

FIRST AMENDMENT

BILL NO. 90-77

Ordinance No. 3549

AN ORDINANCE RELATING TO LIQUOR CONTROL; REPEALING SECTIONS 300 AND 310 OF TITLE 6, CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 19, CHAPTER 90, OF SAID CODE BY ADDING THERETO A NEW SECTION STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN CERTAIN ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES AND CHURCHES, SYNAGOGUES AND SCHOOLS; STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN TAVERNS OR COMPARABLE ESTABLISHMENTS; REQUIRING THE BOARD OF ZONING ADJUSTMENT, WHEN MAKING ITS RECOMMENDATION TO THE CITY COUNCIL REGARDING A LOCATION FOR WHICH A SPECIAL USE PERMIT APPLICATION HAS BEEN FILED FOR THE SALE OF ALCOHOLIC BEVERAGES, TO RECITE THE BOARD'S OPINION, INCLUDING THE REASONS IN SUPPORT THEREOF, AS TO WHETHER OR NOT WAIVER OF THE APPLICABLE DISTANCE REQUIREMENTS BETWEEN SUCH LOCATIONS AND BETWEEN SUCH LOCATIONS AND CHURCHES, SYNAGOGUES, AND SCHOOLS WOULD BE JUSTIFIABLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by:

Councilman Bob Nolen

Summary: The Board of Zoning Adjustment's recommendation to the City Council regarding an application for a special use permit for sale of alcoholic beverages at a proposed location shall include its opinion as to whether or not the City Council's policy that certain distances be maintained between such locations and between such locations and churches, synagogues and schools should be waived.

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

SECTION 1: Sections 300 and 310, of Title 6, Chapter 50 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

SECTION 2: Title 19, Chapter 90, 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) Pursuant to its general regulatory authority to regulate the sale of alcoholic beverages, the City Council hereby declares that the safety, welfare, health, peace and morals of the City are best promoted and protected by requiring that no

1 beer/wine/cooler on sale, beer/wine/cooler off-sale, beer/wine/
2 cooler on-off-sale, package, or wholesale general business
3 license shall be located within four hundred feet, and no tavern
4 license shall be located within one thousand five hundred feet of
5 any church, synagogue or school, and by requiring that tavern
6 licenses or comparable establishments shall not be located
7 within one thousand five hundred feet of each other, unless it
8 can be shown by convincing and substantial evidence by the
9 applicant that a waiver of said distance requirements will not
10 compromise the aforestated objective of the City Council in
11 safeguarding the interest of the citizens of the City. This
12 subsection does not apply to an establishment which has a
13 nonrestricted gaming license in connection with a hotel having
14 two hundred or more guestrooms.

15 (B) The distances referred to in subsection (A) shall
16 be measured in a straight line from the primary public entrance
17 of the church, synagogue, or school to the primary public
18 entrance of the proposed liquor establishment premises, and in a
19 straight line from the primary public entrance of the proposed
20 tavern to the primary entrance of any existing tavern or
21 comparable establishment, disregarding all intervening obstacles.

22 (C) When considering an application for a special use
23 permit filed in compliance with the provisions of LVMC 6.50.223
24 regarding a location intended to be used as the site of a liquor
25 establishment, the Board of Zoning Adjustment shall take into
26 consideration the distance policies of subsection (A) and shall
27 at the conclusion of the hearing recite as part of its recommen-
28 dation to the City Council regarding said application for special
29 use permit whether in the opinion of the Board the distance
30 requirements of subsection (A) should be waived and the reasons
31 in support of said opinion.

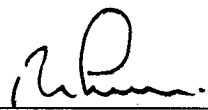
32 SECTION 3: If any section, subsection, subdivision,

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

12 SECTION 4: All ordinances or parts of ordinances,
13 sections, subsections, phrases, sentences, clauses or paragraphs
14 contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED AND APPROVED this 5th day of December,
17 1990.

