

BILL NO. 90-34

Ordinance No. 3514

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER AS A NEW LICENSING CATEGORY, REQUIRING LIQUOR CATERING PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, AND ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO BE SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING 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 Ron Lurie

Summary: Establishes a Liquor Caterer License allowing on-premises dispensing, serving and sale of alcoholic beverages pursuant to a liquor catering permit, and imposes a special use permit requirement on establishments that sell alcoholic beverages, and provides for certain exemptions to the requirement.

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

SECTION 1: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section reading as follows:

(A) No new beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license or tavern license, and

(B) No beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license or tavern license for any location that has discontinued being a licensed liquor establishment for a period of twenty-four

1 consecutive months shall be issued by the Department unless in
2 each case the location for which the license is issued is first
3 approved for a special use permit pursuant to the procedures
4 provided for in LVMC Chapter 19.90.

5 (C) Approval of a special use permit shall not consti-
6 tute or imply approval of any privileged business license that
7 may be required by this Code.

8 (D) The provisions of this section requiring a special
9 use permit for the locations of the types of establishments iden-
10 tified and ennumerated in subsections (A) and (B) of this section
11 shall not apply to the locations of establishments that are
12 intended to be operated solely under a gift shop limited license,
13 a keg beer license, a nonprofit club general license, or a liquor
14 caterers license, or to locations of establishments specified in
15 catering service permits and special events licenses.

16 SECTION 2: Title 6, Chapter 50, of the Municipal
17 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
18 amended by adding thereto a new section reading as follows:

19 A liquor caterer license authorizes the dispensing,
20 serving or sale of alcoholic beverages only for consumption on
21 the premises where the same are dispensed, served or sold and
22 only at events for which the liquor caterer has obtained a per-
23 mit.

24 SECTION 3: Title 6, Chapter 50, of the Municipal
25 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
26 amended by adding thereto a new section reading as follows:

27 Applicants for a permit to provide liquor catering ser-
28 vices shall comply with the following provisions:

29 (A) An application for a permit may be made only by a
30 person who holds a valid liquor caterer license.

31 (B) The application shall be made to the Department,
32 on forms provided by it, not less than three days prior to

1 the proposed event.

2 (C) The application shall set forth the following
3 information:

4 (1) Name and address of the applicant;

5 (2) Date, hours, address and description of the
6 event;

7 (3) Approximate number of persons to be in atten-
8 dance;

9 (4) Type of alcoholic beverages to be served; and

10 (5) The name of the sponsor of the event.

11 (D) Each event requires a separate permit.

12 (E) A permit fee of \$25.00 per day for each day of the
13 event must be paid when the application for permit is filed.

14 SECTION 4: Title 6, Chapter 50, of the Municipal
15 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
16 amended by adding thereto a new section reading as follows:

17 The Director of the Department may issue a permit to a
18 licensed liquor caterer if he finds there is compliance with the
19 following provisions:

20 (A) The liquor catering service is so managed that only
21 persons certified through the alcohol awareness training
22 program and who have valid work cards are employed.

23 (B) The permit shall state the date, hours, and loca-
24 tion of liquor catering services permitted. Any service,
25 distribution or sale of alcoholic beverages at any times or
26 places beyond that stated in the permit shall be grounds for
27 disciplinary action.

28 (C) The liquor catering services will be performed con-
29 sistent with this Chapter and in such manner as to pose no
30 threats to the general health, safety, welfare, or morals of
31 inhabitants of the City and otherwise be capable of regula-
32 tion and enforcement.

1 (D) Issuance of the permit would not constitute doing
2 business at a permanent location.

3 SECTION 5: Title 6, Chapter 50, Section 020, of the
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
5 hereby amended to read as follows:

6 6.50.020: Unless the context otherwise requires, the scope of
7 all words in this Chapter shall be liberally construed in order
8 to effectuate the purpose of this Chapter, and, in particular,
9 the following words shall have the meaning ascribed to them as
10 follows:

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

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

22 (C) "Cooler" means any prebottled alcoholic beverage,
23 other than beer or wine, that is a distillate obtained from the
24 fermentation of the natural contents of fruits or other agri-
25 cultural products containing natural or added sugar, which con-
26 tains not more than five and seven-tenths percent of alcohol by
27 volume.

28 (D) "Drug store" means a business which has a
29 registered pharmacist in attendance at all times and which is
30 located in a building, or in a portion of a building which is
31 segregated physically or spatially from the rest of the building,
32 selling at retail a stock of merchandise having a retail value of

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

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

23 (F) "Liquor caterer" means a person who dispenses,
24 serves or sells alcoholic beverages only for consumption on the
25 premises where the same are dispensed, served or sold during the
26 times and periods specified by permit; provided, however, a
27 caterer's services are performed between diverse locations on a
28 shifting and intermittent basis as opposed to a permanent loca-
29 tion.

30 (G) "Meals" means the usual assortment of foods com-
31 monly ordered at various hours of the day; provided, however,
32 that the service of such food only as sandwiches and salads shall

1 not be deemed a compliance with this requirement.

2 [(G)](H) "Nonprofit club" means any nonprofit cor-
3 poration, nonprofit association or nonprofit organization which
4 is organized or qualified to do business and operating under the
5 laws of the State; and which has and maintains tax-exempt status
6 granted by the United States Internal Revenue Service; and which
7 has at the time of application for a license and maintains con-
8 tinuously thereafter a bona fide membership of at least one
9 hundred dues-paying members over the age of twenty-one years; and
10 which has been in continual existence for at least two years
11 prior to the application for the license; and which owns or
12 leases and operates or maintains a clubhouse, clubroom or meeting
13 room in a permanent location.

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

17 [(I)](J) "On-sale" means the sale of beer, wine and
18 coolers for consumption on the premises where the same are sold.

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

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

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

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

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

9 6.50.230: Each licensee shall pay to the Department [of Busi-
10 ness Activity] the license fees set forth in the following sche-
11 dule:

	Semiannual	Original New
12		
13 (A) Beer/wine/cooler on-		
14 sale.....	300.....	1,000
15 (B) Beer/wine/cooler off-		
16 sale.....	300.....	1,000
17 (C) Beer/wine/cooler on-		
18 off-sale.....	600.....	2,000
19 (D) Gift shop limited ..	500.....	2,500
20 (E) Nonprofit club gen-		
21 eral.....	150.....	1,000
22 (F) Keg beer.....	300.....	1,000
23 (G) Package.....	750.....	20,000
24 (H) Tavern.....	1,200.....	60,000
25 Plus: for each bar		
26 over one	900	
27 (I) Wholesale general...	1,000.....	5,000
28 (J) Liquor Caterer.....	500.....	2,500

21 SECTION 7: Title 19, Chapter 90, Section 80, of the
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
23 hereby amended to read as follows:

24 19.90.080: (A) Following [the conduct of] a public hearing on
25 an[y] application for a special use permit to allow:

- 26 (1) a pawnshop;
27 (2) a retail demonstration merchandise sales store;
28 (3) a Class III or other secondhand dealer, except for
29 an antique store or used car lot;
30 (4) a transient sales lot;
31 (5) an open sales lot;
32

1 (6) a custodial institution or a detention facility;
2 (7) a publicly-operated convention and stadium
3 facility;
4 (8) mini-storage facilities;
5 (9) off-premises signs;
6 (10) a liquified petroleum gas installation;
7 (11) a gaming establishment (hotel);
8 (12) a general business related gaming establishment;
9 (13) a plasma donor center [or] ;
10 (14) a rescue mission [.] ; or
11 (15) a beer/wine/cooler on-sale, beer/wine/cooler off-
12 sale, beer/wine/cooler on/off sale, or package, wholesale general
13 license or tavern license,

14 the Board of Zoning Adjustment shall report its recommendation on
15 [said] the application to the City Council.

