

FIRST AMENDMENT

BILL NO. 2002-102

ORDINANCE NO. 5521

AN ORDINANCE TO ESTABLISH THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT AND CORRESPONDING REGULATORY PROVISIONS; TO ESTABLISH A "TAVERN-LIMITED" LIQUOR LICENSE PERTAINING TO THE DISTRICT; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman

Summary: Establishes the Downtown Entertainment Overlay District and corresponding regulatory provisions, and establishes a "tavern-limited" liquor license pertaining to the District.

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

SECTION 1: Title 19, Chapter 6, 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 120, reading as follows:

19.06.120 DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT

(A) Establishment of District. There is hereby created the Downtown Entertainment Overlay District (the "District"), consisting of that area of the City bounded by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east. The boundaries are depicted on the map that appears below.

(map appears here)

(B) Intent of District. The creation of the District is intended to further the City's downtown redevelopment plans in the spirit of restoring downtown Las Vegas as a dynamic, vibrant center for the entire Las Vegas Valley. Creation of the District is also intended to:

- (1) Create a safe and secure environment.
- (2) Eliminate urban blight.
- (3) Revitalize surrounding neighborhoods.
- (4) Foster economic development opportunities and expand free enterprise.
- (5) Eliminate criminal activities.

- 1 (6) Make the East Fremont area a community of choice for business and citizens.
- 2 (7) Adjust the zoning and licensing restrictions to encourage non-gaming blues and jazz
3 nightclubs, comedy clubs, and other musical entertainment venues.
- 4 (8) Leverage the popularity of the nearby Neonopolis and Fremont Street Experience
5 attractions with the proposed physical proximity of the new district.
- 6 (9) Encourage and facilitate the creation of an improvement district for a commercial area
7 vitalization project for the District.
- 8 (C) Separation Requirements for Liquor Establishments. For any liquor establishment (tavern),
9 supper club, restaurant service bar, or other liquor-serving establishment that is approved by means
10 of Special Use Permit for a parcel located within the District, the distance separation requirements set
11 forth in Chapter 19.04 shall not apply. The Special Use Permit approval may include conditions
12 designed to mitigate any impacts related to distance separation.
- 13 (D) Parking Requirements. For any banquet facility, restaurant, café, tavern, bar, supper club,
14 billiard parlor, nightclub/discotheque, general retail store or video arcade that is approved by means
15 of Special Use Permit or otherwise for a parcel located within the District, the on-site parking
16 requirements set forth in Chapter 19.10 shall not apply. The Special Use Permit or other approval may
17 include conditions designed to mitigate any impacts related to parking.
- 18 (E) Review and Approval Procedures (General).
- 19 (1) Any application for development within the Downtown Entertainment Overlay District,
20 including without limitation an application for a new building, the remodeling of a building, a Site
21 Plan Review or a Special Use Permit, shall be processed in accordance with the procedures described
22 in this Subsection (E). The procedures set forth in this Subsection (E) are not intended to take the
23 place of any General Plan Amendment, Rezoning or Special Use Permit requirement that may apply,
24 but otherwise will replace the normal review and approval processes set forth in Chapter 19.18.
- 25 (2) There is hereby created a Design Review Committee for the Downtown Entertainment
26 Overlay District (DEOD-DRC). The DEOD-DRC shall initially be composed of:
- 27 (a) Two members from the Planning Commission, to be designated by the Planning
28 Commission;

1 (b) One member from the City Centre Development Corporation, either from its
2 Board of Directors or from its staff, to be designated by the Board of Directors;

3 (c) One member from the Planning and Development Department; and

4 (d) One member from the Office of Business Development who is assigned to the
5 City of Las Vegas Redevelopment Agency.

6 If and when there is created an owners' association that is representative of the owners of property
7 located within the District, the membership of the DEOD-DRC shall also include two members from
8 that owners' association, to be designated by the governing board thereof.

9 (3) Authority is hereby expressly granted to the DEOD-DRC to review and approve
10 applications for all designs, subject to the specific provisions of this Section 19.06.120 that are
11 applicable to the Downtown Entertainment Overlay District.

12 (4) Applications shall be submitted to the Planning and Development Department. The
13 Department shall forward the application to the DEOD-DRC for its review and action. The DEOD-
14 DRC shall review the application and shall approve, approve with conditions, or deny the application.

15 (5) The following design review standards shall apply:

16 (a) The DEOD-DRC may approve an application for single or multiple uses. The
17 DEOD-DRC shall base its assessment of compatibility on the following criteria:

18 (i) The compliance of the application with the site planning and
19 architectural design standards applicable to the Downtown Overlay District, as identified in LVMC
20 19.06.060, and with any applicable guidelines that might subsequently be adopted by the City
21 Council.

22 (ii) The compliance of the application with the signage standards and
23 requirements applicable to the Special Signage Sub-district of the Downtown Casino Overlay District,
24 as identified in LVMC 19.06.100.

25 (ii) The relationship of the scale and placement of the building to the block
26 upon which it is to be built or remodeled.

27 (iii) The relationship of colors to the colors of adjacent buildings and nearby
28 street graphics.

1 (iv) The similarity or dissimilarity of the building's size and shape to the
2 size and shape of others in the area.

3 (v) The compatibility of the type of illumination with the type of
4 illumination in the area.

5 (vi) The compatibility of the materials used in the construction of the
6 building with the material used in the construction of other buildings in the area.

7 (vii) The use of high quality, durable materials and exciting, imaginative
8 designs.

9 (6) Applications for design review shall be processed as follows:

10 (a) An application shall be forwarded to the DEOD-DRC by the Planning and
11 Development Department at least two (2) weeks prior to the regularly scheduled DEOD-DRC
12 meeting.

13 (b) Approval or denial of the application by the DEOD-DRC shall be made in
14 writing with reasons for approval, denial, or approval with conditions, within fifteen (15) days
15 following each DEOD-DRC meeting. In the event a written notification is not made within said
16 fifteen (15) days, the application shall be deemed to have been denied. Decisions of the DEOD-DRC
17 may be appealed to City Council in accordance with the provisions of Paragraph 7 below.

18 (c) A complete set of plans shall be submitted, which shall contain visual
19 representations of the building, illumination, color, materials and signs.

20 (d) Photographic or drawn elevations of the building frontage shall be submitted
21 as well.

22 (e) The application shall also include or address any additional materials or
23 representations as may be mandated by the Planning and Development Department or the DEOD-
24 DRC.

25 (7) An applicant may appeal the decision of the DEOD-DRC to the City Council. An
26 appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed
27 in the office of the Planning and Development Department. The appeal must be filed within ten (10)
28 days after the decision is made and shall specifically describe the decision at issue and the basis for

1 the appeal. The appeal shall be considered on the next available agenda of the City Council.

2 (8) The DEOD-DRC shall have the authority to adopt rules and regulations concerning its
3 administrative procedures.

4 (F) Special Use Permits for Tavern-Limited Establishment

5 (1) A Special Use Permit for a Tavern-Limited Establishment shall be processed in
6 accordance with the Special Use Permit provisions of LVMC 19.18.060. A Special Use Permit for
7 this use may be approved if it meets the Special Use Permit criteria generally, the criteria for a Tavern-
8 Limited Establishment, and the criteria set forth in this Subsection (F).

