

BILL NO. 2002-34

ORDINANCE NO. 5456

AN ORDINANCE AMENDING THE BUSINESS LICENSING REQUIREMENTS FOR FIXED AND NON-FIXED PLACES OF BUSINESSES, PERMANENT OR TEMPORARY IN NATURE; IMPLEMENTING NEW REPORTING AND RECORD KEEPING REQUIREMENTS FOR CERTAIN BUSINESSES; AND PROVIDING FOR ALL OTHER MATTERS PROPERLY RELATING THERETO.

Proposed by: Mark Vincent,
Director of Finance and Business Services

Summary: Amends licensing, record keeping
and reporting requirements for businesses.

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

SECTION 1: Title 6, Chapter 2, Section 80, of the Municipal Code of the City of Las Vegas, 1983 Edition, is hereby amended to read as follows:

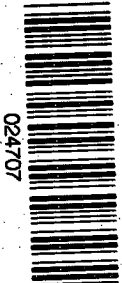
6.02.080: (A) Any person who desires to engage in business shall first apply for and obtain the appropriate license. The license application shall be filed with the Department on forms acceptable to the Department. The applicant shall furnish all the information required by the Department including, but not limited to:

- (1) The applicant's business organization and structure;
- (2) The proposed business operation and location;
- (3) The name and address of each principal;
- (4) Copies of all other licenses or permits required by local, state or federal law to engage in the proposed business; and

(5) Any other information that reasonably relates, or may lead to information that reasonably relates, to the applicant's qualification, acceptability or fitness for a license.

(B) The applicant must sign the application for license acknowledging [affirming, under pains and penalty of perjury,] that all the information furnished by the applicant is true, accurate and current.

SECTION 2: Title 6, Chapter 2, Section 120, of the Municipal Code of the City of Las Vegas, 1983 Edition, is hereby amended to read as follows:



1 **6.02.120:** (A) Except as otherwise provided in Subsection (B) of this Section, [A] a business
2 license shall only be issued if the applicant has a fixed place of business from which the business will
3 actually be conducted, [, unless this Code specifically states otherwise.]

4 (B) A mobile business license may be issued to an applicant whose business
5 operations are conducted exclusively from other than a fixed place of business within the City,
6 including door-to-door operations and operations conducted from a motorized vehicle.

7 SECTION 4: Title 6, Chapter 2, Section 130, of the Municipal Code of the City of
8 Las Vegas, 1983 Edition, is hereby amended to read as follows:

9 **6.02.130:** No license to conduct any business or occupation which is regulated and licensed under
10 any provision of the Nevada Revised Statutes shall be issued unless and until a State license has been
11 obtained therefor; provided, however, a temporary license may be issued pursuant to LVMC 6.02.070
12 if the issuance of a State license is conditioned upon the prior approval or issuance of a City license.

13 SECTION 5: Title 6, Chapter 2, Section 150, of the Municipal Code of the City of
14 Las Vegas, 1983 Edition, is hereby amended to read as follows:

15 **6.02.150:** Separate licenses or permits must be obtained for each branch establishment or separate
16 place of business, whether the activity is intended to be permanent or temporary, and a license must
17 be obtained for every class and type of businesses in this Code specified, even though several classes
18 or types of business may be operated by the same person and at the same place of business; provided,
19 that any person conducting several classes or types of businesses, each of which is required by Section
20 6.04.005 to pay a license fee on the basis of gross sales, at the same location and under the same
21 business name, shall be required to apply for and obtain only one license.

22 SECTION 6: Title 6, Chapter 2, Section 210, of the Municipal Code of the City of
23 Las Vegas, 1983 Edition, is hereby amended to read as follows:

24 **6.02.210:** (A) The Director [of Finance and Business Services] and any other person
25 designated by him shall have access to the books of such businesses as are contemplated in Section
26 6.02.180 et seq. for the purpose of auditing the amount of gross sales[.] and inventory, as applicable.

27 (B) It is unlawful for a licensee to fail to keep adequate records of gross sales and
28 of inventory (where applicable), and to fail to produce adequate records to the Director [of Finance

and Business Services] within seventy-two hours on demand by the Director [of Finance and Business Services] or any other person designated by him. ["Adequate records" means original copies of all sales invoices and credit slips for a period of one year preceding the date of the audit and all cash receipts journals for a period of three years preceding the date of the audit.]

