purpose.** The purpose of this Chapter is to regulate adult nightclubs
8 to prevent possible criminal activities, including but not limited to fraud and solicitation of
9 prostitution.

10 **6.06B.030 Definitions.** In this Chapter the following definitions and those in
11 Title 6 shall apply unless the context clearly requires otherwise.

12 (A) "Adult nightclub" means a fixed place of business which may charge
13 admission for entrance, which advertises, or holds out to the public that adult
14 entertainment is provided, or advertises or implies that sensual or sexual
15 entertainment is provided, and is not licensed to sell alcoholic beverages.

16 (B) "Attendant" means a natural person, who is employed by or who receives
17 any monetary consideration from an adult nightclub for soliciting the sale or
18 purchase of any product or service, including but not limited to beverages, and/or
19 who collects entry fee, admission or cover charge.

20 (C) "Department" means the Department of Finance and Business Services.

21 (D) "Director" means the Director of the Department of Finance and Business
22 Services.

23 (E) "Fondle or caress" means the conduct or affectionate touching that is
24 intended to sexually arouse (may include "sexual conduct").

25 (F) An "offer to provide acts of sexual conduct" means to offer, propose or to
26 solicit to provide sexual conduct to a patron. Such definition includes all

1 conversations, publications, advertisements, handbills and acts which would lead
2 a reasonable prudent person to conclude that such acts were to be provided even
3 if such acts are illegal or are purported to be illegal or unlawful.

4 (G) "Security guard" means a natural person who acts as a doorman, bouncer,
5 or who performs a function described in NRS 648.016.

6 (H) "Server" means a natural person who is employed by or who receives any
7 monetary consideration from an adult nightclub for soliciting the sale or purchase
8 of any product or service, including but not limited to beverages.

9 (I) "Sexual conduct" means the engaging in or the commission of an act of
10 sexual intercourse, oral-genital contact, or the touching of the sexual organ, pubic
11 region, buttock or female breast of a person for the purpose of arousing or
12 gratifying the sexual desire of another person.

13 (J) "Sexual stimulation" means to excite or arouse the prurient interest or to
14 offer or solicit acts of sexual conduct as defined under "offer to provide acts of
15 sexual conduct" as defined herein.

16 **6.06B.040 Exemptions.**

17 (A) Establishments which are licensed to sell intoxicating liquor pursuant to
18 LVMC 6.50 are exempt from the requirements of this Chapter due to their existing
19 and conditioned regulations. Businesses licensed pursuant to provisions of Title 6
20 without specific licensing and activity regulations are not exempt from this
21 Chapter.

22 (B) Establishments properly licensed and operating in compliance with LVMC
23 19.74, prior to July 19, 1995, may continue to provide adult entertainment
24 activities (dancers, strippers) and are exempt from Section 6.06B.090(P) and
25 6.35.050(A). However, such establishments must procure all required licenses
26 pursuant to Title 6 and comply with all other license regulations and zoning

1 requirements.

2 **6.06B.050 Adult nightclub license -- Application.**

3 (A) Application for an adult nightclub license shall be made to the Director of
4 the Department of Finance and Business Services.

5 (B) An application for adult nightclub license shall be verified by the applicant
6 and shall contain or set forth the following information:

7 (1) The name, address, telephone number, principal occupation, and age
8 of the applicant;

9 (2) The name, address, and principal occupation of the managing agent
10 or agents of the business;

11 (3) The business name, business address, and business telephone number
12 of the establishment or proposed establishment together with a description
13 of the nature of the business and magnitude thereof;

14 (4) Whether the business or proposed business is the undertaking of a
15 sole proprietorship, partnership or corporation. If a sole proprietorship, the
16 application shall set forth the name, address, telephone number and
17 principal occupation of the sole proprietor. If a partnership, the application
18 shall set forth the names, addresses, telephone numbers, principal
19 occupations and respective ownership shares of each partner, whether
20 general, limited or silent. If a corporation, the application shall set forth
21 the corporate name, a copy of the articles of incorporation, and the names,
22 addresses, telephone numbers and principal occupations of every officer,
23 director and shareholder, and the number of shares held by each;

24 (5) The names, addresses, telephone numbers and principal occupations
25 of every person, partnership, or corporation having any interest in the real
26 or personal property utilized or to be utilized by the business or proposed

1 business or having any right or interest to any portion of the profits, or
2 receiving or having the right to receive any payment from the business
3 which is not directly related to utility costs;

4 (6) A description of all other business enterprises (sales or services)
5 which shall occur on the premises; and

6 (7) Whether the applicant, anyone having a ten percent interest in the
7 business or proposed business, or anyone having an interest in the real
8 property or personal property utilized or to be utilized by the business or
9 proposed business or anyone having a right to ten percent of the proceeds
10 of the business other than utilities has:

11 (a) Ever been convicted of or forfeited bail for any crime,
12 excluding minor traffic offenses and, if so, the application shall state
13 the person involved, the charge, date, court, and disposition of the
14 charges,

15 (b) Ever had a business license denied, revoked or charges filed
16 therefor, and if so, the application shall state the person involved,
17 the name of the business, date, jurisdiction, and outcome of any
18 hearing, or

19 (c) Ever owned, operated, been employed by a swingers club,
20 an escort service, an outcall promoter establishment, a brothel or
21 adult nightclub, and if so, the name of the business, dates involved
22 and position or interest therein.

23 (C) The applicants shall present themselves to the Las Vegas Metropolitan
24 Police Department for investigation and fingerprinting and shall pay such
25 investigation and fingerprint fee as is required by LVMC 6.86, and shall reveal to
26 the Las Vegas Metropolitan Police Department such information as is required to

1 properly identify the applicant to enable the investigation of the applicant's arrests
2 and convictions, licensing and litigation record and verify the accuracy and
3 completeness of the application.

4 (1) In all cases where the applicant for a license is a corporation, it shall
5 be necessary for all of the officers of such corporation to present themselves
6 for investigation and fingerprinting. All stockholders with ten percent or
7 more stock, or who exercise management or control of the corporation are
8 required to present themselves for investigation and fingerprinting.

9 (D) An adult nightclub license shall be a semiannual license renewable by
10 payment of semi-annual license fees as found in LVMC 6.06B.100.

11 **6.06B.060 License issuance or denial and appeal.**

12 (A) The Director of the Department of Finance and Business Services shall issue
13 or deny the license to the applicant within thirty days from the receipt of a
14 complete application and fees upon compliance with all the requirements and
15 conditions of this Chapter. Failure of the Director to approve or deny the license
16 application within the thirty days shall result in the license being granted.

17 (B) The Director shall consider the application by examination of:

18 (1) The circumstances of the applicant's criminal reputation, associations
19 and business history;

20 (2) The reports of the Las Vegas Metropolitan Police Department;

21 (3) The proposed business operation of the applicant; and

22 (4) The reports of the building, fire, zoning and health departments.

23 (C) The Director shall not grant the license if:

24 (1) The applicant, whether an individual or any of the stockholders,
25 officers or directors, if a corporation, or any of the partners, if a
26 partnership, including limited partners, or the manager or other person

1 principally in charge of the operation of the business, or any person
2 receiving, or having a right to receive any sum from, or percentage of the
3 profits due to an interest in or sale of the business, has been convicted
4 within a five-year period immediately prior to the date of the application of
5 crimes of embezzlement; or any crime involving fraud, consumer fraud or
6 intent to defraud, or extortion; or has violated the law regarding fraudulent
7 advertising;

8 (2) The operation as proposed by the applicant would not comply with
9 all applicable laws, including, but not limited to, this Title and the City's
10 building, zoning, fire and health regulations; or

11 (3) The applicant, whether an individual or any of the ten percent
12 stockholders or officers, if a corporation, or any of the partners, if a
13 partnership, including limited partners, or the manager or other person
14 principally in charge of the operation of the business, or any person
15 receiving, or having a right to receive any sum from, or percentage of the
16 profits due to an interest in or sale of the business, has had a business
17 license revoked pursuant to LVMC 6.06B (Adult Nightclub Establishment),
18 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment),
19 and 19.74 (Sexually Oriented Businesses), or this Chapter within a two-year
20 period immediately prior to the date of the application.

21 (D) If the applicant is denied, the Director shall notify the applicant with the
22 reason(s) stated for denial. Notification shall be sent certified, United States mail,
23 return receipt requested, to the address provided on the license application which
24 shall be considered the correct address. Each applicant has the burden to furnish
25 any change of address to the Director, by United States certified mail, return
26 receipt requested.

1 (E) In the event that an application is denied, the applicant may file or cause to
2 be filed in the district court a petition for judicial examination of the validity of the
3 denial or the adult nightclub establishment license as provided by Chapter 34 of
4 NRS.

5 **6.06B.070 Attendant and server work identification cards -- Required.**

6 No person shall work as an attendant or server at an adult nightclub without a valid work
7 identification card issued by the Las Vegas Metropolitan Police Department.

8 **6.06B.080 Attendant and server work identification card issuance,**
9 **suspension or revocation.**

10 (A) Each attendant and server, whether a full or part-time employee, who works
11 or renders services in a licensed adult nightclub establishment shall obtain prior to
12 the commencement of work, and keep in force during the term of his/her license
13 or employment, a work identification card for adult nightclub issued under LVMC
14 6.86 and 6.06B. The investigation of issuance of a work identification card will
15 include a fingerprint check by the Federal Bureau of Investigation. Work
16 identification cards applied for pursuant to this Chapter shall be granted or denied
17 within ten working days of application subject to the provisions of LVMC
18 6.86.080.

