

FIRST AMENDMENT

BILL NO. 99-70

ORDINANCE NO. 5189

AN ORDINANCE AMENDING THE LAS VEGAS MUNICIPAL CODE BY LIMITING THE USE OF GLASS AND METAL BEVERAGE CONTAINERS AT CERTAIN SPECIAL EVENTS, AND PROVIDING FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent, Director
Finance and Business Services

Summary: Limits the use of glass and metal
beverage containers at certain special events.

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

SECTION 1: Title 6, Chapter 50, Section 385, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.385: It is unlawful for any person to sell any alcoholic beverage in any glass or metal container at any special event which is described in Subsection (A) of Section 6.78.045, as follows:

(A) Between the hours of 6:00 P.M. on December 31st and 6:00 A.M. on January 1st of each year.

(B) Between the hours of 6:00 P.M. on July 4th and 6:00 A.M. on July 5th of each year.

(C) During the period of time beginning two hours before the start of the special event and ending two hours after the special event is over.

SECTION 2: Title 6, Chapter 78, Section 45, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.78.045: (A) For any special event that will take place on New Years Eve, the 4th of July, or at any other time at which more than one thousand spectators or participants are expected to attend, the provisions of Section 6.50.385 shall apply.

(B) The producer or promoter of a special event described in Subsection (A) of this Section shall ensure that notice regarding the prohibitions contained in Section 10.76.020 is prominently posted at all entrances to the special event, or distributed to spectators or participants at the point of entrance, and is included in any advertising or publicity regarding the event.

SECTION 3: Title 10, Chapter 76, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 20, reading as follows:

10.76.020: (A) For any special event that will take place on New Years Eve, the 4th of July, or at any other time at which more than one thousand spectators or participants are expected to attend, it is unlawful for any person to possess or consume an alcoholic beverage in any glass or metal container during any of the following times if the producer or promoter has complied with the provisions of Subsection (B) of Section 6.78.045:

(1) Between the hours of 6:00 P.M. on December 31st and 6:00 A.M. on January 1st of each year.

(2) Between the hours of 6:00 P.M. on July 4th and 6:00 A.M. on July 5th of each year.

(3) During the period of time beginning two hours before the start of the special event and ending two hours after the special event is over.

(B) The provisions of Paragraph (3) of Subsection (A) of this Section do not apply to any special event that takes place within the boundaries of the Pedestrian Mall described in LVMC 11.68.040.

SECTION 4: Title 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 77, consisting of Sections 10 to 30, inclusive, reading as follows:

10.77.010: As used in this Chapter, unless the context otherwise requires, the following terms shall have the meanings ascribed to them:

“Right-of-way” means any publicly-owned property which is dedicated for use as a street, alley, or other means of vehicular access, and includes any publicly-owned area which is used as a sidewalk or walkway for the use of pedestrians.

“Special event” includes sporting events, competitive races, athletic activities, block parties, grand openings, fireworks displays, building implosions, and other similar types of entertainment which are not offered on a continuous basis, whether or not a fee is charged for

admission, entrance or other participation. The term includes but is not limited to events which require the closure of one or more rights-of-way or portions thereof.

10.77.020: Except as otherwise provided in Section 10.77.030, it is unlawful for any person to be in possession of any glass or metal container which is fit for beverage purposes or intended for beverage purposes while that person is:

(A) Attending or participating in a special event; and

(B) On any right-of-way which is temporarily closed to vehicular traffic during the following times:

(1) Between the hours of 6:00 P.M. on December 31st and 6:00 A.M. on January 1st of each year.

(2) Between the hours of 6:00 P.M. on July 4th and 6:00 A.M. on July 5th of each year.

(3) During the period of time beginning two hours before the start of the special event and ending two hours after the special event is over.

10.77.030: The provisions of Paragraph (3) of Subsection (B) of Section 10.77.020 do not apply to any special event that takes place within the boundaries of the Pedestrian Mall described in LVMC 11.68.040.

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

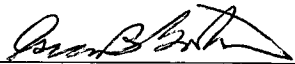
SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a

1 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
2 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
3 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
4 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

5 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
6 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
7 1983 Edition, in conflict herewith are hereby repealed.