9 (2) The approval of a Special Use Permit for a Tavern-Limited Establishment may include
10 such conditions as may be recommended by City staff and the Planning Commission, and imposed
11 by the City Council.

12 (G) Relationship to Other Provisions. All provisions of this Title shall apply to property within
13 the District except to the extent that they conflict with the provisions of this Section 19.06.120.

14 SECTION 2: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate location,
16 the following term and its corresponding definition:

17 "Tavern-Limited Establishment" means an establishment that is licensed with a tavern-limited license
18 in accordance with LVMC Chapter 6.50.

19 SECTION 3: Title 6, Chapter 40, Section 155, of Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.40.155:** (A) The City Council may deny any application for a gaming license if it deems the
22 place or location for which the license is sought to be unsuitable for the conduct of gaming.

23 [(A)](B) No restricted gaming shall be conducted, maintained or operated in the
24 following places or locations:

- 25 (1) Laundromats;
- 26 (2) Bakeries, donut shops and any other retail location, except as otherwise
27 provided in LVMC 6.40.140 and 6.40.150;
- 28 (3) Movie theaters and professional offices;

- (4) Fast food establishments;
- (5) Supper clubs;[and]
- (6) Hotels with a hotel lounge bar license[.] ; and
- (7) Establishments with a tavern-limited license.

[(B)](C) Locations listed [above] in Subsection (B) that are licensed for gaming as of April 17, 1991, may be allowed to continue their licenses so long as the nature and character of the business at the location does not materially change.

SECTION 4: Title 6, Chapter 50, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

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

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

[(B)] “Beer” means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops or similar product, or any combination thereof, in water.

[(C)] “Commercial center” means a concentration of retail stores that:

[(1)](A) Contains at least eighty thousand square feet of retail space enclosed within a building or buildings;

[(2)](B) Contains at least one anchor retail store of at least twenty thousand square feet;

[(3)](C) Includes a parking lot common to the retail stores; and

[(4)](D) Is situated on at least fifteen gross acres of land.

[(D)] “Cooler” means any prebottled alcoholic beverage, other than beer or wine, that is a distillate obtained from the fermentation of the natural contents of fruits or other agricultural

1 products containing natural or added sugar, which contains not more than ten percent of alcohol by
2 volume.

3 “Downtown entertainment overlay district” means that area of the City bounded by Ogden
4 Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street
5 on the east.

6 [(E)] “Drugstore” means a business which has a registered pharmacist in attendance
7 at all times and which is located in a building, or in a portion of a building which is segregated
8 physically or spatially from the rest of the building, selling at retail a stock of merchandise having a
9 retail value of at least thirty thousand dollars, of which at least sixty percent consists of prescription
10 and nonprescription drugs and medicines, remedies and devices for use in curing or preventing human
11 ailments and diseases and alleviating pain, other pharmaceuticals, items associated with personal
12 hygiene, cosmetics, notions and sundries, and having at least one thousand two hundred square feet
13 of floor space, exclusive of warehouse and office areas, devoted to the display of such stock of
14 merchandise. No more than twenty-five percent of a drug-store’s retail inventory shall consist of beer,
15 wine, cooler and tobacco products.

16 [(F)] “Gift basket” means a receptacle or container commonly made of interwoven
17 wicker material, or material that resembles wicker, that may be filled with food items or novelty items,
18 and alcoholic beverages in sealed or corked containers in quantities not greater than 25.4 ounces
19 (approximately 1.79 pints), measured in the English system of weights and measures, or in quantities
20 not greater than seven hundred fifty milliliters measured in the metric system of weights and
21 measures; provided, however, alcoholic beverages shall not be included unless one or more food items
22 or novelty items, or both, having a minimum retail value of thirty-five dollars, are also included in the
23 gift basket.

24 [(G)] “Grocery store” means a business located in a building, or in a portion of a
25 building which is segregated physically or spatially from the rest of the building, selling at retail a
26 stock of merchandise having a retail value of at least thirty thousand dollars, of which at least sixty
27 percent consists of articles for human consumption customarily served as food in the home or entering
28 into the preparation of food in the home, and having at least one thousand two hundred square feet of

1 floor space, exclusive of warehouse and office areas, devoted to the display of such stock of
2 merchandise. No more than twenty-five percent of a grocery store's retail inventory shall consist of
3 beer, wine, cooler and tobacco products.

4 [(H)] "Hotel lounge bar" means a bar located in a lounge area of a hotel which has
5 a minimum of one hundred fifty rooms, unless the City Council determines that the public health,
6 safety and welfare are not compromised by a lesser number of rooms, wherein:

7 [(1)](A) The lounge bar area is separated from other areas of the hotel by a
8 barrier sufficient to prevent access and screen view by persons under twenty-one years of age;

9 [(2)](B) Alcoholic beverages are prepared for service only at tables and booths
10 located within the lounge bar area of the hotel;

11 [(3)](C) Persons are not permitted to purchase or obtain alcoholic beverages
12 directly from such lounge bar;

13 [(4)](D) No other business, trade, profession or entertainment that requires a
14 license under this Title is conducted or performed in the lounge bar area; and

15 [(5)](E) The maximum available customer seating in the lounge bar area does
16 not exceed seventy-five seats.

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

21 [(J)] "Liquor store" means a specialty retail store which deals exclusively in
22 alcoholic liquors and related items including magazines, newspapers and packaged snack foods.
23 Minors are not allowed entry into liquor stores.

24 [(K)] "Malt beverage" means beer, ale, porter, stout and other similar fermented
25 beverages of any name or description, brewed or produced from malt, wholly or in part.

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

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

9 [(N)] “Off-sale” means the sale of alcoholic beverages in original sealed or corked
10 containers for consumption off the premises where the same are sold.

11 [(O)] “On-sale” means the sale of alcoholic beverages for consumption on the
12 premises where the same are sold.

13 [(P)] “Restaurant” means a place which is regularly and in a bona fide manner used
14 and kept open for the service of meals to guests for compensation; and which has suitable kitchen
15 facilities connected therewith, containing conveniences for cooking an assortment of foods which may
16 be required for ordinary meals.

17 [(Q)] “Restaurant service bar” means a bar wherein alcoholic beverage drinks are
18 prepared for service only at tables in a restaurant for consumption only in connection with a meal on
19 the premises where the same is sold and where customers are not permitted to purchase alcoholic
20 beverage drinks directly from such bar.

21 [(R)] “Sale” or “sell” means, for compensation or any other business purpose, to sell,
22 serve, give away, or distribute; or to cause or permit to be sold, served, given away or distributed or
23 to possess with the intent to sell, serve, permit consumption, give away or distribute; or to solicit or
24 receive orders to sell, serve, give away or distribute.

25 [(S)] “Specialty merchandise store” means a retail store located within a commercial
26 center that:

27 [(1)](A) Has at least eighteen thousand square feet of gross floor area;

28 [(2)](B) Has at least eleven thousand five hundred square feet of floor space

1 dedicated to the sale and display of furniture, glassware, kitchenware and other household goods;

2 [(3)](C) Has at least three thousand six hundred square feet of floor space
3 dedicated to the sale and display of gourmet foods and nonalcoholic beverages; and

4 [(4)](D) Maintains an inventory of beer, wine and coolers with a wholesale value
5 of at least twenty-five thousand dollars.