19 (B) The Las Vegas Metropolitan Police Department may deny the issuance of
20 or renewal of a work identification card required by this Chapter for the following
21 reasons:

22 (1) The applicant has made false, misleading or fraudulent statements
23 with respect to any material fact contained in the application for a work
24 identification card;

25 (2) The applicant has been convicted of any crimes involving fraud,
26 consumer fraud or intent to defraud, prostitution, solicitation of prostitution,

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or has violated the law regarding fraudulent advertising within two years of application for this specific work card;

(3) The applicant has violated code regulations, as set out within LVMC 6.06B.090, or has had a business license revoked pursuant to LVMC 6.06B (Adult Nightclub Establishment), 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), or 19.74 (Sexually Oriented Businesses), within two years of the application for this specific work card;

(4) A work identification card of the applicant has previously been revoked within one year of the date of application pursuant to LVMC 6.06B (Adult Nightclub Establishment), 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), or 19.74 (Sexually Oriented Businesses), or the issuance or renewal thereof has been denied by the City of Las Vegas or any other government entity within one year of the date of the application for any reason set out in paragraphs (1), (2) or (3) above.

(C) Any work identification card issued for this Chapter may only be suspended or revoked for grounds set forth in Subsections above pursuant to the procedures set forth in LVMC 6.86.

6.06B.085 Work identification cards required. The following persons are required to secure work identification cards in accordance with LVMC 6.86:

(A) All security guards working in or employed by an adult nightclub must obtain a work identification card pursuant to LVMC 6.86. In addition to the grounds stated in LVMC 6.86, a work identification card may be denied for conviction of assault, battery, fraud or conspiracy to commit any such crime. Security guards in adult nightclubs shall not carry firearms, knives, night sticks, clubs, or chemical or electronic weapons.

(B) All owners if applicants are individual; stockholders owning ten percent or

1 more stock, officers and directors, if applicant is a corporation; and partners,
2 including limited and general partners, if applicant is a partnership; and manager
3 or other person principally in charge of the operation of the business, must obtain
4 a work identification card from the Las Vegas Metropolitan Police Department, as
5 required in LVMC 6.86. A work identification card may be denied for any
6 grounds set out in LVMC 6.06B.060(C)(1) or (3) or LVMC 6.06B.080(B).

7 **6.06B.090 Adult nightclub regulations.**

8 (A) No person, firm, partnership, corporation, or other entity shall advertise
9 adult entertainment or cause to be advertised, as an adult nightclub without a valid
10 adult nightclub license issued pursuant to this Chapter.

11 (B) No later than the fifteenth day of the month succeeding the semiannual
12 license period the adult nightclub establishment shall file, in conjunction with
13 license fees, a verified report with the Department showing the licensee's gross
14 receipts and amounts paid to attendants and servers for the preceding semiannual
15 period.

16 (C) Licensee shall maintain and retain for a period of three years the names,
17 addresses, and ages of all persons employed as attendants or servers by the
18 licensee.

19 (D) No licensee shall employ as an attendant or server a person under the age
20 of eighteen years, or a person who has not obtained a permit pursuant to this
21 Chapter.

22 (E) No person under the age of eighteen years shall be admitted to an adult
23 nightclub.

24 (F) Licensee shall not serve, sell, distribute, or suffer the consumption or
25 possession of any intoxicating liquor, or any beverage represented as containing
26 any alcohol upon the premises of the licensee.

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(G) Licensee shall conspicuously display all licenses required by this ordinance.

(H) All communication, verbal, visual or physical, between attendants and patrons shall take place within an area which is visible immediately upon entrance to the establishment premises. Patrons shall not be allowed in private rooms with attendants.

(I) No attendant or server shall fondle or caress any patron and no patron shall fondle or caress any attendant or server.

(J) No patron shall directly pay or give any gratuity to any attendant or server for "sexual conduct," "sexual stimulation," or as to "offers to provide sexual conduct."

(K) No attendant or server shall solicit any pay or gratuity from any patron.

(L) Any adult nightclub, licensed pursuant to this Chapter, which advertises or uses the words in its trade or place name that imply the availability of alcoholic liquor on the premises, such as "bar," "lounge," or "saloon," must state in all such advertisements that alcoholic beverages are not sold on the premises.

(M) Adult nightclubs shall post on each entrance door and not more than five inches above each entrance door, and in at least three places behind the bar a sign with letters not less than three inches high stating:

"ALCOHOLIC LIQUOR IS NOT SOLD HERE"

"PROSTITUTION IS UNLAWFUL"

The letters must be black on a yellow background and the sign on each entrance door and behind the bar must be between four and six feet above floor level. Each sign must be located and illuminated sufficient to be visible by a person with normal eyesight or eyesight corrected to 20/20, thirty feet from the sign.

(N) No adult nightclub shall employ a security guard, or allow a security guard to work on the premises unless such security guard has obtained a work

1 identification card pursuant to LVMC 6.86.

2 (O) Any patron evicted from an adult nightclub shall receive a reimbursement
3 of the full admission fee and the cost of any beverage he/she purchased provided
4 it was represented as a drink which contains alcohol when sold.

5 (P) No person, firm, partnership, corporation or other entity shall publicly
6 display or expose or suffer the public display or exposure, with less than a full
7 opaque covering, of any portion of the female breast below a point immediately
8 above the top of the areola, or any portion of a person's genitals or pubic area or
9 display of such anatomical parts in a lewd and obscene fashion even though
10 opaquely covered.

11 (Q) No adult nightclub licensee, attendant, server or security guard shall allow,
12 permit, encourage, or tolerate any act of masturbation to occur on the premises.

13 **6.06B.100 Licensee fee and reports.**

14 (A) The license fee for an adult nightclub shall be two-hundred dollars
15 (\$200.00) per semi-annual period, to be paid on or before the fifteenth day
16 succeeding the end of the semi-annual license period.

17 (B) Every person licensed pursuant to this Chapter shall file with the
18 Department on or before the fifteenth day succeeding the end of the semi-annual
19 period a report signed by the licensee under oath that the report is true to his/her
20 own knowledge. The report shall provide any changes in information submitted
21 pursuant to LVMC 6.06B.050.

22 (1) Each report must be accompanied by the license fee which is due for
23 the semi-annual license period.

24 (2) All licenses for which the fees have not been paid and/or complete
25 reports received within thirty days after the due date automatically expire.
26 Any such expired license shall not be reinstated until the total amount due

1 shall be paid, and complete reports received. The applicant for
2 reinstatement shall file complete applications as required in LVMC
3 6.06B.050 and be found suitable for licensure pursuant to LVMC
4 6.06B.060.

5 (3) All reports required by this Chapter to be filed with the Director
6 shall be sworn under oath by the licensee of an adult nightclub, that the
7 information contained therein is true to his/her personal knowledge.

8 **6.06B.120 Revocation of license.**

9 (A) The Las Vegas City Council shall not act to revoke or suspend an adult
10 nightclub license until after:

11 (1) The licensee is given at least ten days' written notice of the specific
12 charges;

13 (2) A hearing is held before the Las Vegas City Council at which time
14 the licensee may present such evidence and defense as may bear upon the
15 question.

16 (B) The adult nightclub license shall be revoked or suspended if the licensee
17 maintains or conducts business in any building or structure which is structurally
18 unsafe, or does not provide adequate egress, or which constitutes a fire hazard, or
19 which is otherwise dangerous to human life or safety, or which in relation to
20 existing use constitutes a hazard to safety or health, or public welfare, by reasons
21 of inadequate maintenance, dilapidation, or obsolescence.

22 (C) The adult nightclub license shall be revoked or suspended if the licensee has
23 knowingly made any false, misleading, or fraudulent statement of material fact in
24 the application for a license or in any semiannual report required to be filed with
25 the Department (LVMC 6.06B.100) or record required to be kept for three years
26 (LVMC 6.06B.100) or knowingly caused or suffered another to furnish such false,

1 misleading, or fraudulent information or withhold such required information on his,
2 her or its behalf.

3 (D) Any license issued pursuant to this Chapter may be revoked or suspended
4 upon a finding that the licensee, its agent, employee, attendant, server, partner,
5 director, officer, stockholder, manager or person exercising managerial authority
6 of or on behalf of the licensee has:

7 (1) Committed an act for which the licensee is convicted or found guilty
8 or liable in any court subsequent to the filing of an application for a license,
9 of a felony or any crime involving moral turpitude, fraud, deception, false
10 pretenses, misrepresentation, false advertising, prostitution, solicitation of
11 prostitution, aiding and abetting an act of prostitution as defined in LVMC
12 10.36, violation of NRS 201.255 or 47 U.S.C. 233, pandering, crime
13 related to racketeering, or racketeering activity or racketeering enterprise
14 as defined in NRS 207.360, et seq., or dealing controlled substances; or

15 (2) Provided sexual stimulation or offer to provide acts of sexual
16 conduct to a patron of the adult nightclub establishment; or

17 (3) Failed to file, or files a false, misleading, or incomplete report
18 required by this Chapter to be filed, or files such report thirty or more days
19 after the due date; or

20 (4) Violated any regulation set out in this Chapter; or

21 (5) That the licensee has conducted or advertised an adult nightclub
22 under a fictitious name which is unlicensed pursuant to this Chapter, or

23 (6) Published, uttered, disseminated or conveyed either publicly or
24 privately, to an individual any false, deceptive or misleading statements or
25 advertisements in connection with the operation of the licensed business
26 pursuant to this Chapter; or

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(7) Committed any act constituting dishonesty or fraud, or committed any unlawful, false, fraudulent, deceptive or dangerous act while conducting the licensed business; or

(8) Advertised through any publication, dissemination or display whether by hire, contract or otherwise directly or indirectly in any newspaper, magazine or other publication, by any radio, television, telephone or pictorial display, publication, handbill or other advertising media which depicted any person or object or which contained any statement which suggested to a reasonable, prudent person that prostitution or any other illegal act, service or product was offered or provided;

(9) Otherwise violated any provision of this Chapter.

The fact that the licensee shall post notices disclaiming prostitution and/or alcoholic beverage sales does not excuse any charge of any of the above listed acts if an implication or expression that sexual stimulation is provided or an expression that alcoholic beverage is sold is more convincing than such notice or disclaimer.