16 (B) Prior to the next [subsequent] regularly scheduled
17 meeting of the City Council, the Secretary of the Board of Zoning
18 Adjustment shall transmit a copy of [said] the recommendation to
19 the City Clerk.

20 [Within not to exceed] (C) Not later than thirty days
21 from the date of the Board of Zoning Adjustment's recommendation,
22 the City Council shall set [the] a date for a public hearing[,
23 and public notice shall be given by the City Clerk not].

24 (D) Not less than ten days prior to the public hearing
25 before the City Council, the City Clerk shall give notice to all
26 property owners who received notice of the public hearing con-
27 ducted by the Board of Zoning Adjustment.

28 (E) The City Council shall consider the application for
29 [said] the special use permit and the recommendation of the Board
30 of Zoning Adjustment at the public hearing. Action by the City
31 Council on such application, following [a] the public hearing,
32 shall be by a majority vote of the entire City Council and shall

1 be final and conclusive:

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

14 SECTION 9: Whenever in this ordinance any act is
15 prohibited or is made or declared to be unlawful or an offense or
16 a misdemeanor, or whenever in this ordinance the doing of any act
17 is required or the failure to do any act is made or declared to
18 be unlawful or an offense or a misdemeanor, the doing of such
19 prohibited act or the failure to do any such required act shall
20 constitute a misdemeanor and upon conviction thereof, shall be
21 punished by a fine of not more than \$1,000.00 or by imprisonment
22 for a term of not more than six months, or by any combination of
23 such fine and imprisonment. Any day of any violation of this
24 ordinance shall constitute a separate offense.

25 SECTION 10: All ordinances or parts of ordinances,
26 sections, subsections, phrases, sentences, clauses or paragraphs

27 . . .

28 . . .

29 . . .

30 . . .

31 . . .

32 . . .

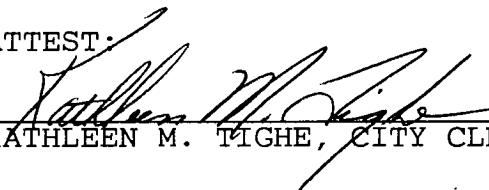
1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED AND APPROVED this 20th day of June,
4 1990.

5 APPROVED:

6 By 
7 RON LURIE, MAYOR OK 6-25-90 RLW

8 ATTEST:

9 
10 KATHLEEN M. TIGHE, CITY CLERK

11 The above and foregoing ordinance was first proposed and
12 read by title to the City Council on the 2nd day of May,
13 1990, and referred to the following committee composed of
14 Councilman Nolen and Mayor Lurie
15 for recommendation; thereafter the said committee reported
16 favorably on said ordinance on the 20th day of June, 1990,
17 which was a regular meeting of said Council; that at said
18 regular meeting, the proposed ordinance was read by
19 title to the City Council as amended and adopted by the following
20 vote:

21 VOTING "AYE": Councilmen Adamsen, Higginson, Miller, Nolen and Mayor Lurie

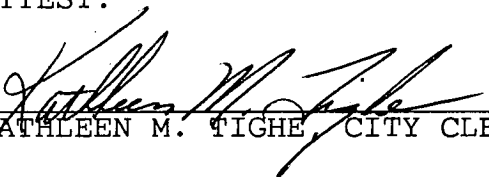
22 VOTING "NAY": NONE

23 ABSENT: NONE

24 APPROVED:

25 By 
26 RON LURIE, MAYOR OK 6-25-90 RLW

27 ATTEST:

28 
29 KATHLEEN M. TIGHE, CITY CLERK
30
31
32

SEE THIRD AMENDMENT

SECOND AMENDMENT

BILL NO. 90-34

Ordinance No. _____

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER AS A NEW LICENSING CATEGORY, REQUIRING LIQUOR CATERING PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SECTIONS 300 and 310 OF SAID TITLE AND CHAPTER BY REDUCING DISTANCE REQUIREMENTS BETWEEN TAVERNS AND DISTANCE REQUIREMENTS FROM A TAVERN TO CHURCHES, SYNAGOGUES AND SCHOOLS, AND PROVIDING A METHOD FOR MEASURING SAID DISTANCE REQUIREMENTS; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO BE SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING 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 Ron Lurie

Summary: Establishes a Liquor Caterer License allowing on-premises dispensing, serving and sale of alcoholic beverages pursuant to a liquor catering permit, and imposes special use permits upon such locations, and provides for certain exemptions to the requirement, and reduces distance requirements between taverns and between taverns, churches, synagogues and schools from 1,500 feet to 1,000 feet.

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

SECTION 1: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section reading as follows:

(A) No new beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license or tavern license, and

(B) No beer/wine/cooler on-sale, beer/wine/cooler off-

1 sale, beer/wine/cooler on/off sale, or package, wholesale general
2 license or tavern license for any location that has discontinued
3 being a licensed liquor establishment for a period of twenty-four
4 consecutive months shall be issued by the Department unless in
5 each case the location for which the license is issued is first
6 approved for a special use permit pursuant to the procedures
7 provided for in LVMC Chapter 19.90.

8 (C) Approval of a special use permit shall not consti-
9 tute or imply approval of any privileged business license that
10 may be required by this Code.

11 (D) The provisions of this section requiring a special
12 use permit for the locations of the types of establishments iden-
13 tified and ennumerated in subsections (A) and (B) of this section
14 shall not apply to the locations of establishments that are
15 intended to be operated solely under a gift shop limited license,
16 a keg beer license, a nonprofit club general license, or a liquor
17 caterers license, or to locations of establishments specified in
18 catering service permits and special events licenses.

19 SECTION 2: Title 6, Chapter 50, of the Municipal
20 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
21 amended by adding thereto a new section reading as follows:

22 A liquor caterer license authorizes the dispensing,
23 serving or sale of alcoholic beverages only for consumption on
24 the premises where the same are dispensed, served or sold and
25 only at events for which the liquor caterer has obtained a per-
26 mit.

27 SECTION 3: Title 6, Chapter 50, of the Municipal
28 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
29 amended by adding thereto a new section reading as follows:

30 Applicants for a permit to provide liquor catering ser-
31 vices shall comply with the following provisions:

32 (A) An application for a permit may be made only by a

1 person who holds a valid liquor caterer license.

2 (B) The application shall be made to the Department,
3 on forms provided by it, not less than three days prior to
4 the proposed event.

