

BILL NO. 92-9

ORDINANCE No. 3638

AN ORDINANCE RELATING TO GAMING; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING THE DEFINITION OF "RESORT HOTEL" AS A FACILITY HAVING A RESTAURANT AND SEPARATE BAR OF MINIMUM PATRON SIZE, GAMING AREAS, LOBBY AREA, A MINIMUM OF 201 GUESTROOMS, AND PERMITTING GUESTROOM COOKING FACILITIES; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER BY REQUIRING A MINIMUM OF 201 GUESTROOMS AT A RESORT HOTEL; BY PERMITTING A RACE BOOK AND SPORTS POOL LICENSE TO BE ISSUED TO A LOCATION OTHER THAN A RESORT HOTEL; RESTRICTING NONRESTRICTED GAMING TO LOCATIONS LICENSED FOR RESORT HOTELS, SPORTS POOLS OR RACE BOOKS AFTER JULY 1, 1992; BY ADDING A NEW SECTION TO SAID TITLE AND CHAPTER SETTING FORTH THE REQUIREMENTS FOR PROVIDING FOOD COOKING APPLIANCES IN THE GUESTROOMS OF HOTELS LICENSED FOR NONRESTRICTED GAMING; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by:	Summary: Defines the term "Resort
Councilman Arnie Adamsen	Hotel" and includes within the defi-
	nition provisions providing for a
	bar, a restaurant, a lobby,
	guestrooms in excess of 200, and
	permitting food cooking facilities
	in guestrooms of hotels licensed for
	nonrestricted gaming. Limits
	nonrestricted gaming to resort
	hotel, race book and sports pool
	locations after July 1, 1992.

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

SECTION 1: Title 6, Chapter 40, Section 20, of the
Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
hereby amended to read as follows:

6.40.020: As used in this Chapter, unless the context other-
wise requires, the following words shall have the meaning
ascribed:

(A) "Game" or "gambling game" means any banking or percen-
tage game played with cards, dice or any mechanical, electro-
mechanical or electronic device or machine for money, property,
checks, credit or any representative of value, including, without
limiting the generality of the foregoing, faro, monte, roulette,
keno, bingo, fan-tan, twenty-one, blackjack, seven-and-a-half,

1 big injun, klondike, craps, poker chuck-a-luck, Chinese chuck-a-
2 luck (dai shu), wheel of fortune, chemin de fer, baccarat, pai
3 gow, beat the banker, panguingui, slot machine, or any other game
4 or device approved by the Nevada Gaming Commission, but does not
5 include social games played solely for drinks, or cigars or
6 cigarettes served individually, or games played in private homes
7 or residences for prizes or games operated by charitable or edu-
8 cational organizations which have been approved by the State
9 Gaming Control Board.

10 (B) "Gaming" or "gambling" means to deal, operate, carry on,
11 conduct, maintain or expose for play any game, sports book, pari-
12 mutuel or any other form of wagering.

13 (C) "Hotel" means a building or a complex of buildings which
14 are designed and integrated to clearly demonstrate the appearance
15 of one facility wherein:

16 (1) Sleeping accommodations are provided in guestrooms
17 at daily rates to tourists or transient guests; [and]

18 (2) No provision is made for cooking food in any
19 guestroom, except as permitted by the provisions of this Chapter;
20 and

21 (3) There is integrated into the facility near the area
22 where licensed games are provided at least one restaurant and a
23 lobby for the guests to check in and out and receive messages.

24 (D) "Nonrestricted license" and "nonrestricted gaming" means
25 a gaming license for, or an operation consisting of, sixteen or
26 more slot machines or a license for, or an operation consisting
27 of, any number of slot machines together with any other game,
28 gaming device, race book or sports pool at one establishment.

29 (E) "Race book information service" means any person, other
30 than one who provides a televised broadcast without charge to any
31 person [other than one who provides a televised broadcast without
32 charge to any person] who receives such broadcast, who furnishes

1 an operator of a race book, sports pool or gambling game who is
2 licensed in the State with information that relates to horse
3 racing or other racing which is used to determine the winners of,
4 or payoffs on, wagers that are accepted by such operator.

5 (F) "Racehorse book" or "race book" means a sports pool on
6 horseraces.

7 (G) "Restricted license" and "restricted gaming" means a
8 gaming license for, or an operation consisting of, not more than
9 fifteen slot machines, incidental to the primary business at the
10 establishment, and no other game or gaming device at the
11 establishment.

12 (H) "Slot machine" means any mechanical, electrical or other
13 device, contrivance or machine which, upon insertion of a coin,
14 token or similar object therein, or upon payment of any con-
15 sideration whatsoever, is available to play or operate, the play
16 or operation of which, whether by reason of the skill of the
17 operator or application of the element of chance, or both, may
18 deliver or entitle the person playing or operating the machine to
19 receive cash, premiums, merchandise, tokens or anything of value
20 whatsoever, whether the payoff is made automatically from the
21 machine or in any other manner whatsoever.