(E) In the event the adult nightclub establishment license is suspended or revoked, except for building or fire code violation, the license suspension or revocation shall be stayed for five working days from the date of the written notice to the licensee for the licensee to seek judicial review. The licensee may waive the stay provision in writing, or the City may seek sooner to enforce the suspension or revocation by filing in the district court a petition for judicial review as provided by NRS 43.100 or by seeking alternative relief pursuant to Chapter 34 of NRS.

6.06B.130 Responsibility of licensee. The holder of an adult nightclub

license, is responsible for the acts of its employees and independent or subcontractors, including but not limited to attendants, servers, security guards, telephone receptionists. An adult nightclub license may be revoked for acts of such agent, employee, subcontractor or independent contractor

1 which violates any provision of this Chapter. It is the duty of the licensee to prevent fraud,
2 prostitution and the solicitation of prostitution upon the licensed premises.

3 **6.06B.140 License/permit required.** It is unlawful for any person or business
4 entity to engage in business as an adult nightclub or as attendant and/or server within the City of
5 Las Vegas without first obtaining a license or permit therefor as provided in this Chapter. Any
6 person, firm or corporation violating this Section shall be guilty of a misdemeanor and each such
7 person, firm, or corporation shall be deemed guilty of a separate offense for each and every day
8 during which the violation is committed, continued or permitted, and upon conviction of any such
9 violation, such person, firm or corporation shall be punished by a fine of not less than two
10 hundred fifty dollars for the first offense; not less than five hundred dollars for the second
11 offense; not less than nine hundred fifty dollars for the third offense; and a fine of one thousand
12 dollars plus not less than one week imprisonment for the fourth or additional offenses. In no case
13 shall any sentence exceed more than a one thousand dollar fine and/or six months imprisonment;
14 provided, no person shall be deemed guilty of any violation of this Chapter if acting in an
15 investigative capacity pursuant to the request of the Las Vegas Metropolitan Police Department
16 or Director.

17 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause
18 or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or
19 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
20 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
21 Council of the City of Las Vegas hereby declares that it would have passed each section,
22 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
23 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
24 declared unconstitutional, invalid or ineffective.

25 SECTION 4: All ordinances or parts of ordinances, sections, subsections,

26 . . .


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

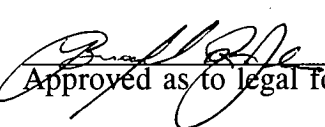
3 PASSED, ADOPTED and APPROVED this 16th day of August, 1995.

4 APPROVED:

5 By 
6 IAN LAVERTY JONES, MAYOR
7 ARNIE ADAMSEN, MAYOR PRO-TEM

8 ATTEST:

9 
10 KATHLEEN M. TIGHE, City Clerk

11 
12 Approved as to legal form

8/16/95
Date

1 The above and foregoing ordinance was first proposed and read by title to the City
2 Council on the 21st day of June, 1995, and referred to the following committee
3 composed of Councilmen Reese and
4 McDonald for recommendation; thereafter the said
5 committee reported favorably on said ordinance on the 16th day of August, 1995,
6 which was a regular meeting of said Council; that at said regular
7 meeting the proposed ordinance was read by title to the City Council as amended and adopted by
8 the following vote.

9 VOTING "AYE": Councilmen Adamsen, McDonald and Reese

10 VOTING "NAY": None

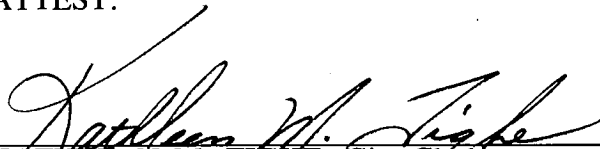
11 ABSENT: Councilman Callister

12 DID NOT VOTE: Mayor Jones

APPROVED:

13
14 By 
JAN LAVERTY JONES, MAYOR
ARNIE ADAMSEN, MAYOR PRO-TEM

15 ATTEST:

16
17 
18 KATHLEEN M. TIGHE, City Clerk

2 **Bill No. 95-41**

3 **See Second Amendment**

4 Ordinance No. _____

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12 HEREWITH.

13 Sponsored by:
14 Mayor Jan Laverty Jones

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25 that:

26 (A) Adult nightclubs have solicited prostitution, offered sexual stimulation and
sexual conduct to patrons for the purchase of alcoholic drinks for exorbitant prices.
The patron, being defrauded and swindled as the drinks are actually nonalcoholic
and the patron is threatened, coerced, or forced from the premises without a refund
of the admission or drink price, or fee charged for services promised but not
performed;

(B) Adult nightclubs are sometimes fronts for or operated by persons associated
with a pattern of criminal activities and the need for law enforcement agencies to
scrutinize such adult nightclubs is thereby required to protect the public, especially
the tourist; and

1 (C) The law enforcement resources available for responding to problems
2 associated with or created by adult nightclubs are limited and are best conserved
3 by regulating and licensing adult nightclubs and those associated with them; and

4 (D) The public health, safety, welfare and convenience require that adult
5 nightclubs and their employees be regulated and licensed in order to reduce fraud
6 and abuse upon patrons and protect the reputation of the community.

7 **6.06B.020 Purpose.** The purpose of this Chapter is to regulate adult nightclubs
8 to prevent possible criminal activities, including but not limited to fraud and solicitation of
9 prostitution.

10 **6.06B.030 Definitions.** In this Chapter the following definitions and those in
11 Title 6 shall apply unless the context clearly requires otherwise.

12 (A) "Adult nightclub" means a fixed place of business which may charge
13 admission for entrance, which advertises, or holds out to the public that adult
14 entertainment is provided, or advertises or implies that sensual or sexual
15 entertainment is provided, and is licensed to sell nonalcoholic beverages or food.

16 (B) "Attendant" means a natural person, who is employed by or who receives
17 any monetary consideration from an adult nightclub for soliciting the sale or
18 purchase of any product or service, including but not limited to beverages, and/or
19 who collects entry fee, admission or cover charge.

20 (C) "Department" means the Department of Finance and Business Services.

21 (D) "Director" means the Director of the Department of Finance and Business
22 Services.

23 (E) "Fondle or caress" means the conduct or affectionate touching that is
24 intended to sexually arouse (may include "sexual conduct").

25 (F) An "offer to provide acts of sexual conduct" means to offer, propose or to
26 solicit to provide sexual conduct to a patron. Such definition includes all

1 conversations, publications, advertisements, handbills and acts which would lead
2 a reasonable prudent person to conclude that such acts were to be provided even
3 if such acts are illegal or are purported to be illegal or unlawful.

4 (G) "Security guard" means a natural person who acts as a doorman, bouncer,
5 or who performs a function described in NRS 648.016.

6 (H) "Server" means a natural person who is employed by or who receives any
7 monetary consideration from an adult nightclub for soliciting the sale or purchase
8 of any product or service, including but not limited to beverages.

9 (I) "Sexual conduct" means the engaging in or the commission of an act of
10 sexual intercourse, oral-genital contact, or the touching of the sexual organ, pubic
11 region, buttock or female breast of a person for the purpose of arousing or
12 gratifying the sexual desire of another person.

13 (J) "Sexual stimulation" means to excite or arouse the prurient interest or to
14 offer or solicit acts of sexual conduct as defined under "offer to provide acts of
15 sexual conduct" as defined herein.

16 **6.06B.040 Exemptions.**

17 (A) Establishments which are licensed to sell intoxicating liquor pursuant to
18 LVMC 6.50 are exempt from the requirements of this Chapter due to their existing
19 and conditioned regulations. Businesses licensed pursuant to provisions of Title 6
20 without specific licensing and activity regulations are not exempt from this
21 Chapter.

22 (B) Establishments properly licensed and operating in compliance with LVMC
23 19.74, prior to July 19, 1995, may continue to provide adult entertainment
24 activities (dancers, strippers) and are exempt from Section 6.06B.090(P) and
25 6.35.050(A). However, such establishments must procure all required licenses
26 pursuant to Title 6 and comply with all other license regulations and zoning

1 requirements.

2 **6.06B.050 Adult nightclub license -- Application.**

3 (A) Application for an adult nightclub license shall be made to the Director of
4 the Department of Finance and Business Services.

5 (B) An application for adult nightclub license shall be verified by the applicant
6 and shall contain or set forth the following information:

7 (1) The name, address, telephone number, principal occupation, and age
8 of the applicant;

9 (2) The name, address, and principal occupation of the managing agent
10 or agents of the business;

11 (3) The business name, business address, and business telephone number
12 of the establishment or proposed establishment together with a description
13 of the nature of the business and magnitude thereof;

14 (4) Whether the business or proposed business is the undertaking of a
15 sole proprietorship, partnership or corporation. If a sole proprietorship, the
16 application shall set forth the name, address, telephone number and
17 principal occupation of the sole proprietor. If a partnership, the application
18 shall set forth the names, addresses, telephone numbers, principal
19 occupations and respective ownership shares of each partner, whether
20 general, limited or silent. If a corporation, the application shall set forth
21 the corporate name, a copy of the articles of incorporation, and the names,
22 addresses, telephone numbers and principal occupations of every officer,
23 director and shareholder, and the number of shares held by each;

24 (5) The names, addresses, telephone numbers and principal occupations
25 of every person, partnership, or corporation having any interest in the real
26 or personal property utilized or to be utilized by the business or proposed

1 business or having any right or interest to any portion of the profits, or
2 receiving or having the right to receive any payment from the business
3 which is not directly related to utility costs;

4 (6) A description of all other business enterprises (sales or services)
5 which shall occur on the premises; and

6 (7) Whether the applicant, anyone having a ten percent interest in the
7 business or proposed business, or anyone having an interest in the real
8 property or personal property utilized or to be utilized by the business or
9 proposed business or anyone having a right to ten percent of the proceeds
10 of the business other than utilities has:

11 (a) Ever been convicted of or forfeited bail for any crime,
12 excluding minor traffic offenses and, if so, the application shall state
13 the person involved, the charge, date, court, and disposition of the
14 charges,

15 (b) Ever had a business license denied, revoked or charges filed
16 therefor, and if so, the application shall state the person involved,
17 the name of the business, date, jurisdiction, and outcome of any
18 hearing, or

19 (c) Ever owned, operated, been employed by a swingers club,
20 an escort service, an outcall promoter establishment, a brothel or
21 adult nightclub, and if so, the name of the business, dates involved
22 and position or interest therein.

