

ORDINANCE NO. 1117

AN ORDINANCE TO AMEND TITLE V, CHAPTER 18, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960, AMENDING DEFINITIONS IN SECTION 2 THEREOF; PROVIDING ADDITIONAL CONTROL OF LICENSES; AMENDING APPLICATION PROCEDURE IN SECTION 4 THEREOF; AMENDING SECTION 13 PROVIDING REQUIREMENTS ON PROPOSED SALE OR TRANSFER OF OWNERSHIP OF BUSINESS WHEREIN AN ALCOHOLIC LIQUOR LICENSE IS A PART THEREOF; LIMITING TRANSFER OF ALCOHOLIC LIQUOR LICENSES; PROVIDING FOR AUTOMATIC REVOCATION OF LICENSES; EXTENSIONS OF TIME UNDER CERTAIN CONDITIONS; AMENDING SECTION 17 CONCERNING LIMITATION OF CERTAIN LICENSES AS PERTAINS TO POPULATION RESTRICTIONS; PROVIDING FOR ISSUANCE OF CERTAIN LICENSES WITHOUT THE SAME BEING SUBJECT TO THE POPULATION LIMITATION; PROVIDING FOR RESIDENT MANAGER WHERE LICENSEE HOLDS MORE THAN ONE LICENSE IN SEPARATE ESTABLISHMENTS; AMENDING OTHER SECTIONS OF SAID ORDINANCE TO COMPLY WITH THE ABOVE PROVISIONS; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; REPEALING ALL ORDINANCES, PARTS OF ORDINANCES, SECTIONS, SUBSECTIONS, PARAGRAPHS OR SENTENCES IN CONFLICT HERewith; AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title V, Chapter 18, of the Municipal Code of the City of Las Vegas, Nevada, is hereby amended to read as follows:

5-18-1: SHORT TITLE: This Chapter may be cited as "The Las Vegas Liquor Control Act."

5-18-2: DEFINITIONS: Whenever used in this Chapter, the following words shall have the meaning described in this Section, unless the context clearly indicates a different meaning:

(A) Alcohol: The word "alcohol" means a product of distillation of any fermented liquor, rectified either once or more often, whatever may be the origin thereof, and includes synthetic ethyl alcohol.

(B) Spirits: The word "spirits" means any liquor which contains alcohol obtained by distillation, mixed with drinkable water and other substances in solution, including rum, brandy, whiskey and gin.

(C) Wine: The word "wine" means any alcoholic liquor obtained by the fermentation of natural sugar contents of fruits or other agricultural products containing sugar, including fortified wines such as port, sherry and champagne.

(D) Beer: The word "beer" means any liquor obtained by the alcoholic fermentation of an infusion or concoction of malt, barley and hops in drinking water.

(E) Beverage: The word "beverage" means any beer or wine containing not more than thirty percentum (30%) of alcohol by weight.

(F) Alcoholic liquor: The words "Alcoholic liquor" include the four (4) varieties of liquor defined, (alcohol, spirits, wine and beer), and wine, or beer, spirits and every liquor or solid, patented or not, containing alcohol and intended for consumption by human beings as a beverage.

(G) Hotel: The word "hotel" means every building or other structure kept, used, maintained, advertised, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which two hundred (200) or more rooms are used for the sleeping accommodations of such transient guests and having one (1) or more dining rooms each with fifty (50) or more seating capacity where meals are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings in connection therewith. Hotels in existence or presently holding building permits with plans for a tavern and restaurant with one hundred (100) rooms shall be exempt from this provision.

(H) Restaurant: The word "restaurant" means space in a suitable building kept, used, maintained, advertised, or held out to the public to be a place where meals are served and where fifty (50) or more persons may be served with meals at any one (1) time at tables or stools.

(I) Club: The word "club" means an association of persons, whether incorporated or unincorporated, for the promotion of some common object, but not including associations organized for any commercial or business purpose the object of which is money profit, owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests; provided, that such club shall be chartered under, or a duly recognized affiliate of, a national service association or organization.