18 APPROVED:

19
20 By 
21 RON LURIE, MAYOR *OK-12-6908/6*

21 ATTEST:

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23 KATHLEEN M. TIGHE, CITY CLERK
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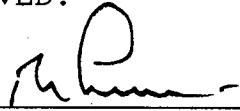
1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the 7th day of November,
3 1990, and referred to the following committee composed of
4 Councilmen Nolen and Miller
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 5th day of December, 1990,
7 which was a regular meeting of said Council; that at said
8 regular 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": Councilmen Adamsen, Higginson, Miller, Nolen and Mayor Lurie

12 VOTING "NAY": NONE

13 ABSENT: NONE

14 APPROVED:

15
16 By 
17 RON LURIE, MAYOR *OK 2-6-90 KAO*

17 ATTEST:

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19 KATHLEEN M. TIGHE, CITY CLERK
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SEE FIRST AMENDMENT

BILL NO. 90-77

Ordinance No. _____

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE 6, CHAPTER 50, SECTION 300, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO NO LONGER INCLUDE TAVERNS UNDER THE PROVISIONS THEREOF; REPEALING SECTION 310 OF SAID TITLE AND CHAPTER; AMENDING TITLE 19, CHAPTER 90, OF SAID CODE BY ADDING A NEW SECTION STATING THE CITY COUNCIL'S POLICY ON DISTANCES BETWEEN TAVERNS AND BETWEEN TAVERNS, CHURCHES, SYNAGOGUES AND SCHOOLS; REQUIRING THE BOARD OF ZONING ADJUSTMENT, WHEN MAKING ITS RECOMMENDATION TO THE CITY COUNCIL CONCERNING AN APPLICATION FOR SPECIAL PERMIT FOR A TAVERN, TO RECITE THE BOARD'S OPINION, INCLUDING THE REASONS IN SUPPORT THEREOF, REGARDING WHETHER WAIVER OF THE FIFTEEN HUNDRED FOOT DISTANCE REQUIREMENT WOULD BE JUSTIFIABLE; 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:

Councilman Bob Nolen

Summary: The Board of Zoning Adjustment's recommendation regarding an application for special use permit for a tavern shall include the Board's opinion, and reasons therefor, regarding waiver of the City Council's policy of requiring a distance of fifteen hundred feet between taverns and taverns, churches, synagogues and schools.

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

SECTION 1: Title 6, Chapter 50, Section 300, of the 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/cooler off-sale, beer/wine/cooler on-off-sale, package, or whole-sale 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 establishments shall be measured in a straight line from the primary public entrance of the church, synagogue or school to the primary public entrance of the proposed premises, disregarding all intervening obstacles. At

1 the request of the applicant, the City Council, in its
2 discretion, may waive this provision based on a con-
3 sideration of the nature and character of the
4 surrounding neighborhood. In connection with such a
5 request, the Department of Business Activity shall give
6 notice to the officials of the affected church, synago-
7 gue or school within a reasonable time prior to the City
8 Council's consideration of the request, in order to per-
9 mit such officials to present their views to the City
10 Council. Any establishment which is included in any of
11 the classifications listed in this Section and with
12 respect to which held a valid license therefor was in
13 existence on[, and any establishment with respect to
14 which preliminary approval for a tavern license had been
15 granted prior to] October 1, 1989, is exempt from the
16 provisions of this Section.

17 SECTION 2: Title 6, Chapter 50, Section 310, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby repealed in its entirety.

20 SECTION 3: Title 19, Chapter 90, of the Municipal
21 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
22 amended by adding thereto a new section reading as follows:

23 19.90.010: (A) In the exercise of its dicretionary authority to
24 grant, deny, revoke, modify, suspend or place con-
25 ditions on liquor licenses, the City Council pur-
26 suant to the provisions of LVMC 6.50.010, hereby
27 declares that the safety, welfare, health, peace
28 and morals of the citizens of the City are best
29 promoted and protected by requiring that taverns be
30 no closer than one thousand five hundred feet to
31 each other, or to any church, synagogue or school,
32 unless it can be shown by convincing and substan-

1 tial evidence by the applicant that a waiver of
2 said distance requirement will not compromise the
3 aforestated objective of the City Council in safe-
4 guarding the interest of the citizens of the City.
5 This subsection does not apply to an establishment
6 which has a nonrestricted gaming license in connec-
7 tion with a hotel having one hundred or more
8 guestrooms.