5 (C) The application shall set forth the following
6 information:

7 (1) Name and address of the applicant;

8 (2) Date, hours, address and description of the
9 event;

10 (3) Approximate number of persons to be in atten-
11 dance;

12 (4) Type of alcoholic beverages to be served; and

13 (5) The name of the sponsor of the event.

14 (D) Each event requires a separate permit.

15 (E) A permit fee of \$25.00 per day for each day of the
16 event must be paid when the application for permit is filed.

17 SECTION 4: Title 6, Chapter 50, of the Municipal
18 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
19 amended by adding thereto a new section reading as follows:

20 The Director of the Department may issue a permit to a
21 licensed liquor caterer if he finds there is compliance with the
22 following provisions:

23 (A) The liquor catering service is so managed that only
24 persons certified through the alcohol awareness training
25 program and who have valid work cards are employed.

26 (B) The permit shall state the date, hours, and loca-
27 tion of liquor catering services permitted. Any service,
28 distribution or sale of alcoholic beverages at any times or
29 places beyond that stated in the permit shall be grounds for
30 disciplinary action.

31 (C) The liquor catering services will be performed con-
32 sistent with this Chapter and in such manner as to pose no

1 threats to the general health, safety, welfare, or morals of
2 inhabitants of the City and otherwise be capable of regula-
3 tion and enforcement.

4 (D) Issuance of the permit would not constitute doing
5 business at a permanent location.

6 SECTION 5: Title 6, Chapter 50, Section 020, of the
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
8 hereby amended to read as follows:

9 6.50.020: Unless the context otherwise requires, the scope of
10 all words in this Chapter shall be liberally construed in order
11 to effectuate the purpose of this Chapter, and, in particular,
12 the following words shall have the meaning ascribed to them as
13 follows:

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

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

25 (C) "Cooler" means any prebottled alcoholic beverage,
26 other than beer or wine, that is a distillate obtained from the
27 fermentation of the natural contents of fruits or other agri-
28 cultural products containing natural or added sugar, which con-
29 tains not more than five and seven-tenths percent of alcohol by
30 volume.

31 (D) "Drug store" means a business which has a
32 registered pharmacist in attendance at all times and which is

1 located in a building, or in a portion of a building which is
2 segregated physically or spatially from the rest of the building,
3 selling at retail a stock of merchandise having a retail value of
4 at least thirty thousand dollars, of which at least sixty percent
5 consists of prescription and non-prescription drugs and medi-
6 cines, remedies and devices for use in curing or preventing human
7 ailments and diseases and alleviating pain, other pharmaceuti-
8 cals, items associated with personal hygiene, cosmetics, notions
9 and sundries, and having at least one thousand two hundred square
10 feet of floor space, exclusive of warehouse and office areas,
11 devoted to the display of such stock of merchandise. No more
12 than twenty-five percent of a drug store's retail inventory shall
13 consist of beer, wine, cooler and tobacco products.

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

26 (F) "Liquor caterer" means a person who dispenses,
27 serves or sells alcoholic beverages only for consumption on the
28 premises where the same are dispensed, served or sold during the
29 times and periods specified by permit; provided, however, a
30 caterer's services are performed between diverse locations on a
31 shifting and intermittent basis as opposed to a permanent loca-
32 tion.

1 (G) "Meals" means the usual assortment of foods com-
2 monly ordered at various hours of the day; provided, however,
3 that the service of such food only as sandwiches and salads shall
4 not be deemed a compliance with this requirement.

5 ~~[(G)]~~(H) "Nonprofit club" means any nonprofit cor-
6 poration, nonprofit association or nonprofit organization which
7 is organized or qualified to do business and operating under the
8 laws of the State; and which has and maintains tax-exempt status
9 granted by the United States Internal Revenue Service; and which
10 has at the time of application for a license and maintains con-
11 tinuously thereafter a bona fide membership of at least one
12 hundred dues-paying members over the age of twenty-one years; and
13 which has been in continual existence for at least two years
14 prior to the application for the license; and which owns or
15 leases and operates or maintains a clubhouse, clubroom or meeting
16 room in a permanent location.

17 ~~[(H)]~~(I) "Off-sale" means the sale of beer, wine and
18 coolers in original sealed or corked containers for consumption
19 off the premises where the same are sold.

20 ~~[(I)]~~(J) "On-sale" means the sale of beer, wine and
21 coolers for consumption on the premises where the same are sold.

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

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

1 serve, give away or distribute.

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

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

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

12 6.50.230: Each licensee shall pay to the Department [of Busi-
13 ness Activity] the license fees set forth in the following sche-
14 dule:

	Semiannual	Original New
15 (A) Beer/wine/cooler on-		
16 sale.....	300.....	1,000
17 (B) Beer/wine/cooler off-		
18 sale.....	300.....	1,000
19 (C) Beer/wine/cooler on-		
20 off-sale.....	600.....	2,000
21 (D) Gift shop limited ..	500.....	2,500
22 (E) Nonprofit club gen-		
23 eral.....	150.....	1,000
24 (F) Keg beer.....	300.....	1,000
25 (G) Package.....	750.....	20,000
26 (H) Tavern.....	1,200.....	60,000
27 Plus: for each bar		
28 over one	900	
29 (I) Wholesale general...	1,000.....	5,000
30 (J) <u>Liquor Caterer.....</u>	<u>500.....</u>	<u>2,500</u>

31 SECTION 7: Title 6, Chapter 50, Section 300, of the
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
hereby amended to read as follows:

6.50.300: No beer/wine/cooler on-sale, beer/wine off-sale,
beer/wine/cooler on-off-sale, package, or wholesale general
license shall be located within four hundred feet, and no tavern
license shall be located within one thousand [five hundred] feet,
of any church, synagogue or school. [The distance between the

1 establishments shall be measured in a straight line from the pri-
2 mary public entrance of the church, synagogue or school to the
3 primary public entrance of the proposed premises, disregarding
4 all intervening obstacles.] The distance shall be measured by
5 the most direct route provided for pedestrian traffic from the
6 primary public entrance of the proposed establishment to the
7 primary public entrance of any affected church, synagogue or
8 school. At the request of the applicant, the City Council, in
9 its discretion, may waive this provision based on a consideration
10 of the nature and character of the surrounding neighborhood. In
11 connection with such a request, the Department [of Business Acti-
12 vity] shall give notice to the officials of the affected church,
13 synagogue or school within a reasonable time prior to the City
14 Council's consideration of the request, in order to permit such
15 officials to present their views to the City Council. Any
16 establishment which is included in any of the classifications
17 listed in this Section and with respect to which held a valid
18 license therefor was in existence on, and any establishment with
19 respect to which preliminary approval for a tavern license had
20 been granted prior to October 1, 1989, is exempt from the provi-
21 sions of this Section.