22 If a machine has multiple capacities the Director of
23 Business Activity shall make a determination, consistent with the
24 determination made by the State Gaming Control Board, whether the
25 machine constitutes two or more slot machines for the purpose of
26 this Chapter based on the number of payout devices, coin recep-
27 tacles or slots, handles or other devices for multiple players,
28 or means of determining winnings.

29 (I) "Slot operator" means a licensee engaged in the business
30 of placing slot machines upon the business premises of another
31 under any agreement whereby consideration is paid or is payable
32 for the placement of such slot machines, whether the considera-

1 tion is measured by a percentage of revenue derived from such
2 machines or by a fixed fee or otherwise.

3 (J) "Sports pool" means the business of accepting wagers on
4 sporting events by any system or method of wagering other than
5 the system known as the parimutuel method of wagering.

6 SECTION 2: Title 6, Chapter 40, of the Municipal
7 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
8 amended by adding thereto a new Section reading as follows:

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15 checks, credit or any representative of value, including, without
16 limiting the generality of the foregoing, faro, monte, roulette,
17 keno, bingo, fan-tan, twenty-one, blackjack, seven-and-a-half,
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20 gow, beat the banker, panguingui, slot machine, or any other game
21 or device approved by the Nevada Gaming Commission, but does not
22 include social games played solely for drinks, or cigars or
23 cigarettes served individually, or games played in private homes
24 or residences for prizes or games operated by charitable or edu-
25 cational organizations which have been approved by the State
26 Gaming Control Board.

27 (B) "Gaming" or "gambling" means to deal, operate, carry on,
28 conduct, maintain or expose for play any game, sports book, pari-
29 mutuel or any other form of wagering.

30 [(C) "Hotel" means a building or a complex of buildings which
31 are designed and integrated to clearly demonstrate the appearance
32 of one facility wherein:

1 (1) Sleeping accommodations are provided in guestrooms
2 at daily rates to tourists or transient guests;

3 (2) No provision is made for cooking food in any
4 guestroom; and

5 (3) There is integrated into the facility near the area
6 where licensed games are provided at least one restaurant and a
7 lobby for the guests to check in and out and receive messages.

8 (D)](C) "Nonrestricted license" and "nonrestricted gaming"
9 means a gaming license for, or an operation consisting of, six-
10 teen or more slot machines or a license for, or an operation con-
11 sisting of, any number of slot machines together with any other
12 game, gaming device, race book or sports pool at one establish-
13 ment.

14 [(E)](D) "Race book information service" means any person,
15 other than one who provides a televised broadcast without charge
16 to any person [other than one who provides a televised broadcast
17 without charge to any person] who receives such broadcast, who
18 furnishes an operator of a race book, sports pool or gambling
19 game who is licensed in the State with information that relates
20 to horse racing or other racing which is used to determine the
21 winners of, or payoffs on, wagers that are accepted by such
22 operator.

23 [(F)](E) "Racehorse book" or "race book" means a sports pool
24 on horseraces.

25 [(G)](F) "Resort hotel" means a building or a group of
26 buildings which are designed and integrated to clearly
27 demonstrate the appearance of one facility wherein:

28 (1) Sleeping accommodations are provided in guestrooms
29 at daily rates to tourists or transient guests;

30 (2) No provision is made for cooking food in any
31 guestroom, except as permitted by the provisions of this
32 Chapter;

1 (3) There is a gaming area within the building or group
2 of buildings;

3 (4) There are more than 200 guestrooms available for
4 sleeping accommodations;

5 (5) There is integrated into the facility near the area
6 where licensed games are provided at least one restaurant with
7 permanent seating capacity for more than 60 patrons that is open
8 to the public 24 hours each day and 7 days each week;

9 (6) There is a lobby near the restaurant and licensed
10 games for the guests to check in and out and receive messages;
11 and

12 (7) There is at least one bar with permanent seating
13 capacity for more than 30 patrons that serves alcoholic beverages
14 sold by the drink for consumption on the premises.

15 (G) "Restricted license" and "restricted gaming" means a
16 gaming license for, or an operation consisting of, not more than
17 fifteen slot machines, incidental to the primary business at the
18 establishment, and no other game or gaming device at the
19 establishment.

20 (H) "Slot machine" means any mechanical, electrical or other
21 device, contrivance or machine which, upon insertion of a coin,
22 token or similar object therein, or upon payment of any con-
23 sideration whatsoever, is available to play or operate, the play
24 or operation of which, whether by reason of the skill of the
25 operator or application of the element of chance, or both, may
26 deliver or entitle the person playing or operating the machine to
27 receive cash, premiums, merchandise, tokens or anything of value
28 whatsoever, whether the payoff is made automatically from the
29 machine or in any other manner whatsoever.

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31 Business Activity shall make a determination, consistent with the
32 determination made by the State Gaming Control Board, whether the

1 machine constitutes two or more slot machines for the purpose of
2 this Chapter based on the number of payout devices, coin recep-
3 tacles or slots, handles or other devices for multiple players,
4 or means of determining winnings.