6 [(T)] “Supper club” means a restaurant and bar operation with alcoholic beverage
7 sales wherein the bar area is separated from the restaurant area by a barrier sufficient to prevent access
8 to the bar area by minors, wherein the actual seating available at all times within the restaurant area
9 will accommodate at least one hundred twenty-five persons, wherein alcoholic beverages are served
10 in the restaurant area only in conjunction with the service of food, wherein full-course meals are
11 available during all hours the bar area is open to the public, wherein a cook and food server, other than
12 a bartender, are available at all times the bar area is open to the public, and wherein the restaurant
13 operation is the principal portion of the business.

14 [(U)] “Wholesale dealer” or “wholesaler” means a person who sells alcoholic
15 beverages for the purposes of resale.

16 [(V)] “Wine” means any alcoholic beverage, other than beer, obtained by the
17 fermentation of the natural contents of fruits or other agricultural products containing natural or added
18 sugar, which contains not more than twenty-two percent of alcohol by volume.

19 SECTION 5: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
20 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, reading as set forth in
21 Section 6 of this Ordinance.

22 SECTION 6: (A) A tavern-limited license:

23 (1) Authorizes the sale of alcoholic beverages only for consumption on the
24 premises where the same are sold.

25 (2) May only be issued for premises located in the downtown entertainment
26 overlay district or in another entertainment district that may be established by this Chapter.

27 (3) Is not transferable, except to a location within the same entertainment
28 district and to an operator who has been approved by the City Council.

1 (B) A tavern-limited license, or the transfer of a license, may be conditioned upon
2 one or more of the following:

3 (1) The prior creation of an improvement district for a commercial area
4 vitalization project for the District, and a binding commitment of continued full participation by the
5 property owner (and any tenant or licensee) in the improvement district.

6 (2) Annual review for conformity to licensing standards and conditions.

7 (3) Submittal of a Business Security Plan, to be approved by the City, with
8 the review and recommendation of the Las Vegas Metropolitan Police Department.

9 (4) Submittal of a Sidewalk/Streetscape Maintenance Plan and Budget, to
10 be approved by the City.

11 (5) A requirement for live entertainment to be provided at least four nights
12 per week, including but not be limited to the following:

13 (a) Tavern with music entertainment venue, with live music (jazz,
14 blues, reggae, hip hop, rock'n'roll, etc.), including bar and cocktail service.

15 (b) Supper club/restaurant, serves full meals and light snacks, with
16 live music, with or without dancing, including bar and cocktail service.

17 (c) Dance hall/night club/discothèque, dancing with live music or
18 live disk jockey, including bar and cocktail service.

19 (d) Tavern with comedy entertainment venue, with live comedic
20 performers, including bar and cocktail service.

21 (e) Tavern with karaoke entertainment venue, with amateur guest
22 performers, including bar and cocktail service.

23 (f) Themed restaurant, with discernible and unique theme, style or
24 character, serves full meals and light snacks, including bar and cocktail service.

25 (g) Themed night club, with discernible and unique theme, style or
26 character, dancing with live music or live disk jockey, including bar and cocktail service.

27 (h) Themed tavern, with a discernible and unique theme, style or
28 character, including bar and cocktail service.

(i) Other live entertainment venues, to be determined by the City Council for acceptability and conformity to the goals and objectives of the District.

(6) Such other conditions as may be recommended by City staff and imposed by the City Council.

(C) Upon receipt of an application for a tavern-limited license, the Department shall forward a copy of the application to the City's Office of Business Development for review.

SECTION 7: Title 6, Chapter 50, Section 223, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.223: (A) No new beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license, restaurant service bar, supper club, hotel lounge bar, [or] tavern license, or tavern-limited license shall be issued by the Department unless in each case the location for which the license is issued is first approved for a special use permit pursuant to the procedures provided for in LVMC 19.04.050.

(B) Approval of a special use permit shall not constitute or imply approval of any privileged business license that may be required by this Code.

(C) The provisions of this Section requiring a special use permit for the locations of the types of establishments identified and enumerated in Subsections (A) and (B) of this Section shall not apply to the locations of establishments that are intended to be operated solely under a gift shop limited license, a keg beer license, a nonprofit club general license, or a liquor caterers license, or to locations of establishments specified in catering service permits and special events licenses.

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

6.50.230 (A) Each licensee shall pay to the Department of Finance and Business Services the license fees set forth in the following schedule:

		Semiannual	Original New
[(A)] (1)	Beer/wine/cooler on-sale	300	1,000
[(B)] (2)	Beer/wine/cooler off-sale	300	1,000
		[Semiannual	Original New]

1	[(C)] (3)	Beer/wine/cooler on-off-sale	600	2,000
2	[(D)] (4)	Gift shop limited	500	2,500
3	[(E)] (5)	Nonprofit club general	200	1,000
4	[(F)] (6)	Keg beer	300	1,000
5	[(G)] (7)	Package	750	1,000
6	[(H)] (8)	Tavern	1,200	20,000
7		Plus: for each bar over one	900	
8	[(I)] (9)	Wholesale general	1,000	5,000
9	[(J)] (10)	Liquor caterer	500	2,500
10	[(K)] (11)	Restaurant service bar	600	30,000
11	[(L)] (12)	Brew/pub/tavern	1,200	60,000
12	[(M)] (13)	Supper club	800	40,000
13	[(N)] (14)	Gift basket limited license	500	2,500
14	[(O)] (15)	Wine, cordial, liqueur tasting	600	2,000
15	[(P)] (16)	Hotel lounge bar	1,200	60,000
16	(17)	<u>Tavern-limited</u>	<u>800</u>	<u>20,000</u>

17 (B) Each special event general licensee shall pay a license fee of fifty dollars per
18 day.

19 (C) Each special event beer/wine/cooler licensee shall pay a license fee of twenty-
20 five dollars per day.

21 SECTION 9: The map that is attached to this Ordinance shall serve as the map that
22 appears in Section 1 of this Ordinance as part of LVMC 19.06.120.

23 SECTION 10: This Ordinance shall expire eighteen months following its adoption
24 unless otherwise extended in accordance with Section 11 of this Ordinance.

25 SECTION 11: (A) Approximately 60 to 90 days prior to the expiration of this
26 Ordinance, the Office of Business Development, in conjunction with the Department of Finance and
27 Business Services, and the Planning and Development Department, shall present to the City Council
28 a report describing the following:

1 (1) The progress of the owners' association referred to in LVMC
2 19.06.120(E) towards the formation of an improvement district for a commercial area vitalization
3 project for the Downtown Entertainment Overlay District, or for another similar funding mechanism;

4 (2) The number of property owners within the District who have
5 successfully secured special use permits for a tavern-limited establishment;

6 (3) The number of tavern, club and restaurant operators who have
7 successfully secured tavern-limited licenses;

8 (4) The effectiveness of the owners' association and other independent
9 owners and operators in developing and implementing a Business Security Plan pursuant to this
10 Ordinance;

11 (5) The effectiveness of the owners' association and independent owners
12 and operators in developing and implementing a Sidewalk and Streetscape Maintenance Plan and
13 Budget pursuant to this Ordinance;

14 (6) A review of the overall initial success of the City and the owners'
15 association in working collaboratively to establish, develop and implement the District, and to achieve
16 the goals and objectives of the District; and

17 (7) An overall evaluation concerning how the goals and objectives of the
18 District are being met, and a recommendation concerning the extension of this Ordinance.