22 SECTION 8: Title 6, Chapter 50, Section 310, of the
23 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
24 hereby amended to read as follows:

25 6.50.310: No tavern license shall be located within one
26 thousand [five hundred] feet of any other tavern or comparable
27 license either within or without the corporate boundaries of the
28 City. The distance between the establishments shall be measured
29 [in a straight line from the primary public entrance of the pro-
30 posed establishment to the primary public entrance of any
31 existing licensed premises, disregarding all intervening
32 obstacles.] by the most direct route provided for pedestrian

1 traffic from the primary entrance of the proposed establishment
2 to the primary public entrance of any existing licensed tavern or
3 comparable license. At the request of the applicant, the City
4 Council, in its discretion may waive this provision based on a
5 consideration of the nature and character of the surrounding
6 neighborhood. Notice of the time and place of the City Council's
7 consideration of the request for waiver shall be given by a
8 published announcement in a newspaper of general circulation in
9 the City not less than five days or more than ten days prior to
10 the date of the hearing. Licensed premises which are included in
11 the classifications listed in this Section and which held valid
12 licenses therefor on November 1, 1980, are exempt from the provi-
13 sions of this Section only as long as they continue to hold valid
14 licenses. This Section does not apply to an establishment which
15 has a nonrestricted gaming license in connection with a hotel
16 having one hundred or more guestrooms.

17 SECTION 9: Title 19, Chapter 90, Section 80, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 19.90.080: (A) Following [the conduct of] a public hearing on
21 an[y] application for a special use permit to allow:

- 22 (1) a pawnshop;
- 23 (2) a retail demonstration merchandise sales store;
- 24 (3) a Class III or other secondhand dealer, except for
25 an antique store or used car lot;
- 26 (4) a transient sales lot;
- 27 (5) an open sales lot;
- 28 (6) a custodial institution or a detention facility;
- 29 (7) a publicly-operated convention and stadium
30 facility;
- 31 (8) mini-storage facilities;
- 32 (9) off-premises signs;

1 (10) a liquified petroleum gas installation;
2 (11) a gaming establishment (hotel);
3 (12) a general business related gaming establishment;
4 (13) a plasma donor center [or] ;
5 (14) a rescue mission [.] ; or
6 (15) a beer/wine/cooler on-sale, beer/wine/cooler off-
7 sale, beer/wine/cooler on/off sale, or package, wholesale general
8 license or tavern license,

9 the Board of Zoning Adjustment shall report its recommendation on
10 [said] the application to the City Council.

11 (B) Prior to the next [subsequent] regularly scheduled
12 meeting of the City Council, the Secretary of the Board of Zoning
13 Adjustment shall transmit a copy of [said] the recommendation to
14 the City Clerk.

15 [Within not to exceed] (C) Not later than thirty days
16 from the date of the Board of Zoning Adjustment's recommendation,
17 the City Council shall set [the] a date for a public hearing[,
18 and public notice shall be given by the City Clerk not].

19 (D) Not less than ten days prior to the public hearing
20 before the City Council, the City Clerk shall give notice to all
21 property owners who received notice of the public hearing con-
22 ducted by the Board of Zoning Adjustment.

23 (E) The City Council shall consider the application for
24 [said] the special use permit and the recommendation of the Board
25 of Zoning Adjustment at the public hearing. Action by the City
26 Council on such application, following [a] the public hearing,
27 shall be by a majority vote of the entire City Council and shall
28 be final and conclusive.

29 SECTION 10: If any section, subsection, subdivision,
30 paragraph, sentence, clause or phrase in this ordinance or any
31 part thereof, is for any reason held to be unconstitutional or
32 invalid or ineffective by any court of competent jurisdiction,

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

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

20 SECTION 12: All ordinances or parts of ordinances,
21 sections, subsections, phrases, sentences, clauses or paragraphs
22 contained in the Municipal Code of the City of Las Vegas, Nevada,
23 1983 Edition, in conflict herewith are hereby repealed.

24 PASSED, ADOPTED AND APPROVED this ____ day of _____,
25 1990.

26 APPROVED:

27 By _____
28 RON LURIE, MAYOR

29 ATTEST:

30 _____
31 KATHLEEN M. TIGHE, CITY CLERK
32

1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the _____ day of _____,
3 1990, and referred to the following committee composed of
4 _____ and _____
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the _____ day of _____, 1990,
7 which was a _____ meeting of said Council; that at said
8 _____ meeting, the proposed ordinance was read by
9 title to the City Council as amended and adopted by the following
10 vote:

11 VOTING "AYE": _____

12 VOTING "NAY": _____

13 ABSENT: _____

14
15 APPROVED:

16 By _____
17 RON LURIE, MAYOR

18 ATTEST:

19 _____
20 KATHLEEN M. TIGHE, CITY CLERK
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BILL NO. 90-34

Ordinance No. _____

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER AS A NEW LICENSING CATEGORY, REQUIRING LIQUOR CATERING PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SECTION 310 OF SAID TITLE AND CHAPTER BY REMOVING THE CITY COUNCIL'S DISCRETIONARY AUTHORITY TO WAIVE THE ONE THOUSAND FIVE HUNDRED FOOT DISTANCE REQUIREMENT BETWEEN TAVERNS; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO BE SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING 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 Ron Lurie

Summary: Establishes a Liquor Caterer License allowing on-premises dispensing, serving and sale of alcoholic beverages pursuant to a liquor catering permit, and eliminates waiver provisions of distance requirements relating to establishments that sell alcoholic beverages and imposes special use permits upon such locations, and provides for certain exemptions to the requirement.

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

SECTION 1: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section reading as follows:

(A) No new beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license or tavern license, and

(B) No beer/wine/cooler on-sale, beer/wine/cooler off-

1 sale, beer/wine/cooler on/off sale, or package, wholesale general
2 license or tavern license for any location that has discontinued
3 being a licensed liquor establishment for a period of twenty-four
4 consecutive months shall be issued by the Department unless in
5 each case the location for which the license is issued is first
6 approved for a special use permit pursuant to the procedures
7 provided for in LVMC Chapter 19.90.

8 (C) Approval of a special use permit shall not consti-
9 tute or imply approval of any privileged business license that
10 may be required by this Code.

11 (D) The provisions of this section requiring a special
12 use permit for the locations of the types of establishments iden-
13 tified and ennumerated in subsections (A) and (B) of this section
14 shall not apply to the locations of establishments that are
15 intended to be operated solely under a gift shop limited license,
16 a keg beer license, a nonprofit club general license, or a liquor
17 caterers license, or to locations of establishments specified in
18 catering service permits and special events licenses.

19 SECTION 2: Title 6, Chapter 50, of the Municipal
20 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
21 amended by adding thereto a new section reading as follows:

22 A liquor caterer license authorizes the dispensing,
23 serving or sale of alcoholic beverages only for consumption on
24 the premises where the same are dispensed, served or sold and
25 only at events for which the liquor caterer has obtained a per-
26 mit.

27 SECTION 3: Title 6, Chapter 50, of the Municipal
28 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
29 amended by adding thereto a new section reading as follows:

30 Applicants for a permit to provide liquor catering ser-
31 vices shall comply with the following provisions:

32 (A) An application for a permit may be made only by a

1 person who holds a valid liquor caterer license.

2 (B) The application shall be made to the Department,
3 on forms provided by it, not less than three days prior to
4 the proposed event.