23 (C) The applicants shall present themselves to the Las Vegas Metropolitan
24 Police Department for investigation and fingerprinting and shall pay such
25 investigation and fingerprint fee as is required by LVMC 6.86, and shall reveal to
26 the Las Vegas Metropolitan Police Department such information as is required to

1 properly identify the applicant to enable the investigation of the applicant's arrests
2 and convictions, licensing and litigation record and verify the accuracy and
3 completeness of the application.

4 (1) In all cases where the applicant for a license is a corporation, it shall
5 be necessary for all of the officers of such corporation to present themselves
6 for investigation and fingerprinting. All stockholders with ten percent or
7 more stock, or who exercise management or control of the corporation are
8 required to present themselves for investigation and fingerprinting.

9 (D) An adult nightclub license shall be a semiannual license renewable by
10 payment of semi-annual license fees as found in LVMC 6.06B.100.

11 **6.06B.060 License issuance or denial and appeal.**

12 (A) The Director of the Department of Finance and Business Services shall issue
13 or deny the license to the applicant within thirty days from the receipt of a
14 complete application and fees upon compliance with all the requirements and
15 conditions of this Chapter. Failure of the Director to approve or deny the license
16 application within the thirty days shall result in the license being granted.

17 (B) The Director shall consider the application by examination of:

18 (1) The circumstances of the applicant's criminal reputation, associations
19 and business history;

20 (2) The reports of the Las Vegas Metropolitan Police Department;

21 (3) The proposed business operation of the applicant; and

22 (4) The reports of the building, fire, zoning and health departments.

23 (C) The Director shall not grant the license if:

24 (1) The applicant, whether an individual or any of the stockholders,
25 officers or directors, if a corporation, or any of the partners, if a
26 partnership, including limited partners, or the manager or other person

1 principally in charge of the operation of the business, or any person
2 receiving, or having a right to receive any sum from, or percentage of the
3 profits due to an interest in or sale of the business, has been convicted
4 within a five-year period immediately prior to the date of the application of
5 crimes of embezzlement; or any crime involving fraud, consumer fraud or
6 intent to defraud, or extortion; or has violated the law regarding fraudulent
7 advertising;

8 (2) The operation as proposed by the applicant would not comply with
9 all applicable laws, including, but not limited to, this Title and the City's
10 building, zoning, fire and health regulations; or

11 (3) The applicant, whether an individual or any of the ten percent
12 stockholders or officers, if a corporation, or any of the partners, if a
13 partnership, including limited partners, or the manager or other person
14 principally in charge of the operation of the business, or any person
15 receiving, or having a right to receive any sum from, or percentage of the
16 profits due to an interest in or sale of the business, has had a business
17 license revoked pursuant to LVMC 6.06B (Adult Nightclub Establishment),
18 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment),
19 and 19.74 (Sexually Oriented Businesses), or this Chapter within a two-year
20 period immediately prior to the date of the application.

21 (D) If the applicant is denied, the Director shall notify the applicant with the
22 reason(s) stated for denial. Notification shall be sent certified, United States mail,
23 return receipt requested, to the address provided on the license application which
24 shall be considered the correct address. Each applicant has the burden to furnish
25 any change of address to the Director, by United States certified mail, return
26 receipt requested.

1 (E) In the event that an application is denied, the applicant may file or cause to
2 be filed in the district court a petition for judicial examination of the validity of the
3 denial or the adult nightclub establishment license as provided by Chapter 34 of
4 NRS.

5 **6.06B.070 Attendant and server work identification cards -- Required.**

6 No person shall work as an attendant or server at an adult nightclub without a valid work
7 identification card issued by the Las Vegas Metropolitan Police Department.

8 **6.06B.080 Attendant and server work identification card issuance,**
9 **suspension or revocation.**

10 (A) Each attendant and server, whether a full or part-time employee, who works
11 or renders services in a licensed adult nightclub establishment shall obtain prior to
12 the commencement of work, and keep in force during the term of his/her license
13 or employment, a work identification card for adult nightclub issued under LVMC
14 6.86 and 6.06B. The investigation of issuance of a work identification card will
15 include a fingerprint check by the Federal Bureau of Investigation. Work
16 identification cards applied for pursuant to this Chapter shall be granted or denied
17 within ten working days of application subject to the provisions of LVMC
18 6.86.080.

19 (B) The Las Vegas Metropolitan Police Department may deny the issuance of
20 or renewal of a work identification card required by this Chapter for the following
21 reasons:

22 (1) The applicant has made false, misleading or fraudulent statements
23 with respect to any material fact contained in the application for a work
24 identification card;

25 (2) The applicant has been convicted of any crimes involving fraud,
26 consumer fraud or intent to defraud, prostitution, solicitation of prostitution,

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or has violated the law regarding fraudulent advertising within two years of application for this specific work card;

(3) The applicant has violated code regulations, as set out within LVMC 6.06B.090, or has had a business license revoked pursuant to LVMC 6.06B (Adult Nightclub Establishment), 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), or 19.74 (Sexually Oriented Businesses), within two years of the application for this specific work card;

(4) A work identification card of the applicant has previously been revoked within one year of the date of application pursuant to LVMC 6.06B (Adult Nightclub Establishment), 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), or 19.74 (Sexually Oriented Businesses), or the issuance or renewal thereof has been denied by the City of Las Vegas or any other government entity within one year of the date of the application for any reason set out in paragraphs (1), (2) or (3) above.

(C) Any work identification card issued for this Chapter may only be suspended or revoked for grounds set forth in Subsections above pursuant to the procedures set forth in LVMC 6.86.

6.06B.085 Work identification cards required. The following persons are

required to secure work identification cards in accordance with LVMC 6.86:

(A) All security guards working in or employed by an adult nightclub must obtain a work identification card pursuant to LVMC 6.86. In addition to the grounds stated in LVMC 6.86, a work identification card may be denied for conviction of assault, battery, fraud or conspiracy to commit any such crime. Security guards in adult nightclubs shall not carry firearms, knives, night sticks, clubs, or chemical or electronic weapons.

(B) All owners if applicants are individual; stockholders owning ten percent or

1 more stock, officers and directors, if applicant is a corporation; and partners,
2 including limited and general partners, if applicant is a partnership; and manager
3 or other person principally in charge of the operation of the business, must obtain
4 a work identification card from the Las Vegas Metropolitan Police Department, as
5 required in LVMC 6.86. A work identification card may be denied for any
6 grounds set out in LVMC 6.06B.060(C)(1) or (3) or LVMC 6.06B.080(B).

7 **6.06B.090 Adult nightclub regulations.**

8 (A) No person, firm, partnership, corporation, or other entity shall advertise
9 adult entertainment or cause to be advertised, as an adult nightclub without a valid
10 adult nightclub license issued pursuant to this Chapter.

11 (B) No later than the fifteenth day of the month succeeding the semiannual
12 license period the adult nightclub establishment shall file, in conjunction with
13 license fees, a verified report with the Department showing the licensee's gross
14 receipts and amounts paid to attendants and servers for the preceding semiannual
15 period.

16 (C) Licensee shall maintain and retain for a period of three years the names,
17 addresses, and ages of all persons employed as attendants or servers by the
18 licensee.

19 (D) No licensee shall employ as an attendant or server a person under the age
20 of eighteen years, or a person who has not obtained a permit pursuant to this
21 Chapter.

22 (E) No person under the age of eighteen years shall be admitted to an adult
23 nightclub.

24 (F) Licensee shall not serve, sell, distribute, or suffer the consumption or
25 possession of any intoxicating liquor, or any beverage represented as containing
26 any alcohol upon the premises of the licensee.

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(G) Licensee shall conspicuously display all licenses required by this ordinance.

(H) All communication, verbal, visual or physical, between attendants and patrons shall take place within an area which is visible immediately upon entrance to the establishment premises. Patrons shall not be allowed in private rooms with attendants.

(I) No attendant or server shall fondle or caress any patron and no patron shall fondle or caress any attendant or server.

(J) No patron shall directly pay or give any gratuity to any attendant or server for "sexual conduct," "sexual stimulation," or as to "offers to provide sexual conduct."

(K) No attendant or server shall solicit any pay or gratuity from any patron.

(L) Any adult nightclub, licensed pursuant to this Chapter, which advertises or uses the words in its trade or place name that imply the availability of alcoholic liquor on the premises, such as "bar," "lounge," or "saloon," must state in all such advertisements that alcoholic beverages are not sold on the premises.

(M) Adult nightclubs shall post on each entrance door and not more than five inches above each entrance door, and in at least three places behind the bar a sign with letters not less than three inches high stating:

"ALCOHOLIC LIQUOR IS NOT SOLD HERE"

"PROSTITUTION IS UNLAWFUL"

The letters must be black on a yellow background and the sign on each entrance door and behind the bar must be between four and six feet above floor level. Each sign must be located and illuminated sufficient to be visible by a person with normal eyesight or eyesight corrected to 20/20, thirty feet from the sign.

(N) No adult nightclub shall employ a security guard, or allow a security guard to work on the premises unless such security guard has obtained a work

1 identification card pursuant to LVMC 6.86.

2 (O) Any patron evicted from an adult nightclub shall receive a reimbursement
3 of the full admission fee and the cost of any beverage he/she purchased provided
4 it was represented as a drink which contains alcohol when sold.