19 (B) Based upon the report and any other information and input that it receives, the
20 City Council may extend the Ordinance for a specified period if it finds that such an extension is
21 warranted, and shall extend the Ordinance with no limitation if it finds that:

22 (1) A minimum of seven tavern-limited establishments have received the
23 necessary special use permit and licensing approvals, and the approvals have been exercised or are
24 still valid; and

25 (2) The goals and objectives of the District are being met in a timely and
26 efficient manner.

27 SECTION 12: The expiration, if any, of this Ordinance shall not affect the validity of
28 any special use permit for a tavern-limited establishment or any tavern-limited license that was

1 approved or issued before the expiration date.

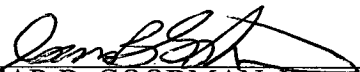
2 SECTION 13: For purposes of Section 2.100(3) of the City Charter, LVMC 19.20.020
3 is deemed to be a subchapter rather than a section.

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

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

15 PASSED, ADOPTED and APPROVED this 2nd day of October, 2002.

16 APPROVED:

17
18 By 
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21 
22 BARBARA JO RONEMUS, City Clerk

23 APPROVED AS TO FORM:

24  10-1-02
25 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 18th day of September, 2002, and referred to a committee for recommendation; thereafter the
3 committee reported favorably on said ordinance on the 2nd day of October, 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 amended and adopted by the following vote:

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

7 VOTING "NAY": Councilman Larry Brown

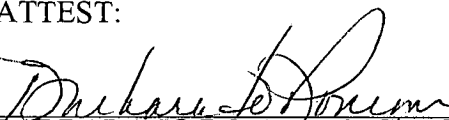
8 EXCUSED: None

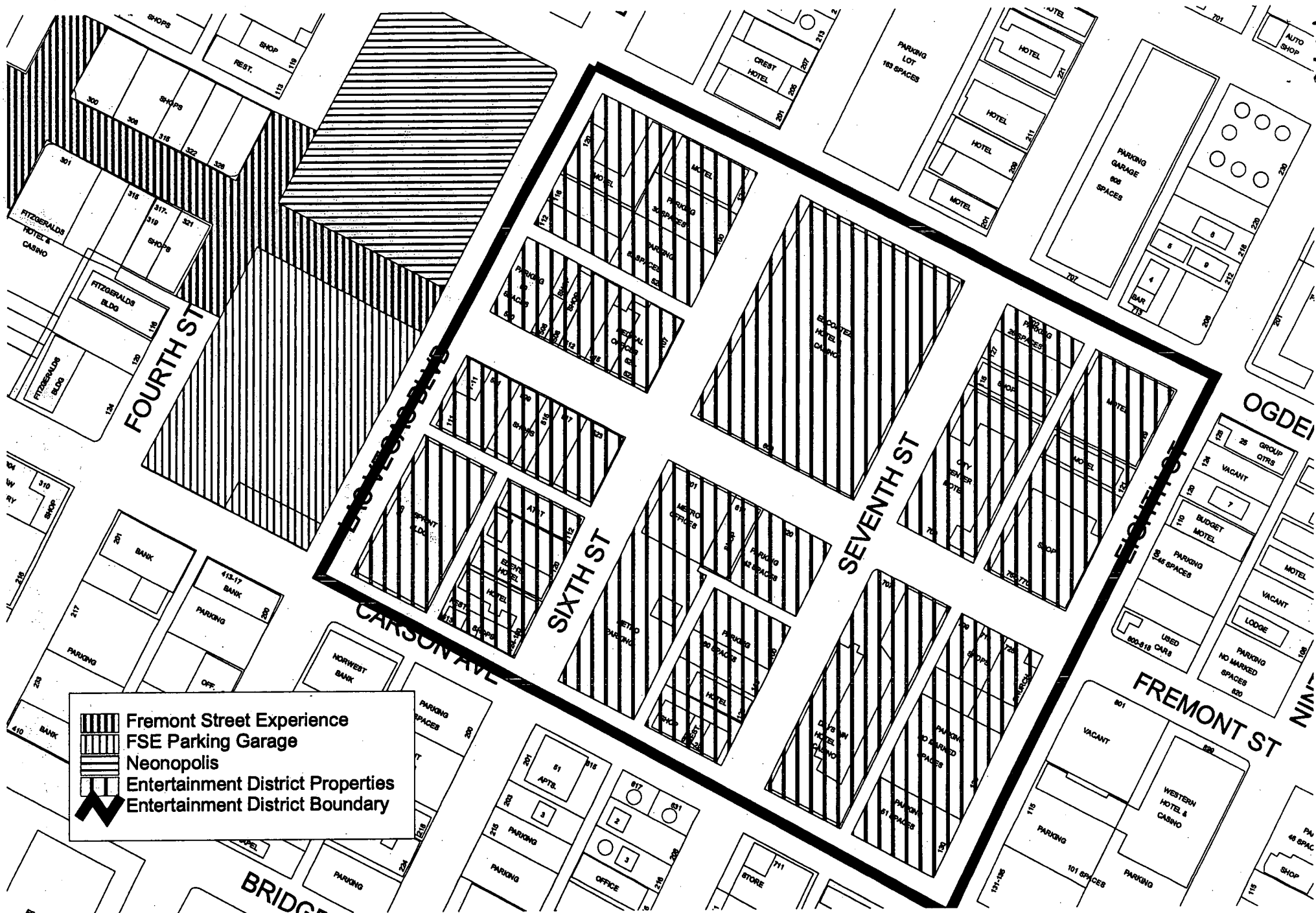
9 ABSTAINED: None

10 APPROVED:

11 
12 _____
OSCAR B. GOODMAN, Mayor

13 ATTEST:

14 
15 _____
BARBARA JO RONEMUS, City Clerk



Downtown Entertainment Overlay District, Title 19.06.120

August 21, 2002

BILL NO. 2002-102

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT AND CORRESPONDING REGULATORY PROVISIONS; TO ESTABLISH A "TAVERN-LIMITED" LIQUOR LICENSE PERTAINING TO THE DISTRICT; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman

Summary: Establishes the Downtown Entertainment Overlay District and corresponding regulatory provisions, and establishes a "tavern-limited" liquor license pertaining to the District.

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

SECTION 1: Title 19, Chapter 6, 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 120, reading as follows:

19.06.120 DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT

(A) Establishment of District. There is hereby created the Downtown Entertainment Overlay District (the "District"), consisting of that area of the City bounded by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east. The boundaries are depicted on the map that appears below.