5 (I) "Slot operator" means a licensee engaged in the business
6 of placing slot machines upon the business premises of another
7 under any agreement whereby consideration is paid or is payable
8 for the placement of such slot machines, whether the con-
9 sideration is measured by a percentage of revenue derived from
10 such machines or by a fixed fee or otherwise.

11 (J) "Sports pool" means the business of accepting wagers on
12 sporting events by any system or method of wagering other than
13 the system known as the parimutuel method of wagering.

14 SECTION 3: Title 6, Chapter 40, 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 Hotels licensed for gaming may have guestrooms furnished
18 with provisions for cooking food subject to the following con-
19 ditions:

20 (A) The City Council has given its prior approval.

21 (B) The construction, installation and maintenance of
22 the appliances for cooking food shall be done in accordance with
23 applicable City building, safety and fire codes.

24 (C) The appliances provided for cooking food must be
25 permanently installed and must be permanently connected to a
26 dedicated appliance electrical circuit or gas supply.

27 SECTION 4: Title 6, Chapter 40, 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 Resort hotels licensed for gaming may have guestrooms
31 furnished with provisions for cooking food subject to the
32 following conditions:

1 (A) The City Council has given its prior approval.

2 (B) The construction, installation and maintenance of
3 the appliances for cooking food shall be done in accordance with
4 applicable City building, safety and fire codes.

5 (C) The appliances provided for cooking food must be
6 permanently installed and must be permanently connected to a
7 dedicated appliance electrical circuit or gas supply.

8 SECTION 5: Title 6, Chapter 40, Section 150, of the
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
10 hereby amended to read as follows:

11 6.40.150: (A) No nonrestricted gaming shall be conducted,
12 maintained or operated in the City except:

13 (1) At a location which:

14 (a) On November 1, 1988, was licensed for
15 nonrestricted gaming,

16 (b) Consists, or when the same is constructed will
17 consist, of a restaurant which has full kitchen facilities and is
18 located within a free-standing building that contains in excess
19 of three thousand square feet of usable floor space under one
20 roof and is separated along its entire exterior perimeter from
21 any other commercial establishment either by a property line or
22 by an unobstructed open area at least ten feet in width and with
23 respect to which, on April 1, 1989, a tavern license had been
24 issued pursuant to LVMC 6.50.050 or preliminary approval for a
25 tavern license had been granted pursuant to LVMC 6.06.050, as the
26 case may be, and an application for [norestriced] nonrestricted
27 gaming had been filed with the State, or

28 (c) Consists of a licensed business premises that
29 contains in excess of nine thousand square feet of usable floor
30 space under one roof within which the gaming is, at all times,
31 under the supervision of an attendant whose duties shall be
32 limited solely to the making of change and supervising such

1 gaming and with respect to which, on April 1, 1989, an applica-
2 tion for nonrestricted gaming had been filed with the State[,];
3 provided, however, that such gaming shall be limited to the
4 operation of not more than thirty-five slot machines at any such
5 location that, on April 1, 1989, was licensed for slot machines
6 only;

7 (2) At a location which:

8 (a) Is situated within the area that is bounded by
9 the east side of Main Street, the south side of Stewart Avenue,
10 the west side of Third street, and the north side of Carson Ave-
11 nue, or

12 (b) Fronts on either side of Jackson Avenue be-
13 tween "D" Street and "G" Street or on either side of Owens Avenue
14 between "H" Street and Martin Luther King Boulevard
15 and with respect to which, on April 1, 1989, an application for
16 nonrestricted gaming had been filed with the State;

17 (3) In a resort hotel which[:

18 (a) Has at least two hundred guestrooms that are
19 available to the public, or

20 (b) On February 1, 1989, had at least eighty
21 guestrooms that continue to be available to the public, and the
22 requirement for the other one hundred twenty guestrooms has been
23 waived;] has in excess of two hundred guestrooms that are
24 available to the public. The provisions of this subparagraph do
25 not apply to those hotel establishments holding a nonrestricted
26 gaming license issued before July 1, 1992, unless the
27 establishment ceases gaming operations for more than 2 years
28 after July 1, 1992;

29 (4) At a location with respect to which a tavern
30 license [is issued] has been applied for or issued pursuant to
31 LVMC 6.50.050[;] prior to July 1, 1992; provided, however, that
32 such gaming shall be limited to the operation of not more than

1 twenty slot machines; or

2 (5) In a retail outlet that contains at least five
3 thousand square feet of usable floor space and with respect to
4 which a special use permit for a general business related gaming
5 establishment, as that term is defined in LVMC 19.04.417, [is]
6 has been applied for or has been obtained in accordance with LVMC
7 Title 19[;] prior to July 1, 1992; provided, however, that such
8 gaming shall be limited to the operation of not more than twenty
9 slot machines.

10 (6) At a location which a race book or sports pool
11 gaming license has been issued.