5 (P) No person, firm, partnership, corporation or other entity shall publicly
6 display or expose or suffer the public display or exposure, with less than a full
7 opaque covering, of any portion of the female breast below a point immediately
8 above the top of the areola, or any portion of a person's genitals or pubic area or
9 display of such anatomical parts in a lewd and obscene fashion even though
10 opaquely covered.

11 (Q) No adult nightclub licensee, attendant, server or security guard shall allow,
12 permit, encourage, or tolerate any act of masturbation to occur on the premises.

13 **6.06B.100 Licensee fee and reports.**

14 (A) The license fee for an adult nightclub shall be two-hundred dollars
15 (\$200.00) per semi-annual period, to be paid on or before the fifteenth day
16 succeeding the end of the semi-annual license period.

17 (B) Every person licensed pursuant to this Chapter shall file with the
18 Department on or before the fifteenth day succeeding the end of the semi-annual
19 period a report signed by the licensee under oath that the report is true to his/her
20 own knowledge. The report shall provide any changes in information submitted
21 pursuant to LVMC 6.06B.050.

22 (1) Each report must be accompanied by the license fee which is due for
23 the semi-annual license period.

24 (2) All licenses for which the fees have not been paid and/or complete
25 reports received within thirty days after the due date automatically expire.
26 Any such expired license shall not be reinstated until the total amount due

1 shall be paid, and complete reports received. The applicant for
2 reinstatement shall file complete applications as required in LVMC
3 6.06B.050 and be found suitable for licensure pursuant to LVMC
4 6.06B.060.

5 (3) All reports required by this Chapter to be filed with the Director
6 shall be sworn under oath by the licensee of an adult nightclub, that the
7 information contained therein is true to his/her personal knowledge.

8 **6.06B.120 Revocation of license.**

9 (A) The Las Vegas City Council shall not act to revoke or suspend an adult
10 nightclub license until after:

11 (1) The licensee is given at least ten days' written notice of the specific
12 charges;

13 (2) A hearing is held before the Las Vegas City Council at which time
14 the licensee may present such evidence and defense as may bear upon the
15 question.

16 (B) The adult nightclub license shall be revoked or suspended if the licensee
17 maintains or conducts business in any building or structure which is structurally
18 unsafe, or does not provide adequate egress, or which constitutes a fire hazard, or
19 which is otherwise dangerous to human life or safety, or which in relation to
20 existing use constitutes a hazard to safety or health, or public welfare, by reasons
21 of inadequate maintenance, dilapidation, or obsolescence.

22 (C) The adult nightclub license shall be revoked or suspended if the licensee has
23 knowingly made any false, misleading, or fraudulent statement of material fact in
24 the application for a license or in any semiannual report required to be filed with
25 the Department (LVMC 6.06B.100) or record required to be kept for three years
26 (LVMC 6.06B.100) or knowingly caused or suffered another to furnish such false,

1 misleading, or fraudulent information or withhold such required information on his,
2 her or its behalf.

3 (D) Any license issued pursuant to this Chapter may be revoked or suspended
4 upon a finding that the licensee, its agent, employee, attendant, server, partner,
5 director, officer, stockholder, manager or person exercising managerial authority
6 of or on behalf of the licensee has:

7 (1) Committed an act for which the licensee is convicted or found guilty
8 or liable in any court subsequent to the filing of an application for a license,
9 of a felony or any crime involving moral turpitude, fraud, deception, false
10 pretenses, misrepresentation, false advertising, prostitution, solicitation of
11 prostitution, aiding and abetting an act of prostitution as defined in LVMC
12 10.36, violation of NRS 201.255 or 47 U.S.C. 233, pandering, crime
13 related to racketeering, or racketeering activity or racketeering enterprise
14 as defined in NRS 207.360, et seq., or dealing controlled substances; or

15 (2) Provided sexual stimulation or offer to provide acts of sexual
16 conduct to a patron of the adult nightclub establishment; or

17 (3) Failed to file, or files a false, misleading, or incomplete report
18 required by this Chapter to be filed, or files such report thirty or more days
19 after the due date; or

20 (4) Violated any regulation set out in this Chapter; or

21 (5) That the licensee has conducted or advertised an adult nightclub
22 under a fictitious name which is unlicensed pursuant to this Chapter, or

23 (6) Published, uttered, disseminated or conveyed either publicly or
24 privately, to an individual any false, deceptive or misleading statements or
25 advertisements in connection with the operation of the licensed business
26 pursuant to this Chapter; or

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(7) Committed any act constituting dishonesty or fraud, or committed any unlawful, false, fraudulent, deceptive or dangerous act while conducting the licensed business; or

(8) Advertised through any publication, dissemination or display whether by hire, contract or otherwise directly or indirectly in any newspaper, magazine or other publication, by any radio, television, telephone or pictorial display, publication, handbill or other advertising media which depicted any person or object or which contained any statement which suggested to a reasonable, prudent person that prostitution or any other illegal act, service or product was offered or provided;

(9) Otherwise violated any provision of this Chapter.

The fact that the licensee shall post notices disclaiming prostitution and/or alcoholic beverage sales does not excuse any charge of any of the above listed acts if an implication or expression that sexual stimulation is provided or an expression that alcoholic beverage is sold is more convincing than such notice or disclaimer.

(E) In the event the adult nightclub establishment license is suspended or revoked, except for building or fire code violation, the license suspension or revocation shall be stayed for five working days from the date of the written notice to the licensee for the licensee to seek judicial review. The licensee may waive the stay provision in writing, or the City may seek sooner to enforce the suspension or revocation by filing in the district court a petition for judicial review as provided by NRS 43.100 or by seeking alternative relief pursuant to Chapter 34 of NRS.

6.06B.130 Responsibility of licensee. The holder of an adult nightclub

license, is responsible for the acts of its employees and independent or subcontractors, including but not limited to attendants, servers, security guards, telephone receptionists. An adult nightclub license may be revoked for acts of such agent, employee, subcontractor or independent contractor

1 which violates any provision of this Chapter. It is the duty of the licensee to prevent fraud,
2 prostitution and the solicitation of prostitution upon the licensed premises.

3 **6.06B.140 License/permit required.** It is unlawful for any person or business
4 entity to engage in business as an adult nightclub or as attendant and/or server within the City of
5 Las Vegas without first obtaining a license or permit therefor as provided in this Chapter. Any
6 person, firm or corporation violating this Section shall be guilty of a misdemeanor and each such
7 person, firm, or corporation shall be deemed guilty of a separate offense for each and every day
8 during which the violation is committed, continued or permitted, and upon conviction of any such
9 violation, such person, firm or corporation shall be punished by a fine of not less than two
10 hundred fifty dollars for the first offense; not less than five hundred dollars for the second
11 offense; not less than nine hundred fifty dollars for the third offense; and a fine of one thousand
12 dollars plus not less than one week imprisonment for the fourth or additional offenses. In no case
13 shall any sentence exceed more than a one thousand dollar fine and/or six months imprisonment;
14 provided, no person shall be deemed guilty of any violation of this Chapter if acting in an
15 investigative capacity pursuant to the request of the Las Vegas Metropolitan Police Department
16 or Director.

17 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause
18 or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or
19 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
20 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
21 Council of the City of Las Vegas hereby declares that it would have passed each section,
22 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
23 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
24 declared unconstitutional, invalid or ineffective.

25 SECTION 4: All ordinances or parts of ordinances, sections, subsections,

26 . . .

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

3 PASSED, ADOPTED and APPROVED this 16th day of August, 1995.

4 APPROVED:

5
6 By JAN LAVERTY JONES, MAYOR

7 ATTEST:

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9 KATHLEEN M. TIGHE, City Clerk
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1 The above and foregoing ordinance was first proposed and read by title to the
2 City Council on the 21st day of June, 1995, and referred to the following committee composed of
3 Councilmen Reese and McDonald, for recommendation; thereafter the said committee reported
4 favorably on said ordinance on the 16th day of August, 1995, which was a regular meeting of
5 said City Council; and that at said regular meeting the proposed ordinance was read by title to
6 the City Council as amended and adopted by the following vote:

7 VOTING "AYE" Councilmen Adamsen, McDonald and Reese

8 VOTING "NAY" NONE

9 VOTING "ABSTAIN" NONE

10 ABSENT Councilman Callister

11 DID NOT VOTE: Mayor Jones

12 APPROVED

13 By _____
14 JAN LAVERTY JONES, MAYOR

15 ATTEST:

16 _____
17 KATHLEEN M. TIGHE, City Clerk

2 Ordinance No. _____

3 AN ORDINANCE RELATING TO PRIVILEGED LICENSES; AMENDING TITLE 6 OF THE
4 MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY
5 ADDING THERETO A NEW CHAPTER CONTAINING LICENSING REQUIREMENTS FOR
6 ADULT NIGHTCLUB ESTABLISHMENTS, INCLUDING DEFINITIONS AND
7 ADMINISTRATIVE PROCEDURES; PROVIDING FOR PENALTIES FOR THE VIOLATION
8 HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND
9 REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT
10 HEREWITH.

11 Sponsored by:
12 Mayor Jan Laverty Jones

Summary: Establishes a definition for adult
nightclub establishments, creates new
licensing requirements therefor and other
matters relating thereto.

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

15 SECTION 1: Title 6 of the Municipal Code of the City of Las Vegas,
16 Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter
17 6B, consisting of the provisions set forth as Sections 2 to 4, inclusive, of this Ordinance.