8 PASSED, ADOPTED and APPROVED this 15th day of December, 1999.

9 APPROVED:

10 By 
11 OSCAR B. GOODMAN, Mayor

12 ATTEST:

13 
14 BARBARA JO RONEMUS, City Clerk

15 APPROVED AS TO FORM:

16 Val Heed 12-14-99
17 Date

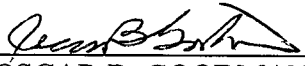
1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 1st day of December, 1999 and referred to the following committee composed of the
3 Councilmen Brown and M. McDonald for recommendation; thereafter the said committee
4 reported favorably on said ordinance on the 15th day of December, 1999 which was a regular
5 meeting of said Council; that at said regular meeting, the proposed ordinance was read by title
6 to the City Council as first amendment and adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, M. McDonald, Brown and
8 L. McDonald

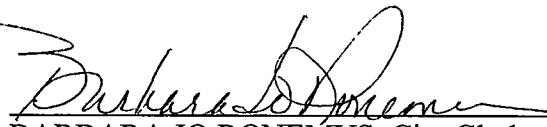
9 VOTING "NAY": NONE

10 EXCUSED: NONE

11 APPROVED:

12
13 
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 
17 BARBARA JO RONEMUS, City Clerk

BILL NO. 99-70

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE LAS VEGAS MUNICIPAL CODE BY LIMITING THE USE OF GLASS AND METAL BEVERAGE CONTAINERS AT CERTAIN SPECIAL EVENTS, AND PROVIDING FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent, Director
Finance and Business Services

Summary: Limits the use of glass and metal
beverage containers at certain special events.

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

SECTION 1: Title 6, Chapter 50, Section 385, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.385: It is unlawful for any person to sell any alcoholic beverage in any glass or metal container at any special event which is described in Subsection (A) of Section 6.78.045, as follows:

(A) Between the hours of 6:00 P.M. on December 31st and 6:00 A.M. on January 1st of each year.

(B) Between the hours of 6:00 P.M. on July 4th and 6:00 A.M. on July 5th of each year.

(C) During the period of time beginning two hours before the start of the special event and ending two hours after the special event is over.

SECTION 2: Title 6, Chapter 78, Section 45, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.78.045: (A) For any special event that will take place on New Years Eve, the 4th of July, or at any other time at which more than one thousand spectators or participants are expected to attend, the provisions of Section 6.50.385 shall apply.

(B) The producer or promoter of a special event described in Subsection (A) of this Section shall ensure that notice regarding the prohibitions contained in Section 10.76.020 is prominently posted at all entrances to the special event, or distributed to spectators or participants at the point of entrance, and is included in any advertising or publicity regarding the event.

SECTION 3: Title 10, Chapter 76, of the Municipal Code of the City of Las Vegas,

1 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 20,
2 reading as follows:

3 **10.76.020:** For any special event that will take place on New Years Eve, the 4th of July, or at any
4 other time at which more than one thousand spectators or participants are expected to attend, it is
5 unlawful for any person to possess or consume an alcoholic beverage in any glass or metal container
6 during any of the following times if the producer or promoter has complied with the provisions of
7 Subsection (B) of Section 6.78.045:

8 (A) Between the hours of 6:00 P.M. on December 31st and 6:00 A.M. on January
9 1st of each year.

10 (B) Between the hours of 6:00 P.M. on July 4th and 6:00 A.M. on July 5th of each
11 year.

12 (C) During the period of time beginning two hours before the start of the special
13 event and ending two hours after the special event is over.

14 SECTION 4: Title 10 of the Municipal Code of the City of Las Vegas, Nevada, 1983
15 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 77, consisting of
16 Sections 10 and 20, reading as follows:

17 **10.77.010:** As used in this Chapter, unless the context otherwise requires, the following terms shall
18 have the meanings ascribed to them:

19 "Right-of-way" means any publicly-owned property which is dedicated for use as a
20 street, alley, or other means of vehicular access, and includes any publicly-owned area which is used
21 as a sidewalk or walkway for the use of pedestrians.

22 "Special event" includes sporting events, competitive races, athletic activities, block
23 parties, grand openings, fireworks displays, building implosions, and other similar types of
24 entertainment which are not offered on a continuous basis, whether or not a fee is charged for
25 admission, entrance or other participation. The term includes but is not limited to events which
26 require the closure of one or more rights-of-way or portions thereof.