12 (B) Notwithstanding anything to the contrary that is pro-
13 vided in, or may be implied from, subsection (A) of this Section
14 or Title 19 of this Code, effective January 1, 1990, no
15 nonrestricted gaming shall be conducted, maintained, or operated
16 on any parcel of land within the City unless:

17 (1) As of that date a gaming establishment is operating
18 on that parcel pursuant to a nonrestricted license;

19 (2) The parcel is zoned for resort and gaming purposes
20 or the zoning of the parcel for such purposes has been approved
21 by the adoption by the City Council of a resolution of intent
22 pursuant to LVMC 19.92.120;

23 (3) The parcel is zoned for resort and gaming purposes
24 and an application for aesthetic review with respect to the
25 establishment that is proposed to be operated thereon had been
26 filed prior to October 5, 1988; provided, however, that the
27 exception that is provided for in this Paragraph (3) applies to
28 the parcel only if it is developed by the person on whose behalf
29 such application was filed; or

30 (4) The parcel is located within an area that has been
31 designated as a gaming enterprise district pursuant to LVMC
32 6.40.160.

1 (C) Except as otherwise provided in LVMC 6.40.160(E), the
2 inclusion of a parcel within a gaming enterprise district
3 established pursuant to LVMC 6.40.160 does not diminish the
4 applicability of the provisions of Title 19 of this Code to that
5 parcel.

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

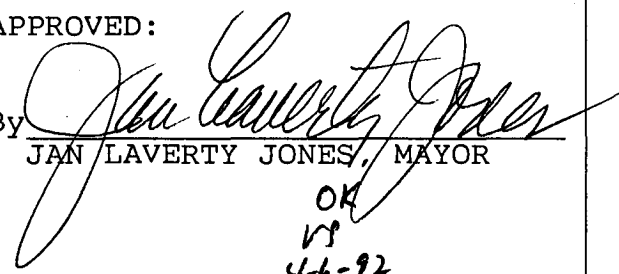
18 SECTION 7: All ordinances or parts of ordinances, sec-
19 tions, subsections, phrases, sentences, clauses or paragraphs
20 contained in the Municipal Code of the City of Las Vegas, Nevada,
21 1983 Edition, in conflict herewith are hereby repealed.

22 SECTION 8: Sections 2, 4, and 5 of this Ordinance
23 become effective July 1, 1992.

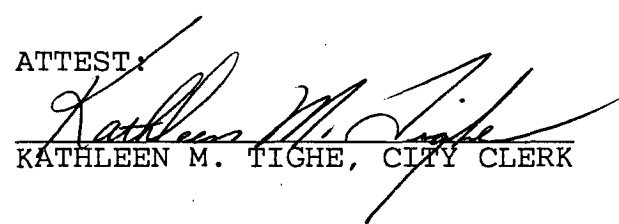
24 SECTION 9: Sections 1 and 3 of this Ordinance are
25 repealed effective July 1, 1992.

26 PASSED, ADOPTED and APPROVED this 1st day of April,
27 1992.

28 APPROVED:

29 By 
30 JAN LAVERTY JONES, MAYOR

31 ATTEST:

32 
KATHLEEN M. TIGHE, CITY CLERK

OK
4-6-92

SEE FIRST AMENDMENT

BILL NO. 92-9

ORDINANCE No. _____

AN ORDINANCE RELATING TO GAMING; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING THE DEFINITION OF "RESORT HOTEL" AS A FACILITY HAVING A RESTAURANT AND SEPARATE BAR OF MINIMUM PATRON SIZE, GAMING AREAS, LOBBY AREA, A MINIMUM OF 201 GUESTROOMS, AND PERMITTING GUESTROOM COOKING FACILITIES; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER BY REQUIRING A MINIMUM OF 201 GUESTROOMS AT A RESORT HOTEL; BY ADDING A NEW SECTION TO SAID TITLE AND CHAPTER SETTING FORTH THE REQUIREMENTS FOR PROVIDING FOOD COOKING APPLICANCES IN THE GUESTROOMS OF HOTELS LICENSED FOR NONRESTRICTED GAMING; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Arnie Adamsen

Summary: Defines the term "Resort Hotel" and includes within the definition provisions providing for a bar, a restaurant, a lobby, guestrooms in excess of 200, and permitting food cooking facilities in guestrooms of hotels licensed for nonrestricted gaming.

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

SECTION 1: Title 6, Chapter 40, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.020: As used in this Chapter, unless the context otherwise requires, the following words shall have the meaning ascribed:

(A) "Game" or "gambling game" means any banking or percentage game played with cards, dice or any mechanical, electro-mechanical or electronic device or machine for money, property, checks, credit or any representative of value, including, without limiting the generality of the foregoing, faro, monte, roulette, keno, bingo, fan-tan, twenty-one, blackjack, seven-and-a-half, big injun, klondike, craps, poker chuck-a-luck, Chinese chuck-a-luck (dai shu), wheel of fortune, chemin de fer, baccarat, pai gow, beat the banker, panguingui, slot machine, or any other game or device approved by the Nevada Gaming Commission, but does not

1 include social games played solely for drinks, or cigars or
2 cigarettes served individually, or games played in private homes
3 or residences for prizes or games operated by charitable or edu-
4 cational organizations which have been approved by the State
5 Gaming Control Board.