(map appears here)

(B) Intent of District. The creation of the District is intended to further the City's downtown redevelopment plans in the spirit of restoring downtown Las Vegas as a dynamic, vibrant center for the entire Las Vegas Valley. Creation of the District is also intended to:

- (1) Create a safe and secure environment.
- (2) Eliminate urban blight.
- (3) Revitalize surrounding neighborhoods.
- (4) Foster economic development opportunities and expand free enterprise.
- (5) Eliminate criminal activities.
- (6) Make the East Fremont area a community of choice for business and citizens.

1 (7) Adjust the zoning and licensing restrictions to encourage non-gaming blues and jazz
2 nightclubs, comedy clubs, and other musical entertainment venues.

3 (8) Leverage the popularity of the nearby Neonopolis and Fremont Street Experience
4 attractions with the proposed physical proximity of the new district.

5 (9) Encourage and facilitate the creation of an improvement district for a commercial area
6 vitalization project for the District.

7 (C) Separation Requirements for Liquor Establishments. For any liquor establishment (tavern),
8 supper club, restaurant service bar, or other liquor-serving establishment that is approved by means
9 of Special Use Permit for a parcel located within the District, the distance separation requirements set
10 forth in Chapter 19.04 shall not apply. The Special Use Permit approval may include conditions
11 designed to mitigate any impacts related to distance separation.

12 (D) Parking Requirements. For any banquet facility, restaurant, café, tavern, bar, supper club,
13 billiard parlor, nightclub/discotheque, general retail store or video arcade that is approved by means
14 of Special Use Permit or otherwise for a parcel located within the District, the on-site parking
15 requirements set forth in Chapter 19.10 shall not apply. The Special Use Permit or other approval may
16 include conditions designed to mitigate any impacts related to parking.

17 (E) Review and Approval Procedures (General).

18 (1) Any application for development within the Downtown Entertainment Overlay District,
19 including without limitation an application for a new building, the remodeling of a building, a Site
20 Plan Review or a Special Use Permit, shall be processed in accordance with the procedures described
21 in this Subsection (E). The procedures set forth in this Subsection (E) are not intended to take the
22 place of any General Plan Amendment, Rezoning or Special Use Permit requirement that may apply,
23 but otherwise will replace the normal review and approval processes set forth in Chapter 19.18.

24 (2) There is hereby created a Design Review Committee for the Downtown Entertainment
25 Overlay District (DEOD-DRC). The DEOD-DRC shall initially be composed of:

26 (a) Two members from the Planning Commission, to be designated by the Planning
27 Commission;

28 (b) One member from the City Centre Development Corporation, either from its

1 Board of Directors or from its staff, to be designated by the Board of Directors;

2 (c) One member from the Planning and Development Department; and

3 (d) One member from the Office of Business Development who is assigned to the
4 City of Las Vegas Redevelopment Agency.

5 If and when there is created an owners' association that is representative of the owners of property
6 located within the District, the membership of the DEOD-DRC shall also include two members from
7 that owners' association, to be designated by the governing board thereof.

8 (3) Authority is hereby expressly granted to the DEOD-DRC to review and approve
9 applications for all designs, subject to the specific provisions of this Section 19.06.120 that are
10 applicable to the Downtown Entertainment Overlay District.

11 (4) Applications shall be submitted to the Planning and Development Department. The
12 Department shall forward the application to the DEOD-DRC for its review and action. The DEOD-
13 DRC shall review the application and shall approve, approve with conditions, or deny the application.

14 (5) The following design review standards shall apply:

15 (a) The DEOD-DRC may approve an application for single or multiple uses. The
16 DEOD-DRC shall base its assessment of compatibility on the following criteria:

17 (i) The compliance of the application with the site planning and
18 architectural design standards applicable to the Downtown Overlay District, as identified in LVMC
19 19.06.060.

20 (ii) The compliance of the application with the signage standards and
21 requirements applicable to the Special Signage Sub-district of the Downtown Casino Overlay District,
22 as identified in LVMC 19.06.100.

23 (ii) The relationship of the scale and placement of the building to the block
24 upon which it is to be built or remodeled.

25 (iii) The relationship of colors to the colors of adjacent buildings and nearby
26 street graphics.

27 (iv) The similarity or dissimilarity of the building's size and shape to the
28 size and shape of others in the area.

1 (v) The compatibility of the type of illumination with the type of
2 illumination in the area.

3 (vi) The compatibility of the materials used in the construction of the
4 building with the material used in the construction of other buildings in the area.

5 (vii) The use of high quality, durable materials and exciting, imaginative
6 designs.

7 (6) Applications for design review shall be processed as follows:

8 (a) An application shall be forwarded to the DEOD-DRC by the Planning and
9 Development Department at least two (2) weeks prior to the regularly scheduled DEOD-DRC
10 meeting.

11 (b) Approval or denial of the application by the DEOD-DRC shall be made in
12 writing with reasons for approval, denial, or approval with conditions, within fifteen (15) days
13 following each DEOD-DRC meeting. In the event a written notification is not made within said
14 fifteen (15) days, the application shall be deemed to have been denied. Decisions of the DEOD-DRC
15 may be appealed to City Council in accordance with the provisions of Paragraph 6 below.

16 (c) A complete set of plans shall be submitted, which shall contain visual
17 representations of the building, illumination, color, materials and signs.

18 (d) Photographic or drawn elevations of the building frontage shall be submitted
19 as well.

20 (e) The application shall also include or address any additional materials or
21 representations as may be mandated by the Planning and Development Department or the DEOD-
22 DRC.

23 (7) An applicant may appeal the decision of the DEOD-DRC to the City Council. An
24 appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed
25 in the office of the Planning and Development Department. The appeal must be filed within ten (10)
26 days after the decision is made and shall specifically describe the decision at issue and the basis for
27 the appeal. The appeal shall be considered on the next available agenda of the City Council.

28 (8) The DEOD-DRC shall have the authority to adopt rules and regulations concerning its

1 administrative procedures.

2 (F) Special Use Permits for Tavern-Limited Establishment

3 (1) A Special Use Permit for a Tavern-Limited Establishment shall be processed in
4 accordance with the Special Use Permit provisions of LVMC 19.18.060. A Special Use Permit for
5 this use may be approved if it meets the Special Use Permit criteria generally, the criteria for a Tavern-
6 Limited Establishment, and the criteria set forth in this Subsection (F).

7 (2) The approval of a Special Use Permit for a Tavern-Limited Establishment may include
8 such conditions as may be recommended by City staff and the Planning Commission, and imposed
9 by the City Council.

10 (G) Relationship to Other Provisions. All provisions of this Title shall apply to property within
11 the District except to the extent that they conflict with the provisions of this Section 19.06.120.

12 SECTION 2: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate location,
14 the following term and its corresponding definition:

15 "Tavern-Limited Establishment" means an establishment that is licensed with a tavern-limited license
16 in accordance with LVMC Chapter 6.50.

17 SECTION 3: Title 6, Chapter 40, Section 155, of Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.40.155:** (A) The City Council may deny any application for a gaming license if it deems the
20 place or location for which the license is sought to be unsuitable for the conduct of gaming.