18 SECTION 2: **6.06B.010 Findings.** The Las Vegas City Council finds
19 that:

20 (A) Adult nightclubs have solicited prostitution, offered sexual stimulation and
21 sexual conduct to patrons for the purchase of alcoholic drinks for exorbitant prices.
22 The patron, being defrauded and swindled as the drinks are actually nonalcoholic
23 and the patron is threatened, coerced, or forced from the premises without a refund
24 of the admission or drink price, or fee charged for services promised but not
25 performed;

26 (B) Adult nightclubs are sometimes fronts for or operated by persons associated
with a pattern of criminal activities and the need for law enforcement agencies to
scrutinize such adult nightclubs is thereby required to protect the public, especially
the tourist; and

1 (C) The law enforcement resources available for responding to problems
2 associated with or created by adult nightclubs are limited and are best conserved
3 by regulating and licensing adult nightclubs and those associated with them; and
4 (D) The public health, safety, welfare and convenience require that adult
5 nightclubs and their employees be regulated and licensed in order to reduce fraud
6 and abuse upon patrons and protect the reputation of the community.

7 **6.06B.020 Purpose.** The purpose of this Chapter is to regulate adult nightclubs
8 to prevent possible criminal activities, including but not limited to fraud and solicitation of
9 prostitution.

10 **6.06B.030 Definitions.** In this Chapter the following definitions and those in
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12 (A) "Adult nightclub" means a fixed place of business which may charge
13 admission for entrance, which advertises, or holds out to the public that adult
14 entertainment is provided, or advertises or implies that sensual or sexual
15 entertainment is provided, and is licensed to sell nonalcoholic beverages or food.

16 (B) "Attendant" means a natural person, who is employed by or who receives
17 any monetary consideration from an adult nightclub for soliciting the sale or
18 purchase of any product or service, including but not limited to beverages, and/or
19 who collects entry fee, admission or cover charge.

20 (C) "Department" means the Department of Finance and Business Services.

21 (D) "Director" means the Director of the Department of Finance and Business
22 Services.

23 (E) "Fondle or caress" means the conduct or affectionate touching that is
24 intended to sexually arouse (may include "sexual conduct").

25 (F) An "offer to provide acts of sexual conduct" means to offer, propose or to
26 solicit to provide sexual conduct to a patron. Such definition includes all

1 conversations, publications, advertisements, handbills and acts which would lead
2 a reasonable prudent person to conclude that such acts were to be provided even
3 if such acts are illegal or are purported to be illegal or unlawful.

4 (G) "Security guard" means a natural person who acts as a doorman, bouncer,
5 or who performs a function described in NRS 648.016.

6 (H) "Server" means a natural person who is employed by or who receives any
7 monetary consideration from an adult nightclub for soliciting the sale or purchase
8 of any product or service, including but not limited to beverages.

9 (I) "Sexual conduct" means the engaging in or the commission of an act of
10 sexual intercourse, oral-genital contact, or the touching of the sexual organ, pubic
11 region, buttock or female breast of a person for the purpose of arousing or
12 gratifying the sexual desire of another person.

13 (J) "Sexual stimulation" means to excite or arouse the prurient interest or to
14 offer or solicit acts of sexual conduct as defined under "offer to provide acts of
15 sexual conduct" as defined herein.

16 **6.06B.040 Exemptions.**

17 (A) Establishments which are licensed to sell intoxicating liquor pursuant to
18 LVMC 6.50 are exempt from the requirements of this Chapter due to their existing
19 and conditioned regulations. Businesses licensed pursuant to provisions of Title 6
20 without specific licensing and activity regulations are not exempt from this
21 Chapter.

22 (B) Establishments properly licensed and operating in compliance with LVMC
23 19.74, prior to July 19, 1995, may continue to provide adult entertainment
24 activities (dancers, strippers) and are exempt from Section 6.06B.090(P) and
25 6.35.050(A). However, such establishments must procure all required licenses
26 pursuant to Title 6 and comply with all other license regulations and zoning

1 requirements.

2 **6.06B.050 Adult nightclub license -- Application.**

3 (A) Application for an adult nightclub license shall be made to the Director of
4 the Department of Finance and Business Services.

5 (B) An application for adult nightclub license shall be verified by the applicant
6 and shall contain or set forth the following information:

7 (1) The name, address, telephone number, principal occupation, and age
8 of the applicant;

9 (2) The name, address, and principal occupation of the managing agent
10 or agents of the business;

11 (3) The business name, business address, and business telephone number
12 of the establishment or proposed establishment together with a description
13 of the nature of the business and magnitude thereof;

14 (4) Whether the business or proposed business is the undertaking of a
15 sole proprietorship, partnership or corporation. If a sole proprietorship, the
16 application shall set forth the name, address, telephone number and
17 principal occupation of the sole proprietor. If a partnership, the application
18 shall set forth the names, addresses, telephone numbers, principal
19 occupations and respective ownership shares of each partner, whether
20 general, limited or silent. If a corporation, the application shall set forth
21 the corporate name, a copy of the articles of incorporation, and the names,
22 addresses, telephone numbers and principal occupations of every officer,
23 director and shareholder, and the number of shares held by each;

24 (5) The names, addresses, telephone numbers and principal occupations
25 of every person, partnership, or corporation having any interest in the real
26 or personal property utilized or to be utilized by the business or proposed

1 business or having any right or interest to any portion of the profits, or
2 receiving or having the right to receive any payment from the business
3 which is not directly related to utility costs;

4 (6) A description of all other business enterprises (sales or services)
5 which shall occur on the premises; and

6 (7) Whether the applicant, anyone having a ten percent interest in the
7 business or proposed business, or anyone having an interest in the real
8 property or personal property utilized or to be utilized by the business or
9 proposed business or anyone having a right to ten percent of the proceeds
10 of the business other than utilities has:

11 (a) Ever been convicted of or forfeited bail for any crime,
12 excluding minor traffic offenses and, if so, the application shall state
13 the person involved, the charge, date, court, and disposition of the
14 charges,

15 (b) Ever had a business license denied, revoked or charges filed
16 therefor, and if so, the application shall state the person involved,
17 the name of the business, date, jurisdiction, and outcome of any
18 hearing, or

19 (c) Ever owned, operated, been employed by a swingers club,
20 an escort service, an outcall promoter establishment, a brothel or
21 adult nightclub, and if so, the name of the business, dates involved
22 and position or interest therein.

23 (C) The applicants shall present themselves to the Las Vegas Metropolitan
24 Police Department for investigation and fingerprinting and shall pay such
25 investigation and fingerprint fee as is required by LVMC 6.86, and shall reveal to
26 the Las Vegas Metropolitan Police Department such information as is required to

1 properly identify the applicant to enable the investigation of the applicant's arrests
2 and convictions, licensing and litigation record and verify the accuracy and
3 completeness of the application.

4 (1) In all cases where the applicant for a license is a corporation, it shall
5 be necessary for all of the officers of such corporation to present themselves
6 for investigation and fingerprinting. All stockholders with ten percent or
7 more stock, or who exercise management or control of the corporation are
8 required to present themselves for investigation and fingerprinting.

9 (D) An adult nightclub license shall be a semiannual license.

10 **6.06B.060 License issuance or denial and appeal.**

11 (A) The Director of the Department of Finance and Business Services shall issue
12 or deny the license to the applicant within thirty days from the receipt of a
13 complete application and fees upon compliance with all the requirements and
14 conditions of this Chapter. Failure of the Director to approve or deny the license
15 application within the thirty days shall result in the license being granted.

16 (B) The Director shall consider the application by examination of:

17 (1) The circumstances of the applicant's criminal reputation, associations
18 and business history;

19 (2) The reports of the Las Vegas Metropolitan Police Department;

20 (3) The proposed business operation of the applicant; and

21 (4) The reports of the building, fire, zoning and health departments.

22 (C) The Director shall not grant the license if:

23 (1) The applicant, whether an individual or any of the stockholders,
24 officers or directors, if a corporation, or any of the partners, if a
25 partnership, including limited partners, or the manager or other person
26 principally in charge of the operation of the business, or any person

1 receiving, or having a right to receive any sum from, or percentage of the
2 profits due to an interest in or sale of the business, has been convicted
3 within a five-year period immediately prior to the date of the application of
4 crimes of embezzlement; or any crime involving fraud, consumer fraud or
5 intent to defraud, or extortion; or has violated the law regarding fraudulent
6 advertising;

7 (2) The operation as proposed by the applicant would not comply with
8 all applicable laws, including, but not limited to, this Title and the City's
9 building, zoning, fire and health regulations; or

10 (3) The applicant, whether an individual or any of the ten percent
11 stockholders or officers, if a corporation, or any of the partners, if a
12 partnership, including limited partners, or the manager or other person
13 principally in charge of the operation of the business, or any person
14 receiving, or having a right to receive any sum from, or percentage of the
15 profits due to an interest in or sale of the business, has had a business
16 license revoked pursuant to LVMC 6.06B (Adult Nightclub Establishment),
17 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment),
18 and 19.74 (Sexually Oriented Businesses), or this Chapter within a two-year
19 period immediately prior to the date of the application.

20 (D) If the applicant is denied, the Director shall notify the applicant with the
21 reason(s) stated for denial. Notification shall be sent certified, United States mail,
22 return receipt requested, to the address provided on the license application which
23 shall be considered the correct address. Each applicant has the burden to furnish
24 any change of address to the Director, by United States certified mail, return
25 receipt requested.

26 (E) In the event that an application is denied, the applicant may file or cause to

1 be filed in the district court a petition for judicial examination of the validity of the
2 denial or the adult nightclub establishment license as provided by Chapter 34 of
3 NRS.

4 **6.06B.070 Attendant and server work identification cards -- Required.**

5 No person shall work as an attendant or server at an adult nightclub without a valid work
6 identification card issued by the Las Vegas Metropolitan Police Department.

7 **6.06B.080 Attendant and server work identification card issuance,**
8 **suspension or revocation.**

9 (A) Each attendant and server, whether a full or part-time employee, who works
10 or renders services in a licensed adult nightclub establishment shall obtain prior to
11 the commencement of work, and keep in force during the term of his/her license
12 or employment, a work identification card for adult nightclub issued under LVMC
13 6.86 and 6.06B. The investigation of issuance of a work identification card will
14 include a fingerprint check by the Federal Bureau of Investigation. Work
15 identification cards applied for pursuant to this Chapter shall be granted or denied
16 within ten working days of application subject to the provisions of LVMC
17 6.86.080.