(C) "Adequate records" for the purpose of this Section means:

(1) Original copies of all sales invoices and credit slips for a period of one year preceding the date of the audit and all cash receipts journals for a period of three years preceding the date of the audit;

(2) The additional records described in Subsection (D) of this Section, for the following types of licensees:

(a) Licensees engaged in the sale of liquor; and

(b) Licensees who:

(i) Are engaged in the sale, rental or trade of sexual novelties or books, films, videotapes, discs, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified anatomical areas or specified sexual activities, as those terms are defined in LVMC 6.06A.010, and who have been identified by the Director as having a significant inventory of such materials; and

(ii) Have been requested by the Director in writing to keep such records and to make them available.

(D) Licensees described in Subsection (C)(2) of this Section shall keep and make available the following records:

(a) A floor plan of the licensee's retail space, including any on-premises storage space;

(b) Inventory reports, including product description and price extension, for a period of one year preceding the date of the audit; and

(c) Purchase orders, for a period of one year preceding the date of the audit.

[(C)] (E) The information received from the licensee under this Section shall be

1 confidential and available to only those City employees concerned in such matters.

2 SECTION 7: Title 6, Chapter 2, Section 230, of the Municipal Code of the City of
3 Las Vegas, 1983 Edition, is hereby amended to read as follows:

4 **6.02.230:** In order to renew a license the licensee must pay the appropriate license tax, and where
5 the tax is based upon gross sales or amount of business, the licensee shall [certify] declare the gross
6 sales or amount of business he did in the last preceding period.

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

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

22 SECTION 10: All ordinances or parts of ordinances or sections, subsections, phrases,

23 ...

24 ...

25 ...

26 ...

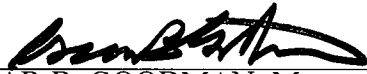
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28 ...

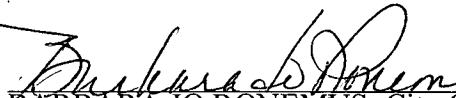
1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 20 day of March, 2002.

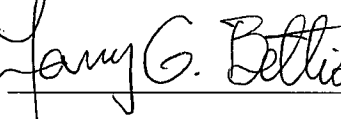
4 APPROVED:

5
6 By 
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8 
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11  2-7-02
12 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 20th day of February, 2002, and referred to a committee for recommendation; thereafter the
3 committee reported favorably on said ordinance on the 20th day of March, 2002, which was a
4 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by
5 title to the City Council as first introduced and adopted by the following vote:

6 VOTING "AYE": Councilmembers Reese, M. McDonald, Brown, L. B. McDonald, Weekly
and Mack

7 VOTING "NAY": None

8 EXCUSED: Mayor Goodman

9
10 APPROVED:

11 

12 OSCAR B. GOODMAN, Mayor

13 ATTEST:

14 
15 BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Beverlee Marrott, 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
2108416

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/08/02 to 03/08/2002, on the following days: MAR. 8, 2002

Signed:

Beverlee Marrott

SUBSCRIBED AND SWORN BEFORE ME THIS THE

8

day of March 2002

Mary B. Sheffield

Notary Public

BILL NO. 2002-34

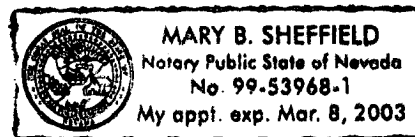
AN ORDINANCE AMENDING THE BUSINESS LICENSING REQUIREMENTS FOR FIXED AND NON-FIXED PLACES OF BUSINESSES, PERMANENT OR TEMPORARY IN NATURE; IMPLEMENTING NEW REPORTING AND RECORD KEEPING REQUIREMENTS FOR CERTAIN BUSINESSES; AND PROVIDING FOR ALL OTHER MATTERS PROPERLY RELATING THERETO.

Proposed by: Mark Vin-

cent, Director of Finance and Business Services
Summary: Amends licensing, record keeping and reporting requirements for businesses.

At a City Council meeting FEBRUARY 20, 2002
BILL NO. 2002-34 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, CITY HALL, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: March 8, 2002
LV Review-Journal



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AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, 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
2128464

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/23/02 to 03/23/2002, on the following days: MARCH 23, 2002

BILL NO. 2002-34
ORDINANCE NO. 5456

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of February, 2002, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20TH day of March, 2002, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Councilmembers Reese, M. McDonald, Brown, L.B. McDonald, Weekly and Mack
VOTING "NAY": NONE
EXCUSED: Mayor Goodman

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA. PUB: March 23, 2002 LV Review-Journal

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

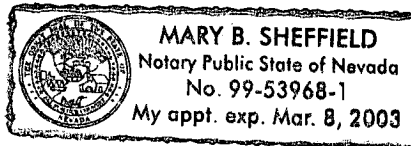
27

day of _____ 2002

March

Mary B. Sheffield

Notary Public



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