21 [(A)](B) No restricted gaming shall be conducted, maintained or operated in the
22 following places or locations:

- 23 (1) Laundromats;
24 (2) Bakeries, donut shops and any other retail location, except as otherwise
25 provided in LVMC 6.40.140 and 6.40.150;
26 (3) Movie theaters and professional offices;
27 (4) Fast food establishments;
28 (5) Supper clubs;[and]

1 (6) Hotels with a hotel lounge bar license[.] ; and

2 (7) Establishments with a tavern-limited license.

3 [(B)](C) Locations listed [above] in Subsection (B) that are licensed for gaming as of
4 April 17, 1991, may be allowed to continue their licenses so long as the nature and character of the
5 business at the location does not materially change.

6 SECTION 4: Title 6, Chapter 50, Section 20, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

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

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

16 [(B)] “Beer” means any alcoholic beverage obtained by the fermentation of any
17 infusion or decoction of barley, malt, hops or similar product, or any combination thereof, in water.

18 [(C)] “Commercial center” means a concentration of retail stores that:

19 [(1)](A) Contains at least eighty thousand square feet of retail space enclosed
20 within a building or buildings;

21 [(2)](B) Contains at least one anchor retail store of at least twenty thousand
22 square feet;

23 [(3)](C) Includes a parking lot common to the retail stores; and

24 [(4)](D) Is situated on at least fifteen gross acres of land.

25 [(D)] “Cooler” means any prebottled alcoholic beverage, other than beer or wine, that
26 is a distillate obtained from the fermentation of the natural contents of fruits or other agricultural
27 products containing natural or added sugar, which contains not more than ten percent of alcohol by
28 volume.

1 “Downtown entertainment overlay district” means that area of the City bounded by Ogden
2 Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street
3 on the east.

4 [(E)] “Drugstore” means a business which has a registered pharmacist in attendance
5 at all times and which is located in a building, or in a portion of a building which is segregated
6 physically or spatially from the rest of the building, selling at retail a stock of merchandise having a
7 retail value of at least thirty thousand dollars, of which at least sixty percent consists of prescription
8 and nonprescription drugs and medicines, remedies and devices for use in curing or preventing human
9 ailments and diseases and alleviating pain, other pharmaceuticals, items associated with personal
10 hygiene, cosmetics, notions and sundries, and having at least one thousand two hundred square feet
11 of floor space, exclusive of warehouse and office areas, devoted to the display of such stock of
12 merchandise. No more than twenty-five percent of a drug-store’s retail inventory shall consist of beer,
13 wine, cooler and tobacco products.

14 [(F)] “Gift basket” means a receptacle or container commonly made of interwoven
15 wicker material, or material that resembles wicker, that may be filled with food items or novelty items,
16 and alcoholic beverages in sealed or corked containers in quantities not greater than 25.4 ounces
17 (approximately 1.79 pints), measured in the English system of weights and measures, or in quantities
18 not greater than seven hundred fifty milliliters measured in the metric system of weights and
19 measures; provided, however, alcoholic beverages shall not be included unless one or more food items
20 or novelty items, or both, having a minimum retail value of thirty-five dollars, are also included in the
21 gift basket.

22 [(G)] “Grocery store” means a business located in a building, or in a portion of a
23 building which is segregated physically or spatially from the rest of the building, selling at retail a
24 stock of merchandise having a retail value of at least thirty thousand dollars, of which at least sixty
25 percent consists of articles for human consumption customarily served as food in the home or entering
26 into the preparation of food in the home, and having at least one thousand two hundred square feet of
27 floor space, exclusive of warehouse and office areas, devoted to the display of such stock of
28 merchandise. No more than twenty-five percent of a grocery store’s retail inventory shall consist of

1 beer, wine, cooler and tobacco products.

2 [(H)] "Hotel lounge bar" means a bar located in a lounge area of a hotel which has
3 a minimum of one hundred fifty rooms, unless the City Council determines that the public health,
4 safety and welfare are not compromised by a lesser number of rooms, wherein:

5 [(1)](A) The lounge bar area is separated from other areas of the hotel by a
6 barrier sufficient to prevent access and screen view by persons under twenty-one years of age;

7 [(2)](B) Alcoholic beverages are prepared for service only at tables and booths
8 located within the lounge bar area of the hotel;

9 [(3)](C) Persons are not permitted to purchase or obtain alcoholic beverages
10 directly from such lounge bar;

11 [(4)](D) No other business, trade, profession or entertainment that requires a
12 license under this Title is conducted or performed in the lounge bar area; and

13 [(5)](E) The maximum available customer seating in the lounge bar area does
14 not exceed seventy-five seats.

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

19 [(J)] "Liquor store" means a specialty retail store which deals exclusively in
20 alcoholic liquors and related items including magazines, newspapers and packaged snack foods.
21 Minors are not allowed entry into liquor stores.

22 [(K)] "Malt beverage" means beer, ale, porter, stout and other similar fermented
23 beverages of any name or description, brewed or produced from malt, wholly or in part.

24 [(L)] "Meals" means the usual assortment of foods commonly ordered at various
25 hours of the day; provided, however, that the service of such food only as sandwiches and salads shall
26 not be deemed a compliance with this requirement.

27 [(M)] "Nonprofit club" means any nonprofit corporation, nonprofit association or
28 nonprofit organization which is organized or qualified to do business and operating under the laws of

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

7 [(N)] "Off-sale" means the sale of alcoholic beverages in original sealed or corked
8 containers for consumption off the premises where the same are sold.

9 [(O)] "On-sale" means the sale of alcoholic beverages for consumption on the
10 premises where the same are sold.

11 [(P)] "Restaurant" means a place which is regularly and in a bona fide manner used
12 and kept open for the service of meals to guests for compensation; and which has suitable kitchen
13 facilities connected therewith, containing conveniences for cooking an assortment of foods which may
14 be required for ordinary meals.

15 [(Q)] "Restaurant service bar" means a bar wherein alcoholic beverage drinks are
16 prepared for service only at tables in a restaurant for consumption only in connection with a meal on
17 the premises where the same is sold and where customers are not permitted to purchase alcoholic
18 beverage drinks directly from such bar.

19 [(R)] "Sale" or "sell" means, for compensation or any other business purpose, to sell,
20 serve, give away, or distribute; or to cause or permit to be sold, served, given away or distributed or
21 to possess with the intent to sell, serve, permit consumption, give away or distribute; or to solicit or
22 receive orders to sell, serve, give away or distribute.

23 [(S)] "Specialty merchandise store" means a retail store located within a commercial
24 center that:

25 [(1)](A) Has at least eighteen thousand square feet of gross floor area;

26 [(2)](B) Has at least eleven thousand five hundred square feet of floor space
27 dedicated to the sale and display of furniture, glassware, kitchenware and other household goods;

28 [(3)](C) Has at least three thousand six hundred square feet of floor space

1 dedicated to the sale and display of gourmet foods and nonalcoholic beverages; and

2 [(4)](D) Maintains an inventory of beer, wine and coolers with a wholesale value
3 of at least twenty-five thousand dollars.

4 [(T)] “Supper club” means a restaurant and bar operation with alcoholic beverage
5 sales wherein the bar area is separated from the restaurant area by a barrier sufficient to prevent access
6 to the bar area by minors, wherein the actual seating available at all times within the restaurant area
7 will accommodate at least one hundred twenty-five persons, wherein alcoholic beverages are served
8 in the restaurant area only in conjunction with the service of food, wherein full-course meals are
9 available during all hours the bar area is open to the public, wherein a cook and food server, other than
10 a bartender, are available at all times the bar area is open to the public, and wherein the restaurant
11 operation is the principal portion of the business.