9 (B) The one thousand five hundred foot distance shall
10 be measured in a straight line from the primary
11 public entrance of the proposed tavern to the pri-
12 mary public entrance of any existing licensed
13 tavern, church, synagogue or school, disregarding
14 all intervening obstacles.

15 (C) The Board of Zoning Adjustment shall take into con-
16 sideration the distance policy of the City Council
17 as set forth in subsection (A) during its hearing
18 on an application for a special use permit for a
19 tavern and shall at the conclusion of the hearing
20 recite as part of its recommendation to the City
21 Council whether in the opinion of the Board the one
22 thousand five hundred foot distance requirements
23 should be waived and the reasons in support of said
24 opinion.

25 SECTION 4: If any section, subsection, subdivision,
26 paragraph, sentence, clause or phrase in this ordinance or any
27 part thereof, is for any reason held to be unconstitutional or
28 invalid or ineffective by any court of competent jurisdiction,
29 such decision shall not affect the validity or effectiveness of
30 the remaining portions of this ordinance or any part thereof.
31 The City Council of the City of Las Vegas, Nevada, hereby
32 declares that it would have passed each section, subsection, sub-

1 division, paragraph, sentence, clause or phrase thereof irrespec-
2 tive of the fact that any one or more sections, subsections, sub-
3 divisions, paragraphs, sentences, clauses or phrases be declared
4 unconstitutional, invalid or ineffective.

5 SECTION 5: Whenever in this ordinance any act is
6 prohibited or is made or declared to be unlawful or an offense or
7 a misdemeanor, or whenever in this ordinance the doing of any act
8 is required or the failure to do any act is made or declared to
9 be unlawful or an offense or a misdemeanor, the doing of such
10 prohibited act or the failure to do any such required act shall
11 constitute a misdemeanor and upon conviction thereof, shall be
12 punished by a fine of not more than \$1,000.00 or by imprisonment
13 for a term of not more than six months, or by any combination of
14 such fine and imprisonment. Any day of any violation of this
15 ordinance shall constitute a separate offense.

16 SECTION 6: All ordinances or parts of ordinances,
17 sections, subsections, phrases, sentences, clauses or paragraphs
18 contained in the Municipal Code of the City of Las Vegas, Nevada,
19 1983 Edition, in conflict herewith are hereby repealed.

20 PASSED, ADOPTED AND APPROVED this ____ day of _____,
21 1990.

22 APPROVED:

23
24 By _____
RON LURIE, MAYOR

25 ATTEST:

26 _____
27 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 _____, 1990, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 1990, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____
VOTING "NAY": _____
ABSENT: _____

APPROVED:

By _____
RON LURIE, MAYOR

ATTEST:

KATHLEEN M. TIGHE, CITY CLERK

RECEIVED

Nov 29 2 43 PM '90

AFFIDAVIT OF PUBLICATION

CITY CLERK

PAS

FIRST AMENDMENT
BILL NO. 90-77
AN ORDINANCE RELATING TO LIQUOR CONTROL; REPEALING SECTIONS 300 AND 310 OF TITLE 6, CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 19, CHAPTER 90, OF SAID CODE BY ADDING THERETO A NEW SECTION STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN CERTAIN ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES AND CHURCHES, SYNAGOGUES AND SCHOOLS; STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN TAVERNS OR COMPARABLE ESTABLISHMENTS; REQUIRING THE BOARD OF ZONING ADJUSTMENT, WHEN MAKING ITS RECOMMENDATION TO THE CITY COUNCIL REGARDING A LOCATION FOR WHICH A SPECIAL USE PERMIT APPLICATION HAS BEEN FILED FOR THE SALE OF ALCOHOLIC BEVERAGES, TO RECITE THE BOARD'S OPINION, INCLUDING THE REASONS IN SUPPORT THEREOF, AS TO WHETHER OR NOT WAIVER OF THE APPLICABLE DISTANCE REQUIREMENTS BETWEEN SUCH LOCATIONS AND BETWEEN SUCH LOCATIONS AND CHURCHES, SYNAGOGUES, AND SCHOOLS WOULD BE JUSTIFIABLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS

OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Councilman
Bob Nolen

Summary: The Board of Zoning Adjustment's recommendation to the City Council regarding an application for a special use permit for sale of alcoholic beverages at a proposed location shall include its opinion as to whether or not the City Council's policy that certain distances be maintained between such locations and between such locations and churches, synagogues and schools should be waived.

At a City Council Meeting
November 7, 1990

BILL NO. 90-77 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Nolen and Miller.

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: November 27, 1990
Las Vegas Review-Journal

RE

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

CHRISTY A. FERGUSON, 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 NOVEMBER 27, 1990 to NOVEMBER 27, 1990, on the following days:

NOVEMBER 27, 1990

Signed

Christy A. Ferguson

Subscribed and sworn to before me this

27th day of Nov., 19 90

Maria C. Therien
Notary Public

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 11, 1994

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AFFIDAVIT OF PUBLICATION

CITY CLERK

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FIRST AMENDMENT
BILL NO. 90-77
ORDINANCE NO.

AN ORDINANCE RELATING TO LIQUOR CONTROL; REPEALING SECTIONS 300 AND 310 OF TITLE 6, CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 19, CHAPTER 90, OF SAID CODE BY ADDING THERETO A NEW SECTION STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN CERTAIN ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES AND CHURCHES, SYNAGOGUES AND SCHOOLS; STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN TAVERNS OR COMPARABLE ESTABLISHMENTS; REQUIRING THE BOARD OF ZONING ADJUSTMENT, WHEN MAKING ITS RECOMMENDATION TO THE CITY COUNCIL REGARDING A LOCATION FOR WHICH A SPECIAL USE PERMIT APPLICATION HAS BEEN FILED FOR THE SALE OF ALCOHOLIC BEVERAGES, TO CITE THE BOARD'S OPINION, INCLUDING THE REASONS IN SUPPORT THEREOF, AS TO WHETHER OR NOT WAIVER OF THE APPLICABLE DISTANCE REQUIREMENTS BETWEEN SUCH LOCATIONS AND BETWEEN SUCH LOCATIONS AND CHURCHES, SYNAGOGUES, AND SCHOOLS WOULD BE JUSTIFIABLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Councilman Bob Nolen

Summary: The Board of Zoning Adjustment's recommendation to the City Council regarding an application for a special use permit for sale of alcoholic beverages at a proposed location shall include its opinion as to whether or not the City Council's policy that certain distances be maintained between such locations and churches, synagogues and schools should be waived.

At A City Council Meeting
November 7, 1990

BILL NO. 90-77 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilman Nolen and Miller.

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: November 23, 1990
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

CHRISTY A. FERGUSON, 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 NOVEMBER 23, 1990 to NOVEMBER 23, 1990, on the following days:

NOVEMBER 23, 1990

Signed:

Christy A. Ferguson

Subscribed and sworn to before me this

23rd day of Nov., 1990

Maria C. Therien
Notary Public

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 11, 1994

RECEIVED

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AFFIDAVIT OF PUBLICATION

CITY CLERK

PA

FIRST AMENDMENT
BILL NO. 90-77
ORDINANCE NO. 3549

HERE

AN ORDINANCE RELATING TO LIQUOR CONTROL; REPEALING SECTIONS 300 AND 310 OF TITLE 6, CHAPTER 30 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 19, CHAPTER 90, OF SAID CODE BY ADDING THERETO A NEW SECTION STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN CERTAIN ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES AND CHURCHES, SYNAGOGUES AND SCHOOLS; STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN TAVERNS OR COMPARABLE ESTABLISHMENTS; REQUIRING THE BOARD OF ZONING ADJUSTMENT, WHEN MAKING ITS RECOMMENDATION TO THE CITY COUNCIL REGARDING A LOCATION FOR WHICH A SPECIAL USE PERMIT APPLICATION HAS BEEN FILED FOR THE SALE OF ALCOHOLIC BEVERAGES, TO RECITE THE BOARD'S OPINION, INCLUDING THE REASONS IN SUPPORT THEREOF, AS TO WHETHER OR NOT WAIVER OF THE APPLICABLE DISTANCE REQUIREMENTS BETWEEN SUCH LOCATIONS AND BETWEEN SUCH LOCATIONS AND CHURCHES, SYNAGOGUES, AND SCHOOLS WOULD BE JUSTIFIABLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