5 (C) The application shall set forth the following
6 information:

7 (1) Name and address of the applicant;

8 (2) Date, hours, address and description of the
9 event;

10 (3) Approximate number of persons to be in atten-
11 dance;

12 (4) Type of alcoholic beverages to be served; and

13 (5) The name of the sponsor of the event.

14 (D) Each event requires a separate permit.

15 (E) A permit fee of \$25.00 per day for each day of the
16 event must be paid when the application for permit is filed.

17 SECTION 4: Title 6, Chapter 50, of the Municipal
18 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
19 amended by adding thereto a new section reading as follows:

20 The Director of the Department may issue a permit to a
21 licensed liquor caterer if he finds there is compliance with the
22 following provisions:

23 (A) The liquor catering service is so managed that only
24 persons certified through the alcohol awareness training
25 program and who have valid work cards are employed.

26 (B) The permit shall state the date, hours, and loca-
27 tion of liquor catering services permitted. Any service,
28 distribution or sale of alcoholic beverages at any times or
29 places beyond that stated in the permit shall be grounds for
30 disciplinary action.

31 (C) The liquor catering services will be performed con-
32 sistent with this Chapter and in such manner as to pose no

1 threats to the general health, safety, welfare, or morals of
2 inhabitants of the City and otherwise be capable of regula-
3 tion and enforcement.

4 (D) Issuance of the permit would not constitute doing
5 business at a permanent location.

6 SECTION 5: Title 6, Chapter 50, Section 020, of the
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
8 hereby amended to read as follows:

9 6.50.020: Unless the context otherwise requires, the scope of
10 all words in this Chapter shall be liberally construed in order
11 to effectuate the purpose of this Chapter, and, in particular,
12 the following words shall have the meaning ascribed to them as
13 follows:

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

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

25 (C) "Cooler" means any prebottled alcoholic beverage,
26 other than beer or wine, that is a distillate obtained from the
27 fermentation of the natural contents of fruits or other agri-
28 cultural products containing natural or added sugar, which con-
29 tains not more than five and seven-tenths percent of alcohol by
30 volume.

31 (D) "Drug store" means a business which has a
32 registered pharmacist in attendance at all times and which is

located in a building, or in a portion of a building which is segregated physically or spatially from the rest of the building, selling at retail a stock of merchandise having a retail value of at least thirty thousand dollars, of which at least sixty percent consists of prescription and non-prescription drugs and medicines, remedies and devices for use in curing or preventing human ailments and diseases and alleviating pain, other pharmaceuticals, items associated with personal hygiene, cosmetics, notions and sundries, and having at least one thousand two hundred square feet of floor space, exclusive of warehouse and office areas, devoted to the display of such stock of merchandise. No more than twenty-five percent of a drug store's retail inventory shall consist of beer, wine, cooler and tobacco products.

(E) "Grocery Store" means a business located in a building, or in a portion of a building which is segregated physically or spatially from the rest of the building, selling at retail a stock of merchandise having a retail value of at least thirty thousand dollars, of which at least sixty percent consists of articles for human consumption customarily served as food in the home or entering into the preparation of food in the home, and having at least one thousand two hundred square feet of floor space, exclusive of warehouse and office areas, devoted to the display of such stock of merchandise. No more than twenty-five percent of a grocery store's retail inventory shall consist of beer, wine and tobacco products.

(F) "Liquor caterer" means a person who dispenses, serves or sells alcoholic beverages only for consumption on the premises where the same are dispensed, served or sold during the times and periods specified by permit; provided, however, a caterer's services are performed between diverse locations on a shifting and intermittent basis as opposed to a permanent location.

1 (G) "Meals" means the usual assortment of foods com-
2 monly ordered at various hours of the day; provided, however,
3 that the service of such food only as sandwiches and salads shall
4 not be deemed a compliance with this requirement.

5 [(G)][H] "Nonprofit club" means any nonprofit cor-
6 poration, nonprofit association or nonprofit organization which
7 is organized or qualified to do business and operating under the
8 laws of the State; and which has and maintains tax-exempt status
9 granted by the United States Internal Revenue Service; and which
10 has at the time of application for a license and maintains con-
11 tinuously thereafter a bona fide membership of at least one
12 hundred dues-paying members over the age of twenty-one years; and
13 which has been in continual existence for at least two years
14 prior to the application for the license; and which owns or
15 leases and operates or maintains a clubhouse, clubroom or meeting
16 room in a permanent location.

17 [(H)][I] "Off-sale" means the sale of beer, wine and
18 coolers in original sealed or corked containers for consumption
19 off the premises where the same are sold.

20 [(I)][J] "On-sale" means the sale of beer, wine and
21 coolers for consumption on the premises where the same are sold.

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

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

1 serve, give away or distribute.

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

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

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

12 6.50.230: Each licensee shall pay to the Department [of Busi-
13 ness Activity] the license fees set forth in the following sche-
14 dule:

	Semiannual	Original New
15		
16 (A) Beer/wine/cooler on-		
sale.....	300.....	1,000
17 (B) Beer/wine/cooler off-		
sale.....	300.....	1,000
18 (C) Beer/wine/cooler on-		
off-sale.....	600.....	2,000
19 (D) Gift shop limited ..	500.....	2,500
(E) Nonprofit club gen-		
20 eral.....	150.....	1,000
(F) Keg beer.....	300.....	1,000
21 (G) Package.....	750.....	20,000
(H) Tavern.....	1,200.....	60,000
22 Plus: for each bar		
over one	900	
23 (I) Wholesale general...	1,000.....	5,000
(J) Liquor Caterer.....	500.....	2,500

24
25 SECTION 7: Title 19, Chapter 90, Section 80, of the
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
27 hereby amended to read as follows:

28 19.90.080: (A) Following [the conduct of] a public hearing on
29 an[y] application for a special use permit to allow:

30 (1) a pawnshop;

31 (2) a retail demonstration merchandise sales store;

32 (3) a Class III or other secondhand dealer, except for

1 an antique store or used car lot;

2 (4) a transient sales lot;

3 (5) an open sales lot;

4 (6) a custodial institution or a detention facility;

5 (7) a publicly-operated convention and stadium

6 facility;

7 (8) mini-storage facilities;

8 (9) off-premises signs;

9 (10) a liquified petroleum gas installation;

10 (11) a gaming establishment (hotel);

11 (12) a general business related gaming establishment;

12 (13) a plasma donor center [or] ;

13 (14) a rescue mission [,]; or

14 (15) a beer/wine/cooler on-sale, beer/wine/cooler off-

15 sale, beer/wine/cooler on/off sale, or package, wholesale general

16 license or tavern license,

17 the Board of Zoning Adjustment shall report its recommendation on

18 [said] the application to the City Council.

19 (B) Prior to the next [subsequent] regularly scheduled

20 meeting of the City Council, the Secretary of the Board of Zoning

21 Adjustment shall transmit a copy of [said] the recommendation to

22 the City Clerk.

23 [Within not to exceed] (C) Not later than thirty days

24 from the date of the Board of Zoning Adjustment's recommendation,

25 the City Council shall set [the] a date for a public hearing[, ,

26 and public notice shall be given by the City Clerk not].