6 (B) "Gaming" or "gambling" means to deal, operate, carry on,
7 conduct, maintain or expose for play any game, sports book, pari-
8 mutuel or any other form of wagering.

9 (C) "Hotel" means a building or a complex of buildings which
10 are designed and integrated to clearly demonstrate the appearance
11 of one facility wherein:

12 (1) Sleeping accommodations are provided in guestrooms
13 at daily rates to tourists or transient guests; [and]

14 (2) No provision is made for cooking food in any
15 guestroom, except as permitted by the provisions of this Chapter;
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17 (3) There is integrated into the facility near the area
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19 lobby for the guests to check in and out and receive messages.

20 (D) "Nonrestricted license" and "nonrestricted gaming" means
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24 gaming device, race book or sports pool at one establishment.

25 (E) "Race book information service" means any person, other
26 than one who provides a televised broadcast without charge to any
27 person [other than one who provides a televised broadcast without
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29 an operator of a race book, sports pool or gambling game who is
30 licensed in the State with information that relates to horse
31 racing or other racing which is used to determine the winners of,
32 or payoffs on, wagers that are accepted by such operator.

1 (F) "Racehorse book" or "race book" means a sports pool on
2 horseraces.

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13 operator or application of the element of chance, or both, may
14 deliver or entitle the person playing or operating the machine to
15 receive cash, premiums, merchandise, tokens or anything of value
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17 machine or in any other manner whatsoever.

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20 determination made by the State Gaming Control Board, whether the
21 machine constitutes two or more slot machines for the purpose of
22 this Chapter based on the number of payout devices, coin recep-
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31 (2) No provision is made for cooking food in any
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7 sisting of, any number of slot machines together with any other
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21 [(G)](F) "Resort hotel" means a building or a group of
22 buildings which are designed and integrated to clearly
23 demonstrate the appearance of one facility wherein:

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25 at daily rates to tourists or transient guests;

26 (2) No provision is made for cooking food in any
27 guestroom, except as permitted by the provisions of this
28 Chapter;

29 (3) There is a gaming area within the building or group
30 of buildings;

31 (4) There are more than 200 guestrooms available for
32 sleeping accommodations;

1 (5) There is integrated into the facility near the area
2 where licensed games are provided at least one restaurant with
3 permanent seating capacity for more than 60 patrons that is open
4 to the public 24 hours each day and 7 days each week;

5 (6) There is a lobby near the restaurant and licensed
6 games for the guests to check in and out and receive messages;
7 and

8 (7) There is at least one bar with permanent seating
9 capacity for more than 30 patrons that serves alcoholic beverages
10 sold by the drink for consumption on the premises.

11 (G) "Restricted license" and "restricted gaming" means a
12 gaming license for, or an operation consisting of, not more than
13 fifteen slot machines, incidental to the primary business at the
14 establishment, and no other game or gaming device at the
15 establishment.

16 (H) "Slot machine" means any mechanical, electrical or other
17 device, contrivance or machine which, upon insertion of a coin,
18 token or similar object therein, or upon payment of any con-
19 sideration whatsoever, is available to play or operate, the play
20 or operation of which, whether by reason of the skill of the
21 operator or application of the element of chance, or both, may
22 deliver or entitle the person playing or operating the machine to
23 receive cash, premiums, merchandise, tokens or anything of value
24 whatsoever, whether the payoff is made automatically from the
25 machine or in any other manner whatsoever.

26 If a machine has multiple capacities the Director of
27 Business Activity shall make a determination, consistent with the
28 determination made by the State Gaming Control Board, whether the
29 machine constitutes two or more slot machines for the purpose of
30 this Chapter based on the number of payout devices, coin recep-
31 tacles or slots, handles or other devices for multiple players,
32 or means of determining winnings.

1 (I) "Slot operator" means a licensee engaged in the business
2 of placing slot machines upon the business premises of another
3 under any agreement whereby consideration is paid or is payable
4 for the placement of such slot machines, whether the con-
5 sideration is measured by a percentage of revenue derived from
6 such machines or by a fixed fee or otherwise.

7 (J) "Sports pool" means the business of accepting wagers on
8 sporting events by any system or method of wagering other than
9 the system known as the parimutuel method of wagering.

10 SECTION 3: Title 6, Chapter 40, of the Municipal
11 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
12 amended by adding thereto a new Section reading as follows:

13 Hotels licensed for gaming may have guestrooms furnished
14 with provisions for cooking food subject to the following con-
15 ditions:

16 (A) The City Council has given its prior approval.