SPONSORED BY:

Councilman Bob Nolen

SUMMARY: The Board of Zoning Adjustment's recommendation to the City Council regarding an application for a special use permit for sale of alcoholic beverages at a proposed location shall include its opinion as to whether or not the City Council's policy that certain distances be maintained between such locations and between such locations and churches, synagogues and schools should be waived.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 7th day of November, 1990, and referred to the following committee composed of Councilmen Nolen and Miller for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 5th day of December, 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, 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: December 8, 1990
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

CHRISTY A. FERGUSON

, 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 DECEMBER 8, 1990 to DECEMBER 8, 1990, on the following days:

DECEMBER 8, 1990

Signed:

Christy A. Ferguson

Subscribed and sworn to before me this

27th day of Feb., 1991

Maria C. Therien
Notary Public

MARIA C. THERIEN

Notary Public-State of Nevada

CLARK COUNTY

My Appointment Expires May 11, 1994

RECEIVED

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AFFIDAVIT OF PUBLICATION

CITY CLERK

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BILL NO. 90-77
ORDINANCE NO. 3549

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AN ORDINANCE RELATING TO LIQUOR CONTROL; REPEALING SECTIONS 300 AND 310 OF TITLE 6, CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 19, CHAPTER 90, OF SAID CODE BY ADDING THERETO A NEW SECTION STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN CERTAIN ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES AND CHURCHES, SYNAGOGUES AND SCHOOLS; STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN TAVERNS OR COMPARABLE ESTABLISHMENTS; REQUIRING THE BOARD OF ZONING ADJUSTMENT, WHEN MAKING ITS RECOMMENDATION TO THE CITY COUNCIL REGARDING A LOCATION FOR WHICH A SPECIAL USE PERMIT APPLICATION HAS BEEN FILED FOR THE SALE OF ALCOHOLIC BEVERAGES, TO RECITE THE BOARD'S OPINION, INCLUDING THE REASONS IN SUPPORT THEREOF, AS TO WHETHER OR NOT WAIVER OF THE APPLICABLE DISTANCE REQUIREMENTS BETWEEN SUCH LOCATIONS AND BETWEEN SUCH LOCATIONS AND CHURCHES, SYNAGOGUES, AND SCHOOLS WOULD BE JUSTIFIABLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:

Councilman Bob Nolen

SUMMARY: The Board of Zoning Adjustment's recommendation to the City Council regarding an application for a special use permit for sale of alcoholic beverages at a proposed location shall include its opinion as to whether or not the City Council's policy that certain distances be maintained between such locations and between such locations and churches, synagogues and schools should be waived.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 7th day of November, 1990, and referred to the following committee composed of Councilmen Nolen and Miller for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 5th day of December, 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, Hipselwood, 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.

PUBLISHED December 8, 1990
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

CHRISTY A. FERGUSON, 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 DECEMBER 8, 1990 to DECEMBER 8, 1990, on the following days:

DECEMBER 8, 1990

Signed:

Christy A. Ferguson

Subscribed and sworn to before me this

27th day of Feb., 1991

Maria C. Therien

Notary Public

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 11, 1994



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AFFIDAVIT OF PUBLICATION

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CITY CLERK

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FIRST AMENDMENT
BILL NO. 90-77
ORDINANCE NO. 3549