27 (D) Not less than ten days prior to the public hearing

28 before the City Council, the City Clerk shall give notice to all

29 property owners who received notice of the public hearing con-

30 ducted by the Board of Zoning Adjustment.

31 (E) The City Council shall consider the application for

32 [said] the special use permit and the recommendation of the Board

1 of Zoning Adjustment at the public hearing. Action by the City
2 Council on such application, following [a] the public hearing,
3 shall be by a majority vote of the entire City Council and shall
4 be final and conclusive.

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

17 SECTION 9: Whenever in this ordinance any act is
18 prohibited or is made or declared to be unlawful or an offense or
19 a misdemeanor, or whenever in this ordinance the doing of any act
20 is required or the failure to do any act is made or declared to
21 be unlawful or an offense or a misdemeanor, the doing of such
22 prohibited act or the failure to do any such required act shall
23 constitute a misdemeanor and upon conviction thereof, shall be
24 punished by a fine of not more than \$1,000.00 or by imprisonment
25 for a term of not more than six months, or by any combination of
26 such fine and imprisonment. Any day of any violation of this
27 ordinance shall constitute a separate offense.

28 SECTION 10: All ordinances or parts of ordinances,
29 sections, subsections, phrases, sentences, clauses or paragraphs
30 contained in the Municipal Code of the City of Las Vegas, Nevada,

31 . . .

32 . . .

1 1983 Edition, in conflict herewith are hereby repealed.

2 PASSED, ADOPTED AND APPROVED this ____ day of _____,
3 1990.

4 APPROVED:

5 By _____
6 RON LURIE, MAYOR

7 ATTEST:

8 _____
9 KATHLEEN M. TIGHE, CITY CLERK

10 The above and foregoing ordinance was first proposed and
11 read by title to the City Council on the ____ day of _____,
12 1990, and referred to the following committee composed of
13 _____ and _____
14 for recommendation; thereafter the said committee reported
15 favorably on said ordinance on the ____ day of _____, 1990,
16 which was a _____ meeting of said Council; that at said
17 _____ meeting, the proposed ordinance was read by
18 title to the City Council as amended and adopted by the following
19 vote:

20 VOTING "AYE": _____

21 VOTING "NAY": _____

22 ABSENT: _____

23 APPROVED:

24 By _____
25 RON LURIE, MAYOR

26 ATTEST:

27 _____
28 KATHLEEN M. TIGHE, CITY CLERK

29

30

31

32

BILL NO. 90-34

Ordinance No. _____

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER AS A NEW LICENSING CATEGORY, REQUIRING LIQUOR CATERING PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO BE SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; REPEALING SECTIONS 300 AND 310 OF SAID TITLE AND CHAPTER; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING 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 Ron Lurie

Summary: Establishes a Liquor Caterer License allowing on-premises dispensing, serving and sale of alcoholic beverages pursuant to a liquor catering permit, and provides for the elimination of distance requirements relating to establishments that sell alcoholic beverages and imposes special use permits upon such locations, and provides for certain exemptions to the requirement.

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

SECTION 1: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section reading as follows:

(A) No new beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license or tavern license, and

(B) No beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license or tavern license for any location that has discontinued

1 being a licensed liquor establishment for a period of twenty-four
2 consecutive months shall be issued by the Department unless in
3 each case the location for which the license is issued is first
4 approved for a special use permit pursuant to the procedures
5 provided for in LVMC Chapter 19.90.

6 (C) Approval of a special use permit shall not consti-
7 tute or imply approval of any privileged business license that
8 may be required by this Code.

9 (D) The provisions of this section requiring a special
10 use permit for the locations of the types of establishments iden-
11 tified and ennumerated in subsections (A) and (B) of this section
12 shall not apply to the locations of establishments that are
13 intended to be operated solely under a gift shop limited license,
14 a keg beer license, a nonprofit club general license, or a liquor
15 caterers license, or to locations of establishments specified in
16 catering service permits and special events licenses.

17 SECTION 2: Title 6, Chapter 50, of the Municipal
18 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
19 amended by adding thereto a new section reading as follows:

20 A liquor caterer license authorizes the dispensing,
21 serving or sale of alcoholic beverages only for consumption on
22 the premises where the same are dispensed, served or sold and
23 only at events for which the liquor caterer has obtained a per-
24 mit.

25 SECTION 3: Title 6, Chapter 50, of the Municipal
26 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
27 amended by adding thereto a new section reading as follows:

28 Applicants for a permit to provide liquor catering ser-
29 vices shall comply with the following provisions:

30 (A) An application for a permit may be made only by a
31 person who holds a valid liquor caterer license.

32 (B) The application shall be made to the Department,

1 on forms provided by it, not less than ten days prior to the
2 proposed event.

3 (C) The application shall set forth the following
4 information:

5 (1) Name and address of the applicant;

6 (2) Date, hours, address and description of the
7 event;

8 (3) Approximate number of persons to be in atten-
9 dance;

10 (4) Type of alcoholic beverages to be served; and

11 (5) The name of the sponsor of the event.

12 (D) Each event requires a separate permit.

13 (E) A permit fee of \$50.00 per day for each day of the
14 event must be paid when the application for permit is filed.

15 SECTION 4: Title 6, Chapter 50, of the Municipal
16 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
17 amended by adding thereto a new section reading as follows:

18 The Director of the Department may issue a permit to a
19 licensed liquor caterer if he finds there is compliance with the
20 following provisions:

21 (A) The liquor catering service is so managed that only
22 persons certified through the alcohol awareness training
23 program and who have valid work cards are employed.

24 (B) The permit shall state the date, hours, and loca-
25 tion of liquor catering services permitted. Any service,
26 distribution or sale of alcoholic beverages at any times or
27 places beyond that stated in the permit shall be grounds for
28 disciplinary action.

29 (C) The liquor catering services will be performed con-
30 sistent with this Chapter and in such manner as to pose no
31 threats to the general health, safety, welfare, or morals of
32 inhabitants of the City and otherwise be capable of regula-

1 tion and enforcement.

2 SECTION 5: Title 6, Chapter 50, Section 020, of the
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
4 hereby amended to read as follows:

5 6.50.020: Unless the context otherwise requires, the scope of
6 all words in this Chapter shall be liberally construed in order
7 to effectuate the purpose of this Chapter, and, in particular,
8 the following words shall have the meaning ascribed to them as
9 follows:

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

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

21 (C) "Cooler" means any prebottled alcoholic beverage,
22 other than beer or wine, that is a distillate obtained from the
23 fermentation of the natural contents of fruits or other agri-
24 cultural products containing natural or added sugar, which con-
25 tains not more than five and seven-tenths percent of alcohol by
26 volume.

27 (D) "Drug store" means a business which has a
28 registered pharmacist in attendance at all times and which is
29 located in a building, or in a portion of a building which is
30 segregated physically or spatially from the rest of the building,
31 selling at retail a stock of merchandise having a retail value of
32 at least thirty thousand dollars, of which at least sixty percent

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

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

22 (F) "Liquor caterer" means a person who dispenses,
23 serves or sells alcoholic beverages only for consumption on the
24 premises where the same are dispensed, served or sold during the
25 times and periods specified by permit.