17 (B) The construction, installation and maintenance of
18 the appliances for cooking food shall be done in accordance with
19 applicable City building, safety and fire codes.

20 (C) The appliances provided for cooking food must be
21 permanently installed and must be permanently connected to a
22 dedicated appliance electrical circuit or gas supply.

23 SECTION 4: Title 6, Chapter 40, of the Municipal
24 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
25 amended by adding thereto a new Section reading as follows:

26 Resort hotels licensed for gaming may have guestrooms
27 furnished with provisions for cooking food subject to the
28 following conditions:

29 (A) The City Council has given its prior approval.

30 (B) The construction, installation and maintenance of
31 the appliances for cooking food shall be done in accordance with
32 applicable City building, safety and fire codes.

1 (C) The appliances provided for cooking food must be
2 permanently installed and must be permanently connected to a
3 dedicated appliance electrical circuit or gas supply.

4 SECTION 5: Title 6, Chapter 40, Section 150, of the
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
6 hereby amended to read as follows:

7 6.40.150: (A) No nonrestricted gaming shall be conducted,
8 maintained or operated in the City except:

9 (1) At a location which:

10 (a) On November 1, 1988, was licensed for
11 nonrestricted gaming,

12 (b) Consists, or when the same is constructed will
13 consist, of a restaurant which has full kitchen facilities and is
14 located within a free-standing building that contains in excess
15 of three thousand square feet of usable floor space under one
16 roof and is separated along its entire exterior perimeter from
17 any other commercial establishment either by a property line or
18 by an unobstructed open area at least ten feet in width and with
19 respect to which, on April 1, 1989, a tavern license had been
20 issued pursuant to LVMC 6.50.050 or preliminary approval for a
21 tavern license had been granted pursuant to LVMC 6.06.050, as the
22 case may be, and an application for [norestriced] nonrestricted
23 gaming had been filed with the State, or

24 (c) Consists of a licensed business premises that
25 contains in excess of nine thousand square feet of usable floor
26 space under one roof within which the gaming is, at all times,
27 under the supervision of an attendant whose duties shall be
28 limited solely to the making of change and supervising such
29 gaming and with respect to which, on April 1, 1989, an applica-
30 tion for nonrestricted gaming had been filed with the State[,];
31 provided, however, that such gaming shall be limited to the
32 operation of not more than thirty-five slot machines at any such

1 location that, on April 1, 1989, was licensed for slot machines
2 only;

3 (2) At a location which:

4 (a) Is situated within the area that is bounded by
5 the east side of Main Street, the south side of Stewart Avenue,
6 the west side of Third street, and the north side of Carson Ave-
7 nue, or

8 (b) Fronts on either side of Jackson Avenue be-
9 tween "D" Street and "G" Street or on either side of Owens Avenue
10 between "H" Street and Martin Luther King Boulevard
11 and with respect to which, on April 1, 1989, an application for
12 nonrestricted gaming had been filed with the State;

13 (3) In a resort hotel which[:

14 (a) Has at least two hundred guestrooms that are
15 available to the public, or

16 (b) On February 1, 1989, had at least eighty
17 guestrooms that continue to be available to the public, and the
18 requirement for the other one hundred twenty guestrooms has been
19 waived;] has in excess of two hundred guestrooms that are
20 available to the public. The provisions of this subparagraph do
21 not apply to those hotel establishments holding a nonrestricted
22 gaming license issued before July 1, 1992, unless the
23 establishment ceases gaming operations for more than 2 years
24 after July 1, 1992;

25 (4) At a location with respect to which a tavern
26 license is issued pursuant to LVMC 6.50.050; provided, however,
27 that such gaming shall be limited to the operation of not more
28 than twenty slot machines; or

29 (5) In a retail outlet that contains at least five
30 thousand square feet of usable floor space and with respect to
31 which a special use permit for a general business related gaming
32 establishment, as that term is defined in LVMC 19.04.417, is

1 obtained in accordance with LVMC Title 19; provided, however,
2 that such gaming shall be limited to the operation of not more
3 than twenty slot machines.

4 (B) Notwithstanding anything to the contrary that is pro-
5 vided in, or may be implied from, subsection (A) of this Section
6 or Title 19 of this Code, effective January 1, 1990, no
7 nonrestricted gaming shall be conducted, maintained, or operated
8 on any parcel of land within the City unless:

9 (1) As of that date a gaming establishment is operating
10 on that parcel pursuant to a nonrestricted license;

11 (2) The parcel is zoned for resort and gaming purposes
12 or the zoning of the parcel for such purposes has been approved
13 by the adoption by the City Council of a resolution of intent
14 pursuant to LVMC 19.92.120;

15 (3) The parcel is zoned for resort and gaming purposes
16 and an application for aesthetic review with respect to the
17 establishment that is proposed to be operated thereon had been
18 filed prior to October 5, 1988; provided, however, that the
19 exception that is provided for in this Paragraph (3) applies to
20 the parcel only if it is developed by the person on whose behalf
21 such application was filed; or

22 (4) The parcel is located within an area that has been
23 designated as a gaming enterprise district pursuant to LVMC
24 6.40.160.