12 [(U)] “Wholesale dealer” or “wholesaler” means a person who sells alcoholic
13 beverages for the purposes of resale.

14 [(V)] “Wine” means any alcoholic beverage, other than beer, obtained by the
15 fermentation of the natural contents of fruits or other agricultural products containing natural or added
16 sugar, which contains not more than twenty-two percent of alcohol by volume.

17 SECTION 5: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
18 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, reading as set forth in
19 Section 6 of this Ordinance.

20 SECTION 6: (A) A tavern-limited license:

21 (1) Authorizes the sale of alcoholic beverages only for consumption on the
22 premises where the same are sold.

23 (2) May only be issued for premises located in the downtown entertainment
24 overlay district or in another entertainment district that may be established by this Chapter.

25 (3) Is not transferable, except to a location within the same entertainment
26 district and to an operator who has been approved by the City Council.

27 (B) A tavern-limited license, or the transfer of a license, may be conditioned upon
28 one or more of the following:

1 (1) The prior creation of an improvement district for a commercial area
2 vitalization project for the District, and a binding commitment of continued full participation by the
3 property owner (and any tenant or licensee) in the improvement district.

4 (2) Annual review for conformity to licensing standards and conditions.

5 (3) Submittal of a Business Security Plan, to be approved by the City, with
6 the review and recommendation of the Las Vegas Metropolitan Police Department.

7 (4) Submittal of a Sidewalk/Streetscape Maintenance Plan and Budget, to
8 be approved by the City.

9 (5) A requirement for live entertainment to be provided at least four nights
10 per week, including but not be limited to the following:

11 (a) Tavern with music entertainment venue, with live music (jazz,
12 blues, reggae, hip hop, rock'n'roll, etc.), including bar and cocktail service.

13 (b) Supper club/restaurant, serves full meals and light snacks, with
14 live music, with or without dancing, including bar and cocktail service.

15 (c) Dance hall/night club/discothèque, dancing with live music or
16 live disk jockey, including bar and cocktail service.

17 (d) Tavern with comedy entertainment venue, with live comedic
18 performers, including bar and cocktail service.

19 (e) Tavern with karaoke entertainment venue, with amateur guest
20 performers, including bar and cocktail service.

21 (f) Themed restaurant, with discernible and unique theme, style or
22 character, serves full meals and light snacks, including bar and cocktail service.

23 (g) Themed night club, with discernible and unique theme, style or
24 character, dancing with live music or live disk jockey, including bar and cocktail service.

25 (h) Themed tavern, with a discernible and unique theme, style or
26 character, including bar and cocktail service.

27 (i) Other live entertainment venues, to be determined by the City
28 Council for acceptability and conformity to the goals and objectives of the District.

1 (6) Such other conditions as may be recommended by City staff and
2 imposed by the City Council.

3 (C) Upon receipt of an application for a tavern-limited license, the Department shall
4 forward a copy of the application to the City's Office of Business Development for review.

5 SECTION 7: Title 6, Chapter 50, Section 223, of the Municipal Code of the City of
6 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.50.223:** (A) No new beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler
8 on/off sale, or package, wholesale general license, restaurant service bar, supper club, hotel lounge
9 bar, [or] tavern license, or tavern-limited license shall be issued by the Department unless in each case
10 the location for which the license is issued is first approved for a special use permit pursuant to the
11 procedures provided for in LVMC 19.04.050.

12 (B) Approval of a special use permit shall not constitute or imply approval of any
13 privileged business license that may be required by this Code.

14 (C) The provisions of this Section requiring a special use permit for the locations
15 of the types of establishments identified and enumerated in Subsections (A) and (B) of this Section
16 shall not apply to the locations of establishments that are intended to be operated solely under a gift
17 shop limited license, a keg beer license, a nonprofit club general license, or a liquor caterers license,
18 or to locations of establishments specified in catering service permits and special events licenses.

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

21 **6.50.230** (A) Each licensee shall pay to the Department of Finance and Business Services
22 the license fees set forth in the following schedule:

		Semiannual	Original New
24	[(A)] (1) Beer/wine/cooler on-sale	300	1,000
25	[(B)] (2) Beer/wine/cooler off-sale	300	1,000
26		[Semiannual	Original New]
27	[(C)] (3) Beer/wine/cooler on-off-sale	600	2,000
28	[(D)] (4) Gift shop limited	500	2,500

1	[(E)] (5)	Nonprofit club general	200	1,000
2	[(F)] (6)	Keg beer	300	1,000
3	[(G)] (7)	Package	750	1,000
4	[(H)] (8)	Tavern	1,200	20,000
5		Plus: for each bar over one	900	
6	[(I)] (9)	Wholesale general	1,000	5,000
7	[(J)] (10)	Liquor caterer	500	2,500
8	[(K)] (11)	Restaurant service bar	600	30,000
9	[(L)] (12)	Brew/pub/tavern	1,200	60,000
10	[(M)] (13)	Supper club	800	40,000
11	[(N)] (14)	Gift basket limited license	500	2,500
12	[(O)] (15)	Wine, cordial, liqueur tasting	600	2,000
13	[(P)] (16)	Hotel lounge bar	1,200	60,000
14	(17)	<u>Tavern-limited</u>	<u>800</u>	<u>20,000</u>

15 (B) Each special event general licensee shall pay a license fee of fifty dollars per
16 day.

17 (C) Each special event beer/wine/cooler licensee shall pay a license fee of twenty-
18 five dollars per day.

19 SECTION 9: The map that is attached to this Ordinance shall serve as the map that
20 appears in Section 1 of this Ordinance as part of LVMC 19.06.120.

21 SECTION 10: This Ordinance shall expire eighteen months following its adoption
22 unless otherwise extended in accordance with Section 11 of this Ordinance.

23 SECTION 11: (A) Approximately 60 to 90 days prior to the expiration of this
24 Ordinance, the Office of Business Development, in conjunction with the Department of Finance and
25 Business Services, and the Planning and Development Department, shall present to the City Council
26 a report describing the following:

27 (1) The progress of the owners' association referred to in LVMC
28 19.06.120(E) towards the formation of an improvement district for a commercial area vitalization

1 project for the Downtown Entertainment Overlay District, or for another similar funding mechanism;

2 (2) The number of property owners within the District who have
3 successfully secured special use permits for a tavern-limited establishment;

4 (3) The number of tavern, club and restaurant operators who have
5 successfully secured tavern-limited licenses;

6 (4) The effectiveness of the owners' association and other independent
7 owners and operators in developing and implementing a Business Security Plan pursuant to this
8 Ordinance;

9 (5) The effectiveness of the owners' association and independent owners
10 and operators in developing and implementing a Sidewalk and Streetscape Maintenance Plan and
11 Budget pursuant to this Ordinance;

12 (6) A review of the overall initial success of the City and the owners'
13 association in working collaboratively to establish, develop and implement the District, and to achieve
14 the goals and objectives of the District; and

15 (7) An overall evaluation concerning how the goals and objectives of the
16 District are being met, and a recommendation concerning the extension of this Ordinance.