18 (B) The Las Vegas Metropolitan Police Department may deny the issuance of
19 or renewal of a work identification card required by this Chapter for the following
20 reasons:

21 (1) The applicant has made false, misleading or fraudulent statements
22 with respect to any material fact contained in the application for a work
23 identification card;

24 (2) The applicant has been convicted of any crimes involving fraud,
25 consumer fraud or intent to defraud, prostitution, solicitation of prostitution,
26 or has violated the law regarding fraudulent advertising within two years of

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application for this specific work card;

(3) The applicant has violated code regulations, as set out within LVMC 6.06B.090, or has had a business license revoked pursuant to LVMC 6.06B (Adult Nightclub Establishment), 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), or 19.74 (Sexually Oriented Businesses), within two years of the application for this specific work card;

(4) A work identification card of the applicant has previously been revoked within one year of the date of application pursuant to LVMC 6.06B (Adult Nightclub Establishment), 6.35 (Erotic Dance), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), or 19.74 (Sexually Oriented Businesses), or the issuance or renewal thereof has been denied by the City of Las Vegas or any other government entity within one year of the date of the application for any reason set out in paragraphs (1), (2) or (3) above.

(C) Any work identification card issued for this Chapter may only be suspended or revoked for grounds set forth in Subsections above pursuant to the procedures set forth in LVMC 6.86.

6.06B.085 Work identification cards required. The following persons are

required to secure work identification cards in accordance with LVMC 6.86:

(A) All security guards working in or employed by an adult nightclub must obtain a work identification card pursuant to LVMC 6.86. In addition to the grounds stated in LVMC 6.86, a work identification card may be denied for conviction of assault, battery, fraud or conspiracy to commit any such crime. Security guards in adult nightclubs shall not carry firearms, knives, night sticks, clubs, or chemical or electronic weapons.

(B) All owners if applicants are individual; stockholders owning ten percent or more stock, officers and directors, if applicant is a corporation; and partners,

1 including limited and general partners, if applicant is a partnership; and manager
2 or other person principally in charge of the operation of the business, must obtain
3 a work identification card from the Las Vegas Metropolitan Police Department, as
4 required in LVMC 6.86. A work identification card may be denied for any
5 grounds set out in LVMC 6.06B.060(C)(1) or (3) or LVMC 6.06B.080(B).

6 **6.06B.090 Adult nightclub regulations.**

7 (A) No person, firm, partnership, corporation, or other entity shall advertise
8 adult entertainment or cause to be advertised, as an adult nightclub without a valid
9 adult nightclub license issued pursuant to this Chapter.

10 (B) No later than the fifteenth day of the month succeeding the semiannual
11 license period the adult nightclub establishment shall file, in conjunction with
12 license fees, a verified report with the Department showing the licensee's gross
13 receipts and amounts paid to attendants and servers for the preceding semiannual
14 period.

15 (C) Licensee shall maintain and retain for a period of three years the names,
16 addresses, and ages of all persons employed as attendants or servers by the
17 licensee.

18 (D) No licensee shall employ as an attendant or server a person under the age
19 of eighteen years, or a person who has not obtained a permit pursuant to this
20 Chapter.

21 (E) No person under the age of eighteen years shall be admitted to an adult
22 nightclub.

23 (F) Licensee shall not serve, sell, distribute, or suffer the consumption or
24 possession of any intoxicating liquor, or any beverage represented as containing
25 any alcohol upon the premises of the licensee.

26 (G) Licensee shall conspicuously display all licenses required by this ordinance.

1 (H) All communication, verbal, visual or physical, between attendants and
2 patrons shall take place within an area which is visible immediately upon entrance
3 to the establishment premises. Patrons shall not be allowed in private rooms with
4 attendants.

5 (I) No attendant or server shall fondle or caress any patron and no patron shall
6 fondle or caress any attendant or server.

7 (J) No patron shall directly pay or give any gratuity to any attendant or server
8 for "sexual conduct," "sexual stimulation," or as to "offers to provide sexual
9 conduct."

10 (K) No attendant or server shall solicit any pay or gratuity from any patron.

11 (L) Any adult nightclub, licensed pursuant to this Chapter, which advertises or
12 uses the words in its trade or place name that imply the availability of alcoholic
13 liquor on the premises, such as "bar," "lounge," or "saloon," must state in all such
14 advertisements that alcoholic beverages are not sold on the premises.

15 (M) Adult nightclubs shall post on each entrance door and not more than five
16 inches above each entrance door, and in at least three places behind the bar a sign
17 with letters not less than three inches high stating:

18 "ALCOHOLIC LIQUOR IS NOT SOLD HERE"

19 "PROSTITUTION IS UNLAWFUL"

20 The letters must be black on a yellow background and the sign on each entrance
21 door and behind the bar must be between four and six feet above floor level. Each
22 sign must be located and illuminated sufficient to be visible by a person with
23 normal eyesight or eyesight corrected to 20/20, thirty feet from the sign.

24 (N) No adult nightclub shall employ a security guard, or allow a security guard
25 to work on the premises unless such security guard has obtained a work
26 identification card pursuant to LVMC 6.86.

1 (O) Any patron evicted from an adult nightclub shall receive a reimbursement
2 of the full admission fee and the cost of any beverage he/she purchased provided
3 it was represented as a drink which contains alcohol when sold.

4 (P) No person, firm, partnership, corporation or other entity shall publicly
5 display or expose or suffer the public display or exposure, with less than a full
6 opaque covering, of any portion of the female breast below a point immediately
7 above the top of the areola, or any portion of a person's genitals or pubic area or
8 display of such anatomical parts in a lewd and obscene fashion even though
9 opaquely covered.

10 (Q) No adult nightclub licensee, attendant, server or security guard shall allow,
11 permit, encourage, or tolerate any act of masturbation to occur on the premises.

12 **6.06B.100 Licensee fee and reports.**

13 (A) The license fee for an adult nightclub shall be two-hundred dollars
14 (\$200.00) per semi-annual period, to be paid on or before the fifteenth day
15 succeeding the end of the semi-annual license period.

16 (B) Every person licensed pursuant to this Chapter shall file with the
17 Department on or before the fifteenth day succeeding the end of the semi-annual
18 period a report signed by the licensee under oath that the report is true to his/her
19 own knowledge. The report shall provide any changes in information submitted
20 pursuant to LVMC 6.06B.050.

21 (1) Each report must be accompanied by the license fee which is due for
22 the semi-annual license period.

23 (2) All licenses for which the fees have not been paid and/or complete
24 reports received within thirty days after the due date automatically expire.
25 Any such expired license shall not be reinstated until the total amount due
26 shall be paid, and complete reports received. The applicant for

1 reinstatement shall file complete applications as required in LVMC
2 6.06B.050 and be found suitable for licensure pursuant to LVMC
3 6.06B.060.

4 (3) All reports required by this Chapter to be filed with the Director
5 shall be sworn under oath by the licensee of an adult nightclub, that the
6 information contained therein is true to his/her personal knowledge.

7 **6.06B.120 Revocation of license.**

8 (A) The Las Vegas City Council shall not act to revoke or suspend an adult
9 nightclub license until after:

10 (1) The licensee is given at least ten days' written notice of the specific
11 charges;

12 (2) A hearing is held before the Las Vegas City Council at which time
13 the licensee may present such evidence and defense as may bear upon the
14 question.

15 (B) The adult nightclub license shall be revoked or suspended if the licensee
16 maintains or conducts business in any building or structure which is structurally
17 unsafe, or does not provide adequate egress, or which constitutes a fire hazard, or
18 which is otherwise dangerous to human life or safety, or which in relation to
19 existing use constitutes a hazard to safety or health, or public welfare, by reasons
20 of inadequate maintenance, dilapidation, or obsolescence.

21 (C) The adult nightclub license shall be revoked or suspended if the licensee has
22 knowingly made any false, misleading, or fraudulent statement of material fact in
23 the application for a license or in any semiannual report required to be filed with
24 the Department (LVMC 6.06B.100) or record required to be kept for three years
25 (LVMC 6.06B.100) or knowingly caused or suffered another to furnish such false,
26 misleading, or fraudulent information or withhold such required information on his,

1 her or its behalf.

2 (D) Any license issued pursuant to this Chapter may be revoked or suspended
3 upon a finding that the licensee, its agent, employee, attendant, server, partner,
4 director, officer, stockholder, manager or person exercising managerial authority
5 of or on behalf of the licensee has:

6 (1) Committed an act for which the licensee is convicted or found guilty
7 or liable in any court subsequent to the filing of an application for a license,
8 of a felony or any crime involving moral turpitude, fraud, deception, false
9 pretenses, misrepresentation, false advertising, prostitution, solicitation of
10 prostitution, aiding and abetting an act of prostitution as defined in LVMC
11 10.36, violation of NRS 201.255 or 47 U.S.C. 233, pandering, crime
12 related to racketeering, or racketeering activity or racketeering enterprise
13 as defined in NRS 207.360, et seq., or dealing controlled substances; or

14 (2) Provided sexual stimulation or offer to provide acts of sexual
15 conduct to a patron of the adult nightclub establishment; or

16 (3) Failed to file, or files a false, misleading, or incomplete report
17 required by this Chapter to be filed, or files such report thirty or more days
18 after the due date; or

19 (4) Violated any regulation set out in this Chapter; or

20 (5) That the licensee has conducted or advertised an adult nightclub
21 under a fictitious name which is unlicensed pursuant to this Chapter, or

22 (6) Published, uttered, disseminated or conveyed either publicly or
23 privately, to an individual any false, deceptive or misleading statements or
24 advertisements in connection with the operation of the licensed business
25 pursuant to this Chapter; or

26 (7) Committed any act constituting dishonesty or fraud, or committed

1 any unlawful, false, fraudulent, deceptive or dangerous act while conducting
2 the licensed business; or

3 (8) Advertised through any publication, dissemination or display
4 whether by hire, contract or otherwise directly or indirectly in any
5 newspaper, magazine or other publication, by any radio, television,
6 telephone or pictorial display, publication, handbill or other advertising
7 media which depicted any person or object or which contained any
8 statement which suggested to a reasonable, prudent person that prostitution
9 or any other illegal act, service or product was offered or provided;

10 (9) Otherwise violated any provision of this Chapter.