25 (C) Except as otherwise provided in LVMC 6.40.160(E), the
26 inclusion of a parcel within a gaming enterprise district
27 established pursuant to LVMC 6.40.160 does not diminish the
28 applicability of the provisions of Title 19 of this Code to that
29 parcel.

30 SECTION 6: If any section, subsection, subdivision
31 paragraph, sentence, clause or phrase in this ordinance or any
32 part thereof, is for any reason held to be unconstitutional or

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

10 SECTION 7: All ordinances or parts of ordinances, sec-
11 tions, subsections, phrases, sentences, clauses or paragraphs
12 contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

14 SECTION 8: Sections 2, 4, and 5 of this Ordinance
15 become effective July 1, 1992.

16 SECTION 9: Sections 1 and 3 of this Ordinance are
17 repealed effective July 1, 1992.

18 PASSED, ADOPTED and APPROVED this ____ day of _____,
19 1991.

20 APPROVED:

21 By _____
22 JAN LAVERTY JONES, MAYOR

23 ATTEST:

24 KATHLEEN M. TIGHE, CITY CLERK
25
26
27
28
29
30
31
32

1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the ____ day of _____,
3 1991, 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 _____, 1991,
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 first introduced and adopted by the
10 following vote:
11 VOTING "AYE": _____
12 VOTING "NAY": _____
13 ABSENT: _____
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APPROVED:

By _____
JAN LAVERTY JONES, MAYOR

ATTEST:

KATHLEEN M. TIGHE, CITY CLERK

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FIRST AMENDMENT
BILL NO. 92-9
ORDINANCE NO. 3638

AN ORDINANCE RELATING TO GAMING; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING THE DEFINITION OF "RESORT HOTEL" AS A FACILITY HAVING A RESTAURANT AND SEPARATE BAR OF MINIMUM PATRON SIZE, GAMING AREAS, LOBBY AREA, A MINIMUM OF 201 GUESTROOMS, AND PERMITTING GUESTROOM COOKING FACILITIES; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER BY REQUIRING A MINIMUM OF 201 GUESTROOMS AT A RESORT HOTEL; BY PERMITTING A RACE BOOK AND SPORTS POOL LICENSE TO BE ISSUED TO A LOCATION OTHER THAN A RESORT HOTEL; RESTRICTING NONRESTRICTED GAMING TO LOCATIONS LI-

CENSED FOR RESORT HOTELS, SPORTS POOL OR RACE BOOKS AFTER JULY 1, 1992; BY ADDING A NEW SECTION TO SAID TITLE AND CHAPTER SETTING FORTH THE REQUIREMENTS FOR PROVIDING FOOD COOKING APPLIANCES IN THE GUESTROOMS OF HOTELS LICENSED FOR NONRESTRICTED GAMING; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Arnie Adamsen

SUMMARY: Defines the term "Resort Hotel" and includes within the definition provisions providing for a bar, a restaurant, a lobby, guestrooms in excess of 200, and permitting food cooking facilities in guestrooms of hotels licensed for nonrestricted gaming. Limits nonrestricted gaming to resort hotel, race book and sports pool locations after July 1, 1992.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 19th day of February, 1992, and referred to the following committee composed of the Full Council, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 1st day of April, 1992, which was a regular meeting of said City Council; and that of 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: Adamsen, Higginson, and Mayar Jones

VOTING "NAY" Councilmen: Nolen and Hawkins Jr.

ABSENT: Councilmen: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA
PUB: April 4, 1992
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

TERINA L CHAPLIN, 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 APRIL 4, 1992 to APRIL 4, 1992, on the following days:

APRIL 4, 1992

Signed:

Subscribed and sworn to before me this

7th day of April, 1992

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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FIRST AMENDMENT
BILL NO. 92-9
AN ORDINANCE RELATING TO GAMING; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING THE DEFINITION OF "RESORT HOTEL" AS A FACILITY HAVING A RESTAURANT AND SEPARATE BAR OF MINIMUM PATRON SIZE, GAMING AREAS, LOBBY AREA, A MINIMUM OF 201 GUESTROOMS, AND PERMITTING GUESTROOM COOKING FACILITIES; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER BY REQUIRING A MINIMUM OF 201 GUESTROOMS AT A RESORT HOTEL; BY PERMITTING A RACEBOOK AND SPORTS POOL LICENSE TO BE ISSUED TO A LOCATION OTHER THAN A RESORT HOTEL; RESTRICTING NONRESTRICTED GAMING TO LOCATIONS LICENSED FOR RESORT HOTELS, SPORTS POOL OR RACEBOOK AFTER JULY 1, 1992; BY ADDING A NEW SECTION TO SAID TITLE AND CHAPTER SETTING FORTH THE REQUIREMENTS FOR PROVIDING FOOD COOKING APPLIANCES IN THE GUESTROOMS OF HOTELS LICENSED FOR NONRESTRICTED GAMING; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.
SPONSORED BY: Councilman Arnie Adamsen
SUMMARY: Defines the term "Resort Hotel" and includes within the definition provisions providing for a bar, a restaurant, a lobby, guestrooms in excess of 200, and permitting food cooking facilities in guestrooms of hotels licensed for nonrestricted gaming.
At a City Council meeting February 19, 1992.
BILL NO. 92-9 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Full Council.
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: March 19, 1992
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