27 **10.77.020:** It is unlawful for any person to be in possession of any glass or metal container which
28 is fit for beverage purposes or intended for beverage purposes while that person is:

- 1 (A) Attending or participating in a special event; and
- 2 (B) On any right-of-way which is temporarily closed to vehicular traffic during the
- 3 following times:
- 4 (1) Between the hours of 6:00 P.M. on December 31st and 6:00 A.M. on
- 5 January 1st of each year.
- 6 (2) Between the hours of 6:00 P.M. on July 4th and 6:00 A.M. on July 5th
- 7 of each year.
- 8 (3) During the period of time beginning two hours before the start of the
- 9 special event and ending two hours after the special event is over.

10 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or

11 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid

12 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

13 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

14 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

15 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

16 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,

17 invalid or ineffective.

18 SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared

19 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is

20 required or the failure to do any act is made or declared to be unlawful or an offense or a

21 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall

22 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than

23 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such

24 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

25 ...

26 ...

27 ...

28 ...

1 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this ____ day of _____, 1999.

5 APPROVED:

6
7 By _____
OSCAR B. GOODMAN, Mayor

8 ATTEST:

9
10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 11-18-99
13 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 1999, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 1999, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk

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RECEIVED
CITY CLERK

1999 DEC 10 A 10:35

AFFP. DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

Barbara Linford, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun; daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
1026902

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/03/99 to 12/03/1999, on the following days: DECEMBER 3, 1999

Signed:

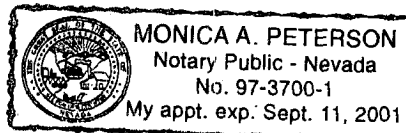
Barbara Linford
31

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of Dec 1999

Monica A. Peterson

Notary Public



BILL NO. 99-70

AN ORDINANCE AMENDING THE LAS VEGAS MUNICIPAL CODE BY LIMITING THE USE OF GLASS AND METAL BEVERAGE CONTAINERS AT CERTAIN SPECIAL EVENTS, AND PROVIDING FOR OTHER RELATED MATTERS

Proposed by: Mark Vincent, Director of Finance Business Services
Summary: Limits the use of glass and metal beverage containers at certain special events.

At a City Council meeting
DECEMBER 1, 1999
BILL NO. 99-70 WAS READ BY TITLE
AND REFERRED TO RECOMMENDING
COMMITTEE: Councilmen M. McDonald
and Brown

COPIES OF THE COMPLETE BILL ARE
AVAILABLE FOR PUBLIC INFORMATION
IN THE OFFICE OF THE CITY CLERK,
1ST FLOOR, CITY HALL, 400 EAST
STEWART AVENUE, LAS VEGAS,
NEVADA.
PUB: December 3, 1999
Las Vegas Review-Journal

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Gala Johnson, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
1043712

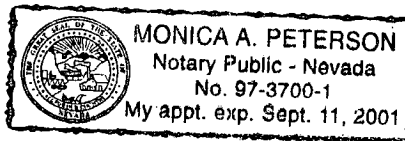
2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1
edition(s) of said newspaper issued from 12/17/99 to 12/17/1999, on
the following days: DECEMBER 17, 1999

Signed: Gala Johnson

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of Dec 1999
Monica A. Peterson
Notary Public



FIRST AMENDMENT BILL NO. 99-70 ORDINANCE NO. 5189
AN ORDINANCE AMENDING THE LAS
VEGAS MUNICIPAL CODE BY LIMITING THE USE OF GLASS AND METAL BEV- ERAGE CONTAINERS AT CERTAIN SPE- CIAL EVENTS, AND PROVIDING FOR OTHER RELATED MATTERS
Proposed by: Mark Vincent, Director of Finance Business Services Summary: Limits the use of glass and metal beverage containers at certain special events.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of De- cember, 1999 and referred to the fol- lowing committee composed of Coun- cilmembers Brown and M. McDonald for recommendation; thereafter the said committee reported favorably on said ordinance on the 15th day of Decem- ber, 1999, which was a regular meet- ing of said City Council; and that said regular meeting the proposed ordi- nance was read by title to the City Council as first amendment and adopt- ed by the following vote:
VOTING "AYE" Mayor Goodman and Councilmembers M. McDonald, Reese, Brown, L. McDonald VOTING "NAY" NONE EXCUSED: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMAT- ION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEW- ART AVENUE, LAS VEGAS, NEVADA. PUB: December 17, 1999 Las Vegas Review-Journal

RECEIVED
CITY CLERK
1999 DEC 30 A 10:25