11 The fact that the licensee shall post notices disclaiming prostitution and/or alcoholic
12 beverage sales does not excuse any charge of any of the above listed acts if an
13 implication or expression that sexual stimulation is provided or an expression that
14 alcoholic beverage is sold is more convincing than such notice or disclaimer.

15 (E) In the event the adult nightclub establishment license is suspended or
16 revoked, except for building or fire code violation, the license suspension or
17 revocation shall be stayed for five working days from the date of the written notice
18 to the licensee for the licensee to seek judicial review. The licensee may waive the
19 stay provision in writing, or the City may seek sooner to enforce the suspension
20 or revocation by filing in the district court a petition for judicial review as provided
21 by NRS 43.100 or by seeking alternative relief pursuant to Chapter 34 of NRS.

22 **6.06B.130 Responsibility of licensee.**

23 The holder of an adult nightclub
24 license, is responsible for the acts of its employees and independent or subcontractors, including
25 but not limited to attendants, servers, security guards, telephone receptionists. An adult nightclub
26 license may be revoked for acts of such agent, employee, subcontractor or independent contractor
which violates any provision of this Chapter. It is the duty of the licensee to prevent fraud,

1 prostitution and the solicitation of prostitution upon the licensed premises.

2 **6.06B.140 License/permit required.** It is unlawful for any person or business
3 entity to engage in business as an adult nightclub or as attendant and/or server within the City of
4 Las Vegas without first obtaining a license or permit therefor as provided in this Chapter. Any
5 person, firm or corporation violating this Section shall be guilty of a misdemeanor and each such
6 person, firm, or corporation shall be deemed guilty of a separate offense for each and every day
7 during which the violation is committed, continued or permitted, and upon conviction of any such
8 violation, such person, firm or corporation shall be punished by a fine of not less than two
9 hundred fifty dollars for the first offense; not less than five hundred dollars for the second
10 offense; not less than nine hundred fifty dollars for the third offense; and a fine of one thousand
11 dollars plus not less than one week imprisonment for the fourth or additional offenses. In no case
12 shall any sentence exceed more than a one thousand dollar fine and/or six months imprisonment;
13 provided, no person shall be deemed guilty of any violation of this Chapter if acting in an
14 investigative capacity pursuant to the request of the Las Vegas Metropolitan Police Department
15 or Director.

16 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause
17 or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or
18 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
19 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
20 Council of the City of Las Vegas hereby declares that it would have passed each section,
21 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
22 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
23 declared unconstitutional, invalid or ineffective.

24 SECTION 4: All ordinances or parts of ordinances, sections, subsections,
25 . . .
26 . . .

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

3 PASSED, ADOPTED and APPROVED this _____ day of _____, 1995.

4 APPROVED:

5
6 By _____
JAN LAVERTY JONES, MAYOR

7 ATTEST:

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9 _____
10 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 _____, 1995, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 1995, 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 _____
JAN LAVERTY JONES, MAYOR

ATTEST:

KATHLEEN M. TIGHE, City Clerk

AFFIDAVIT OF PUBLICATION

Aug 31 11 42 AM '95

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CITY CLERK

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SECOND AMENDMENT
BILL NO. 95-41
ORDINANCE NO. 3917

AN ORDINANCE RELATING TO PRIVILEGED LICENSES; AMENDING TITLE 8 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER CONTAINING LICENSING REQUIREMENTS FOR ADULT NIGHTCLUB ESTABLISHMENTS, INCLUDING DEFINITIONS AND ADMINISTRATIVE PROCEDURES; PROVIDING FOR PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Mayor Jan Laverly Jones
SUMMARY: Establishes a definition for adult nightclub establishments, creates new licensing requirements therefor and other matters relating thereto.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21st day of June, 1995, and referred to the following committee composed of Councilmen Reese and McDonald for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 16th day of August, 1995, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council and adopted by the following vote:
VOTING "AYE" Councilmen Adamsen, McDonald, and Reese
VOTING "NAY" NONE
VOTING "ABSTAIN" NONE
ABSENT Councilman Callister
DID NOT VOTE: Mayor Jones
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: August 19, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of AUGUST 19, 1995 to AUGUST 19, 1995, on the following days:

AUGUST 19, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 21 day of Aug, 1995
Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

AFFIDAVIT OF PUBLICATION

AUG 14 11 26 AM '95

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FIRST AMENDMENT
BILL NO 95-41

AN ORDINANCE RELATING TO PRIVILEGED LICENSES; AMENDING TITLE 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; BY ADDING THERETO A NEW CHAPTER CONTAINING LICENSING REQUIREMENTS FOR ADULT NIGHTCLUB ESTABLISHMENTS, INCLUDING DEFINITIONS AND ADMINISTRATIVE PROCEDURES; PROVIDING FOR PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Mayor Jan Loverly Jones
SUMMARY: Establishes a definition for adult nightclub establishments, creates new licensing requirements therefor and other matters relating thereto.
At a City Council meeting JUNE 21, 1995
BILL NO. 95-41 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Reese and McDonald
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: August 3, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of AUGUST 3, 1995 to AUGUST 3, 1995, on the following days:

AUGUST 3, 1995

Signed Barbara Carr

Subscribed and sworn to before me this 3 day of Aug, 1995
Peggy D. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1993

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JUN 13 3 52 PM '94

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BILL NO. 94-50
ORDINANCE NO. 3817
(of the City of Las Vegas, Nevada)

AN ORDINANCE DESIGNATED
BY THE SHORT TITLE "JUNE 1,

1994 SHORT-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SHORT-TERM HOUSING BONDS, SERIES JUNE 1, 1994, FOR THE PURPOSE OF ACQUIRING AND DEVELOPING MOBILIZED ASSISTANCE AND SHELTER FOR THE HOMELESS; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTER RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on May 18, 1994, and was passed and adopted at a meeting held on June 1, 1994, by the following vote of the City Council:

Those Voting Aye:
Jan Loverty Jones
Arnie Adamsen
Frank Hawkins, Jr.
Scott Higginson
Ken Brass

Those Voting Nay: None
Those Absent: None

This Ordinance shall be in full force and effect from and after the 5th day of June, 1994, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this June 1, 1994
s/ Jan Loverty Jones, Mayor
Attest:
s/ Kathleen Tighe, City Clerk
PUB: June 4, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JUNE 4, 1994 to JUNE 4, 1994, on the following days:

JUNE 4, 1994

Signed: Andrea Davis

Subscribed and sworn to before me this 6 day of June, 1994
Peggy D. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998



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CITY CLERK

May 31 10 36 AM '94

AFFIDAVIT OF PUBLICATION

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BILL NO. 94-50

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "JUNE 1, 1994 SHORT-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SHORT-TERM HOUSING BONDS, SERIES JUNE 1, 1994, FOR THE PURPOSE

OF ACQUIRING AND DEVELOPING MOBILIZED ASSISTANCE AND SHELTER FOR THE HOMELESS; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTER RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on May 18, 1994, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on June 1, 1994.

By Kathleen Tighe, City Clerk
PUB: May 20, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of MAY 20, 1994 to MAY 20, 1994, on the following days:

MAY 20, 1994

Signed: _____

Andrea Davis

Subscribed and sworn to before me this

25 day of May, 1994

Peggy D. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998



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SECOND AMENDMENT
BILL NO 95-31
ORDINANCE NO 3917

AN ORDINANCE RELATING TO PRIVILEGED LICENSES; AMENDING TITLE 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER CONTAINING LICENSING REQUIREMENTS FOR ADULT NIGHTCLUB ESTABLISHMENTS, INCLUDING DEFINITIONS AND ADMINISTRATIVE PROCEDURES; PROVIDING FOR PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Mayor Jon Loverty Jones
SUMMARY: Establishes a definition for adult nightclub establishments, creates new licensing requirements therefor and other matters relating thereto.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21st day of June, 1995, and referred to the following committee composed of Councilmen Reese and McDonald for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 16th day of August, 1995, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen Adomson, McDonald, and Reese
VOTING "NAY" NONE
VOTING "ABSTAIN" NONE
ABSENT Councilman Callister
DID NOT VOTE: Mayor Jones
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: August 19, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of AUGUST 19, 1995 to AUGUST 19, 1995, on the following days:

AUGUST 19, 1995

Signed:

Subscribed and sworn to before me this

21 day of Aug, 1995

Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998



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CITY CLERK

PASTE CLIPPING HERE

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of AUGUST 3, 1995 to AUGUST 3, 1995, on the following days:

AUGUST 3, 1995

FIRST AMENDMENT
BILL NO. 95-41

AN ORDINANCE RELATING TO PRIVILEGED LICENSES; AMENDING TITLE 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER CONTAINING LICENSING REQUIREMENTS FOR ADULT NIGHTCLUB ESTABLISHMENTS, INCLUDING DEFINITIONS AND ADMINISTRATIVE PROCEDURES; PROVIDING FOR PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Mayor Jan Lavery Jones

SUMMARY: Establishes a definition for adult nightclub establishments, creates new licensing requirements therefor, and other matters relating thereto.

At a City Council meeting JUNE 21, 1995.

BILL NO. 95-41 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

Councilmen Reese and McDonald ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 40 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: August 3, 1995
Los Vegas Review-Journal

Signed:

Subscribed and sworn to before me this 3 day of Aug, 1995

Peggy J. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada

Clark County
My appt. exp. Feb. 17, 1996



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