17 (B) Based upon the report and any other information and input that it receives, the
18 City Council may extend the Ordinance for a specified period if it finds that such an extension is
19 warranted, and shall extend the Ordinance with no limitation if it finds that:

20 (1) A minimum of seven tavern-limited establishments have received the
21 necessary special use permit and licensing approvals, and the approvals have been exercised or are
22 still valid; and

23 (2) The goals and objectives of the District are being met in a timely and
24 efficient manner.

25 SECTION 12: The expiration, if any, of this Ordinance shall not affect the validity of
26 any special use permit for a tavern-limited establishment or any tavern-limited license that was
27 approved or issued before the expiration date.

28 SECTION 13: For purposes of Section 2.100(3) of the City Charter, LVMC 19.20.020

1 is deemed to be a subchapter rather than a section.

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

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

13 PASSED, ADOPTED and APPROVED this _____ day of _____, 2002.

14 APPROVED:

15
16 By _____
17 OSCAR B. GOODMAN, Mayor

18 ATTEST:

19 _____
20 BARBARA JO RONEMUS, City Clerk

21 APPROVED AS TO FORM:

22 Val Steed 9-4-02
23 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2002, 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 _____, 2002, 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

12

APPROVED:

13

14

By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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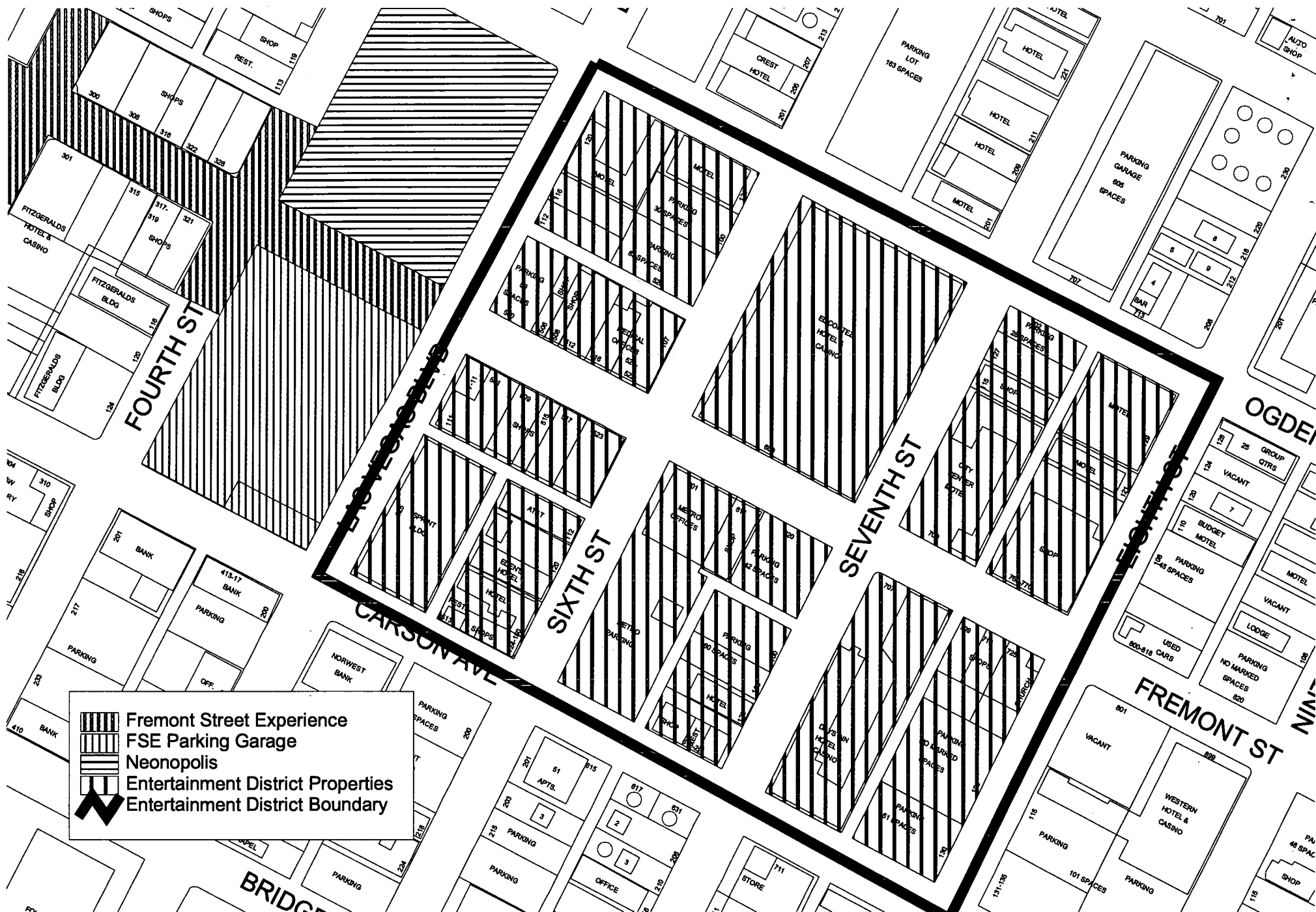
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Downtown Entertainment Overlay District, Title 19.06.120

August 21, 2002

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
2411495

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/20/2002 to 09/20/2002, on the following days: SEPT. 20, 2002

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 20

day of September 2002

Mary B. Sheffield

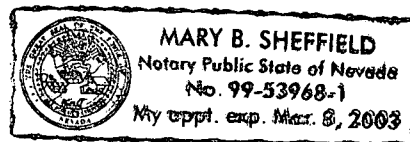
Notary Public

BILL NO. 2002-102
AN ORDINANCE TO ESTABLISH THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT AND CORRESPONDING REGULATORY PROVISIONS; TO ESTABLISH A "TAVERN-LIMITED" LIQUOR LICENSE PERTAINING TO THE DISTRICT; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman
Summary: Establishes the Downtown Entertainment Overlay District and corresponding regulatory provisions, and establishes a "tavern-limited" liquor license pertaining to the District.

At the City Council meeting of SEPTEMBER 18, 2002 BILL NO. 2002-102 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

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: September 20, 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
2438482

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was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 10/05/2002 to 10/05/2002, on the following days: OCTOBER 5, 2002

FIRST AMENDMENT
BILL NO. 2002-102
ORDINANCE NO. 5521

AN ORDINANCE TO ESTABLISH THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT AND CORRESPONDING REGULATORY PROVISIONS; TO ESTABLISH A "TAVERN-LIMITED" LIQUOR LICENSE PERTAINING TO THE DISTRICT; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman
Summary: Establishes the Downtown Entertainment Overlay District and corresponding regulatory provisions, and establishes a "tavern-limited" liquor license pertaining to the District.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of September, 2002, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 2nd day of October, 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 amended and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, M. McDonald, L.B. McDonald, Weekly and Mack

VOTING "NAY": Councilman Brown
EXCUSED: NONE

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: October 5, 2002
LV Review-Journal

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

7

day of October 2002

Mary B. Sheffield

Notary Public