RE

AN ORDINANCE RELATING TO LIQUOR CONTROL; REPEALING SECTIONS 300 AND 310 OF TITLE 6, CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 19, CHAPTER 90, OF SAID CODE BY ADDING THERETO A NEW SECTION STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN CERTAIN ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES AND CHURCHES, SYNAGOGUES AND SCHOOLS; STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN TAVERNS OR COMPARABLE ESTABLISHMENTS; REQUIRING THE BOARD OF ZONING ADJUSTMENT, WHEN MAKING ITS RECOMMENDATION TO THE CITY COUNCIL REGARDING A LOCATION FOR WHICH A SPECIAL USE PERMIT APPLICATION HAS BEEN FILED FOR THE SALE OF ALCOHOLIC BEVERAGES, TO RECITE THE BOARD'S OPINION, INCLUDING THE REASONS IN SUPPORT THEREOF, AS TO WHETHER OR NOT WAIVER OF THE APPLICABLE DISTANCE REQUIREMENTS BETWEEN SUCH LOCATIONS AND BETWEEN SUCH LOCATIONS AND CHURCHES, SYNAGOGUES AND SCHOOLS WOULD BE JUSTIFIABLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

SPONSORED BY:

Councilman Bob Nolen

SUMMARY: The Board of Zoning Adjustment's recommendation to the City Council regarding an application for a special use permit for sale of alcoholic beverages at a proposed location shall include its opinion as to whether or not the City Council's policy that certain distances be maintained between such locations and between such locations and churches, synagogues and schools should be waived.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 7th day of November, 1990, and referred to the following committee composed of Councilmen Nolen and Miller for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 5th day of December, 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, 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: December 8, 1990
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

CHRISTY A. FERGUSON, 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 DECEMBER 8, 1990 to DECEMBER 8, 1990, on the following days:

DECEMBER 8, 1990

Signed:

Christy A. Ferguson

Subscribed and sworn to before me this

10th day of Dec, 1990

Maria C. Therien

Notary Public

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 12, 1994



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FIRST AMENDMENT
BILL NO. 90-77
ORDINANCE NO.

AN ORDINANCE RELATING TO LIQUOR CONTROL; REPEALING SECTIONS 300 AND 310 OF TITLE 6, CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING TITLE 19, CHAPTER 90, OF SAID CODE BY ADDING THERETO A NEW SECTION STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN CERTAIN ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES AND CHURCHES, SYNAGOGUES AND SCHOOLS; STATING THE CITY COUNCIL'S POLICY ON DISTANCE REQUIREMENTS BETWEEN TAVERNS OR COMPARABLE ESTABLISHMENTS; REQUIRING THE BOARD OF ZONING ADJUSTMENT, WHEN MAKING ITS RECOMMENDATION TO THE CITY COUNCIL REGARDING A LOCATION FOR WHICH A SPECIAL USE PERMIT APPLICATION HAS BEEN FILED FOR THE SALE OF ALCOHOLIC BEVERAGES, TO RECITE THE BOARD'S OPINION, INCLUDING THE REASONS IN SUPPORT THEREOF, AS TO WHETHER OR NOT WAIVER OF THE APPLICABLE DISTANCE REQUIREMENTS BETWEEN SUCH LOCATIONS AND BETWEEN SUCH LOCATIONS AND CHURCHES, SYNAGOGUES, AND SCHOOLS WOULD BE JUSTIFIABLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by: Councilman Bob Nolen.

Summary: The Board of Zoning Adjustment's recommendation to the City Council regarding an application for a special use permit for sale of alcoholic beverages at a proposed location shall include its opinion as to whether or not the City Council's policy that certain distances be maintained between such locations and churches, synagogues, and schools should be waived.

At A City Council Meeting
November 7, 1990
BILL NO. 90-77 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE Councilmen Nolen and Miller.

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: November 23, 1990
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CHRISTY A. FERGUSON, 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 NOVEMBER 23, 1990 to NOVEMBER 23, 1990, on the following days:

NOVEMBER 23, 1990

Signed:

Subscribed and sworn to before me this

23rd day of Nov, 1990

Maria C. Therien

Notary Public

MARIA C. THERIEN
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires May 11, 1994



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