(J) Tavern: The word "tavern" means a place where alcoholic liquors are sold at retail by drink only to the general public; a place where no other kind of business, except gambling is being maintained, or conducted, except that in such taverns, cigars, cigarettes, tobacco, nuts, jerkey, popcorn, potato chips, and pretzels may be sold or given away. A gambling casino shall be required to obtain a separate tavern license for each bar operated in the casino. A restaurant or lunch

counter may be operated in the same building with a tavern; provided, however, no lunches, foodstuffs or so-called "free lunches" shall be either given away or sold at other than a fair and equitable price in such taverns. A "tavern license" shall not permit or otherwise authorize or allow the gift or distribution of alcoholic liquor or beverages by means of organized drawings, raffles, free or complimentary tickets, or trading stamps, and no advertising or any such proposed gift or distribution shall be permitted at any time.

Commencing upon adoption of this chapter, no tavern license issued hereafter shall permit the sale of package liquor. Existing tavern licenses shall be limited to a display of package liquor within the tavern not to exceed more than twenty-four square feet (24 sq. ft.) of display area, the area not to exceed more than twelve inches (12 in.) in depth.

(K) Package Liquor Establishment: A package liquor establishment is defined as a place where alcoholic liquors and beverages are sold, served or otherwise lawfully distributed for consumption off of the premises. Such establishments shall have a "package liquor license." A package liquor license shall not permit the sale of draught beer in such licensed establishment, except that this limitation shall not apply to those package liquor stores selling draught beer prior to the effective date of this chapter. A "package liquor license" shall not permit or otherwise authorize or allow the gift or distribution of alcoholic liquor or beverages by means of organized drawings, raffles, free or complimentary tickets or trading stamps, and no advertising of any such proposed gift or distribution shall be permitted at any time. No alcoholic liquor shall be sold through or by means of a drive-in window.

(L) Hotel Liquor License: A hotel liquor license shall permit the sale of package goods for room delivery only, and shall permit the maintenance of a tavern in the premises including the sale of liquors by the drink in the rooms and restaurant portion thereof, and shall only be granted to hotels with two hundred (200) or more rooms and having a dining room capable of seating fifty (50) people at tables at one time.

(M) Beverage License: Beverage Licenses shall permit the sale of beer or wine containing not more than thirty percentum (30%) of alcohol by weight,

and may be permitted in grocery stores for off-premise consumption, and in restaurants, as herein defined, for on-premise consumption; provided, that such licenses are permitted under the planning and zoning regulations of the City.

(N) Beer License: Beer licenses may be permitted in a restaurant as defined herein, or in a lunch counter wherein twelve (12) or more persons may be served with meals at any one time at tables or stools, or in package liquor establishments, or a hotel, or a shopping center liquor store; provided, that the issuance thereof is permitted under the planning and zoning regulations of the City, and shall permit the consumption of beer on the premises.

(O) Service Bar: Service bar is defined as a bar wherein drinks are prepared for service only at tables or rooms in hotels, restaurants or casinos and does not permit sales direct to customers at such bar. Service bars are permitted in hotels, with a minimum of one hundred (100) rooms, or restaurants with seating capacity of one hundred (100) persons at one time, and in casinos.

(P) Special Events License: A special events license shall permit the sale of alcoholic liquor at such locations and as specified on such license, for a period of not more than one (1) week; provided that the Board of Commissioners shall have first approved the application therefor.

(Q) Import-Wholesale License: An "import-wholesale alcoholic liquor license" shall authorize the holder thereof to be the first person in possession of alcoholic or spirits within the City after completion of the act of importation of such alcohol or spirits into the State of Nevada. No such license shall be issued to or be operated by any person who does not possess a valid and effective permit, license, certificate, or other authorization from the State of Nevada entitling such person to import alcohol or spirits into the State of Nevada. Every such license shall permit the maintenance of a wholesale liquor establishment where alcoholic, spirituous, or mixed alcoholic and intoxicating liquors are kept, sold, given away or otherwise distributed, contained in sealed or corked packages or kegs, and not to be consumed on the premises where so kept, given away or distributed; and are to be sold, given away or distributed to retailers only, and only in the original packages or kegs. Every wholesale liquor establishment shall keep a record of the retail City license number of each and every person to whom any sale of alcohol

or spirits is made, and shall keep an invoice of each and every sale. Such records shall at all times during business hours be open to inspection by the City.