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

30 [(G)](H) "Nonprofit club" means any nonprofit cor-
31 poration, nonprofit association or nonprofit organization which
32 is organized or qualified to do business and operating under the

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

10 [(H)](I) "Off-sale" means the sale of beer, wine and
11 coolers in original sealed or corked containers for consumption
12 off the premises where the same are sold.

13 [(I)](J) "On-sale" means the sale of beer, wine and
14 coolers for consumption on the premises where the same are sold.

15 [(J)](K) "Restaurant" means a place which is regularly
16 and in a bona fide manner used and kept open for the service of
17 meals to guests for compensation; and which has suitable kitchen
18 facilities connected therewith, containing convenience for
19 cooking an assortment of foods which may be required for ordinary
20 meals.

21 [(K)](L) "Sale" or "sell" means, for compensation or
22 any other business purpose, to sell, serve, give away or dis-
23 tribute; or to cause or permit to be sold, served, given away or
24 distributed or to possess with the intent to sell, serve, give
25 away or distribute; or to solicit or receive orders to sell,
26 serve, give away or distribute.

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

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

1 alcohol by volume.

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

5 6.50.230: Each licensee shall pay to the Department [of Busi-
6 ness Activity] the license fees set forth in the following sche-
7 dule:

	Semiannual	Original New
9 (A) Beer/wine/cooler on-sale.....	300.....	1,000
10 (B) Beer/wine/cooler off-sale.....	300.....	1,000
11 (C) Beer/wine/cooler on-off-sale.....	600.....	2,000
12 (D) Gift shop limited ..	500.....	2,500
13 (E) Nonprofit club general.....	150.....	1,000
(F) Keg beer.....	300.....	1,000
14 (G) Package.....	750.....	20,000
(H) Tavern.....	1,200.....	60,000
15 Plus: for each bar over one	900	
16 (I) Wholesale general...	1,000.....	5,000
(J) Liquor Caterer.....	<u>500.....</u>	<u>2,500</u>

17
18 SECTION 7: Title 6, Chapter 50, Section 300, of the
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
20 hereby repealed in its entirety.

21 SECTION 8: Title 6, Chapter 50, Section 310, of the
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
23 hereby repealed in its entirety.

24 SECTION 9: Title 19, Chapter 90, Section 80, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 19.90.080: (A) Following [the conduct of] a public hearing on
28 an[y] application for a special use permit to allow:

29 (1) a pawnshop;

30 (2) a retail demonstration merchandise sales store;

31 (3) a Class III or other secondhand dealer, except for
32 an antique store or used car lot;

- 1 (4) a transient sales lot;
- 2 (5) an open sales lot;
- 3 (6) a custodial institution or a detention facility;
- 4 (7) a publicly-operated convention and stadium
- 5 facility;
- 6 (8) mini-storage facilities;
- 7 (9) off-premises signs;
- 8 (10) a liquified petroleum gas installation;
- 9 (11) a gaming establishment (hotel);
- 10 (12) a general business related gaming establishment;
- 11 (13) a plasma donor center [or] ;
- 12 (14) a rescue mission [,]; or
- 13 (15) a beer/wine/cooler on-sale, beer/wine/cooler off-
- 14 sale, beer/wine/cooler on/off sale, or package, wholesale general
- 15 license or tavern license,

16 the Board of Zoning Adjustment shall report its recommendation on
17 [said] the application to the City Council.

18 (B) Prior to the next [subsequent] regularly scheduled
19 meeting of the City Council, the Secretary of the Board of Zoning
20 Adjustment shall transmit a copy of [said] the recommendation to
21 the City Clerk.

22 [Within not to exceed] (C) Not later than thirty days
23 from the date of the Board of Zoning Adjustment's recommendation,
24 the City Council shall set [the] a date for a public hearing[,
25 and public notice shall be given by the City Clerk not].

26 (D) Not less than ten days prior to the public hearing
27 before the City Council, the City Clerk shall give notice to all
28 property owners who received notice of the public hearing con-
29 ducted by the Board of Zoning Adjustment.

30 (E) The City Council shall consider the application for
31 [said] the special use permit and the recommendation of the Board
32 of Zoning Adjustment at the public hearing. Action by the City

1 Council on such application, following [a] the public hearing,
2 shall be by a majority vote of the entire City Council and shall
3 be final and conclusive.

4 SECTION 10: If any section, subsection, subdivision,
5 paragraph, sentence, clause or phrase in this ordinance or any
6 part thereof, is for any reason held to be unconstitutional or
7 invalid or ineffective by any court of competent jurisdiction,
8 such decision shall not affect the validity or effectiveness of
9 the remaining portions of this ordinance or any part thereof.

10 The City Council of the City of Las Vegas, Nevada, hereby
11 declares that it would have passed each section, subsection, sub-
12 division, paragraph, sentence, clause or phrase thereof irrespec-
13 tive of the fact that any one or more sections, subsections, sub-
14 divisions, paragraphs, sentences, clauses or phrases be declared
15 unconstitutional, invalid or ineffective.

16 SECTION 11: Whenever in this ordinance any act is
17 prohibited or is made or declared to be unlawful or an offense or
18 a misdemeanor, or whenever in this ordinance the doing of any act
19 is required or the failure to do any act is made or declared to
20 be unlawful or an offense or a misdemeanor, the doing of such
21 prohibited act or the failure to do any such required act shall
22 constitute a misdemeanor and upon conviction thereof, shall be
23 punished by a fine of not more than \$1,000.00 or by imprisonment
24 for a term of not more than six months, or by any combination of
25 such fine and imprisonment. Any day of any violation of this
26 ordinance shall constitute a separate offense.

27 SECTION 12: All ordinances or parts of ordinances,
28 sections, subsections, phrases, sentences, clauses or paragraphs

29 . . .

30 . . .

31 . . .

32 . . .

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

3 PASSED, ADOPTED AND APPROVED this ____ day of _____,
4 1990.

5 APPROVED:

6 By _____
7 RON LURIE, MAYOR

8 ATTEST:

9 _____
10 KATHLEEN M. TIGHE, CITY CLERK

11 The above and foregoing ordinance was first proposed and
12 read by title to the City Council on the ____ day of _____,
13 1990, and referred to the following committee composed of

14 _____ and _____
15 for recommendation; thereafter the said committee reported
16 favorably on said ordinance on the ____ day of _____, 1990,
17 which was a _____ meeting of said Council; that at said
18 _____ meeting, the proposed ordinance was read by
19 title to the City Council as first introduced and adopted by the
20 following vote:

21 VOTING "AYE": _____

22 VOTING "NAY": _____

23 ABSENT: _____

24 APPROVED:

25
26 By _____
27 RON LURIE, MAYOR

28 ATTEST:

29 _____
30 KATHLEEN M. TIGHE, CITY CLERK

AFFIDAVIT OF PUBLICATION

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STATE OF NEVADA)
COUNTY OF CLARK)

SS

CITY CLERK
CITY CLERK

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of ONE insertions from period of JUNE 23, 1990 to JUNE 23, 1990 inclusive, being the issue of said newspaper for the following dates, to wit:

JUNE 23, 1990

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

THIRD AMENDMENT
BILL NO. 90-34
ORDINANCE NO. 3514

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER AS A NEW LICENSING CATEGORY, REQUIRING LIQUOR CATERING PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, AND ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OR ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Mayor Ron Lurie
SUMMARY: Establishes a Liquor Caterer License allowing on-pre-

mises dispensing, serving and sale of alcoholic beverages pursuant to a liquor catering permit, and imposes a special use permit requirement on establishments that sell alcoholic beverages, and provides for certain exemptions to the requirement. The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 2nd day of May, 1990, and referred to the following committee composed of Councilman Nolen and Mayor Lurie, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 20th day of June, 1990, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:
VOTING "AYE" Councilmen: Adam- sen, Higginson, Miller, Nolen and Mayor Lurie
VOTING "NAY" Councilmen: NONE
ABSENT: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: June 23, 1990

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me
this 25th day of June, 19 90

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



MARJORIE E. OUELLETTE

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Dec. 2, 1993

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AFFIDAVIT OF PUBLICATION

JUN 8 12 47 PM '90

STATE OF NEVADA)
COUNTY OF CLARK) SS

CITY CLERK

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of ONE insertions from period of MAY 23, 1990 to MAY 23, 1990 inclusive, being the issue of said newspaper for the following dates,

to wit: MAY 23, 1990

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

FIRST AMENDMENT
BILL NO. 90-34

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SECTION 310 OF SAID TITLE AND CHAPTER BY REMOVING THE CITY COUNCIL'S DISCRETIONARY AUTHORITY TO WAIVE THE ONE THOUSAND FIVE HUNDRED FOOT DISTANCE REQUIREMENT BETWEEN TAVERNS; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO BE SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me
this 24th day of May, 1990

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



MARJORIE E. OUELLETTE
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Dec. 2, 1993

SPONSORED BY:
Mayor Ron Lurie
SUMMARY: Establishes a Liquor Caterer License allowing on-premises dispensing, serving and sale of alcoholic beverages pursuant to a liquor catering permit, and eliminates waiver provisions of distance requirements relating to establishments that sell alcoholic beverages and imposes special use permits upon such locations, and provides for certain exemptions to the requirement.
At a City Council meeting
May 2, 1990
BILL NO. 90-34 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilman Nolen and Mayor Lurie
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: May 23, 1990

RECEIVED

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS

CITY CLERK

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of ONE insertions from period of JUNE 23, 1990 to JUNE 23, 1990 inclusive, being the issue of said newspaper for the following dates, to wit: JUNE 23, 1990

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

**THIRD AMENDMENT
BILL NO. 90-34
ORDINANCE NO. 3514**

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER AS A NEW LICENSING CATEGORY, REQUIRING LIQUOR CATERING PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, AND ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OR ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Mayor Ron Lurie

SUMMARY: Establishes a Liquor Caterer License allowing on-premises dispensing, serving and sale of alcoholic beverages pursuant to a liquor catering permit, and imposes a special use permit requirement on establishments that sell alcoholic beverages, and provides for certain exemptions to the requirement. The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 2nd day of May, 1990, and referred to the following committee composed of Councilman Nolen and Mayor Lurie, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 20th day of June, 1990, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:
VOTING "AYE" Councilmen: Adamson, Hoggins, Miller, Nolen and Mayor Lurie
VOTING "NAY" Councilmen: NONE
ABSENT: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: June 23, 1990

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me this 25th day of June, 19 90

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



MARJORIE E. OUELLETTE
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Dec. 2, 1993



AFFIDAVIT OF PUBLICATION

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STATE OF NEVADA)
COUNTY OF CLARK)

SS

CITY CLERK
CITY CLERK

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of ONE insertions from period of MAY 23, 1990 to MAY 23, 1990 inclusive, being the issue of said newspaper for the following dates, to wit:

MAY 23, 1990

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

FIRST AMENDMENT
BILL NO. 90-34

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 4, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SECTION 310 OF SAID TITLE AND CHAPTER BY REMOVING THE CITY COUNCIL'S DISCRETIONARY AUTHORITY TO WAIVE THE ONE THOUSAND FIVE HUNDRED FOOT DISTANCE REQUIREMENT BETWEEN TAVERNS; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO BE SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me
this 24th day of May, 1990

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



MARJORIE E. OUELLETTE

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Dec. 2, 1993

SPONSORED BY: Mayor Ron Lurie
SUMMARY: Establishes a Liquor Caterer License allowing on-premises dispensing, serving and sale of alcoholic beverages pursuant to a liquor catering permit, and eliminates waiver provisions of distance requirements relating to establishments that sell alcoholic beverages and imposes special use permits upon such locations, and provides for certain exemptions to the requirement.
At a City Council meeting May 2, 1990
BILL NO. 90-34 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilman Nolen and Mayor Lurie
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: May 23, 1990



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STATE OF NEVADA)
COUNTY OF CLARK)

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CITY CLERK
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Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of ONE insertions from period of MAY 23, 1990 to MAY 23, 1990 inclusive, being the issue of said newspaper for the following dates, to wit: MAY 23, 1990

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

FIRST AMENDMENT
BILL NO. 90-34

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING NEW SECTIONS ESTABLISHING LIQUOR CATERER PERMITS AND PROCEDURES FOR APPLYING FOR SAID PERMITS, ESTABLISHING FEES FOR LIQUOR CATERING PERMITS; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER BY PROVIDING A DEFINITION OF THE TERM "LIQUOR CATERER"; AMENDING SECTION 230 OF SAID TITLE AND CHAPTER TO INCLUDE A LICENSING FEE FOR LIQUOR CATERER; AMENDING SECTION 310 OF SAID TITLE AND CHAPTER BY REMOVING THE CITY COUNCIL'S DISCRETIONARY AUTHORITY TO WAIVE THE ONE THOUSAND FIVE HUNDRED FOOT DISTANCE REQUIREMENT BETWEEN TAVERNS; AMENDING SAID TITLE AND CHAPTER BY ADOPTING A NEW SECTION REQUIRING SPECIAL USE PERMITS FOR NEW LOCATIONS AT WHICH ALCOHOLIC BEVERAGES ARE TO BE SOLD AND FOR ANY LOCATION THAT HAS DISCONTINUED BEING A LICENSED LIQUOR ESTABLISHMENT FOR A PERIOD OF TWENTY-FOUR CONSECUTIVE MONTHS AND EXEMPTING CERTAIN LOCATIONS OF ESTABLISHMENTS FROM THE SPECIAL USE REQUIREMENT; PROVIDING FOR COMPLIANCE WITH TITLE 19, CHAPTER 90, AND AMENDING SECTION 080 OF SAID TITLE AND CHAPTER TO INCLUDE A NEW CATEGORY RELATING TO LIQUOR ESTABLISHMENTS AND BY NUMERICALLY ITEMIZING THE SPECIAL USE CATEGORIES SET FORTH THEREIN; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me
this 24th day of May, 1990

Marjorie E. Ouellette

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COUNTY, NEVADA



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