TERINA L CHAPLIN, 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 MARCH 19, 1992 to MARCH 19, 1992, on the following days:

MARCH 19, 1992

Signed: Terina L Chaplin

Subscribed and sworn to before me this 20th day of March, 1992

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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FIRST AMENDMENT
BILL NO. 92-9
ORDINANCE NO. 3638

AN ORDINANCE RELATING TO GAMING; AMENDING TITLE 4, CHAPTER 4, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING THE DEFINITION OF "RESORT HOTEL" AS A FACILITY HAVING A RESTAURANT AND SEPARATE BAR OF MINIMUM PATRON SIZE, GAMING AREAS, LOBBY AREA, A MINIMUM OF 201 GUESTROOMS, AND PERMITTING GUESTROOM COOKING FACILITIES; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER BY REQUIRING A MINIMUM OF 201 GUESTROOMS AT A RESORT HOTEL; BY PERMITTING A RACE BOOK AND SPORTS POOL LICENSE TO BE ISSUED TO A LOCATION OTHER THAN A RESORT HOTEL; RESTRICTING NONRESTRICTED GAMING TO LOCATIONS LICENSED FOR RESORT HOTELS, SPORTS POOL OR RACE BOOKS AFTER JULY 1, 1992; BY ADDING A NEW SECTION TO SAID TITLE AND CHAPTER SETTING FORTH THE REQUIREMENTS FOR PROVIDING FOOD COOKING APPLIANCES IN THE GUESTROOMS OF HOTELS LICENSED FOR NONRESTRICTED GAMING; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Arnie Adamsen

SUMMARY: Defines the term "Resort Hotel" and includes within the definition provisions providing for a bar, a restaurant, a lobby, guestrooms in excess of 200, and permitting food cooking facilities in guestrooms of hotels licensed for nonrestricted gaming. Limits nonrestricted gaming to resort hotel, race book and sports pool locations after July 1, 1992.

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 19th day of February, 1992, and referred to the following committee composed of the Full Council for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 1st day of April, 1992, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": Councilmen: Adamsen, Higginson, and Mayor Jones

VOTING "NAY": Councilmen: Nolan and Hawkins Jr.

ABSENT: Councilmen: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA

PUB: April 4, 1992
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

TERINA L CHAPLIN, 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 APRIL 4, 1992 to APRIL 4, 1992, on the following days:

APRIL 4, 1992

Signed: Terina L Chaplin

Subscribed and sworn to before me this 7th day of April, 1992

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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FIRST AMENDMENT
BILL NO. 92-9
AN ORDINANCE RELATING TO GAMING; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1989 EDITION, BY INCLUDING THE DEFINITION OF "RESORT HOTEL" AS A FACILITY HAVING A RESTAURANT AND SEPARATE BAR OF MINIMUM PATRON SIZE, GAMING AREAS, LOBBY AREA, A MINIMUM OF 201 GUESTROOMS, AND PERMITTING GUESTROOM COOKING FACILITIES; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER BY REQUIRING A MINIMUM OF 201 GUESTROOMS AT A RESORT HOTEL; BY PERMITTING A RACEBOOK AND SPORTS POOL LICENSE TO BE ISSUED TO A LOCATION OTHER THAN A RESORT HOTEL; RESTRICTING NONRESTRICTED GAMING TO LOCATIONS LICENSED FOR RESORT HOTELS, SPORTS POOL OR RACEBOOK AFTER JULY 1, 1992; BY ADDING A NEW SECTION TO SAID TITLE AND CHAPTER SETTING FORTH THE REQUIREMENTS FOR PROVIDING FOOD COOKING APPLIANCES IN THE GUESTROOMS OF HOTELS LICENSED FOR NONRESTRICTED GAMING; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.
SPONSORED BY: Councilman Arnie Adamsen
SUMMARY: Defines the term "Resort Hotel" and includes within the definition provisions providing for a bar, a restaurant, a lobby, guestrooms in excess of 200, and permitting food cooking facilities in guestrooms of hotels licensed for nonrestricted gaming.
At a City Council meeting held February 19, 1992
BILL NO. 92-9 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Full Council
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK: 10TH FLOOR, CITY HALL 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: March 19, 1992
Las Vegas Review-Journal 12-1-92

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

TERINA L. CHAPLIN, 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 MARCH 19, 1992 to MARCH 19, 1992, on the following days:

MARCH 19, 1992

Signed:

Subscribed and sworn to before me this

20th day of March, 1992

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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