An "import-wholesale alcoholic beverage license" shall authorize the holder thereof to be the first person in possession of wine and beer within the City after completion of the act of importation of such wine or beer into the State of Nevada. No such license shall be issued to or be operated by any person who does not possess a valid and effective license, permit, certificate or other authorization from the State of Nevada entitling such person to import wine or beer, or both, into the State of Nevada. Every such license shall permit the maintenance of a wholesale beverage establishment where wine or beer, or both, are kept, sold, given away or otherwise lawfully distributed, contained in sealed or corked packages or kegs, and not to be consumed on the premises where so kept, given away or distributed and are to be sold, given away or distributed to retailers only, and only in the original packages or kegs. Every wholesale beverage establishment shall keep a record of the retail City license number of each and every person to whom any sale of wine or beer is made, and shall keep an invoice of each and every sale. Such records shall at all times during business hours be open to inspection by the City.

(R) Grocery store, Super Market and Drug Store Liquor Licenses: A grocery store, super market, or drug store liquor license shall permit the sale of alcoholic liquors only for off-premise consumption and may be permitted in a grocery store, super market, or drug store; provided that no self service sales shall be permitted; provided further, it shall be unlawful to sell or offer to sell alcoholic liquor through or by means of a drive-in window; and provided further, that the issuance of a license is permitted under the zoning provisions of the City.

Intoxicating liquors, other than wine and beer, must be segregated and kept under the exclusive control of and sold or distributed only by an adult at least twenty-one (21) years of age. All beer and wine shall be handled only by an adult person over the age of twenty-one (21) years and sold and distributed only by an adult of at least twenty-one (21) years of age. No sales shall be permitted at a grocery store, super market, or drug store, in quantities of less than one-half (1/2) pint.

In order that proper control be maintained of licensees authorized to sell

beer and wine, it shall be unlawful to sell or distribute the same from any premises of a grocery store, super market or drug store, unless there shall be in attendance not less than two (2) paid, on-duty attendants at all times between 3 p.m. and 7 a.m., which provision shall apply to all existing licensees. Distance between establishments shall be not less than six hundred feet (600 ft.) as defined in Section 5-18-17(C) of this ordinance.

(S) Person: "Person" shall include a firm, association, partnership, corporation, or other entity.

(T) Thirty-six (36) Lane Bowling Alley: A "bowling alley" means not less than a thirty-six (36) lane bowling alley, contiguous, under one roof, and operated by one person or firm. A tavern license may be issued to a person or firm who meets the requirements of this Chapter. The license shall be granted to a specific location and shall not be removable or transferable to any other location within the City.

(U) Supper Club License: A supper club license is hereby defined as permitting a bar lounge operation in conjunction with a supper club wherein the seating capacity of the restaurant, where food is served, is one hundred (100) or more persons at one time, and wherein the restaurant operation is the principal business. The license is subject to the following limitations:

1. That a separate bar lounge operation may be maintained in a divided, enclosed, portion of the building with connecting entrance to the restaurant, wherein alcoholic liquor, draught or bottle beer is sold by the drink only, and wherein the bar lounge may open for business not earlier than 5 P.M. each day and close not later than 3 A.M. the day following, and provided that the bar lounge shall maintain the same closing hour as the restaurant in the event the restaurant shall close earlier than 3 A.M. of each day.

2. The license shall not be granted unless an applicant shall have a separate facility where guests waiting to be served in the restaurant may be seated in the event they do not desire to wait in the bar lounge.

3. The license shall not permit any printed or exterior advertising other than "cocktails and dining."

4. No person shall be entitled to or receive both a supper club license and a service bar license for the same establishment.

(V) Keg Beer Home Delivery License: A keg beer home delivery license is hereby defined as permitting delivery of not less than one-quarter (1/4) barrel size kegs to homes or other establishments within the City. The fees for such license shall be one hundred dollars (\$100.00) per semiannual period. The application for license shall be as required for any other license in this Chapter. Keg beer shall be delivered to an individual who is not less than twenty-one (21) years of age, who shall sign a delivery receipt therefor and who shall specify the address of delivery. No delivery shall be made to any person or individual who is not a permanent occupant of the residence or other establishment. A copy of every delivery receipt on keg beer shall be furnished to the Supervisor of License of the City of Las Vegas within seventy-two (72) hours after such delivery and the receipts shall be available to the Supervisor of License and every peace officer upon demand.

5-18-3: LICENSE REQUIRED; EXCEPTIONS: It shall be unlawful for any person, social club or association of persons of any kind whatsoever to sell, offer to sell, serve, give away, or distribute, or cause or permit to be sold, offered for sale, served, given away or distributed, any alcoholic, spirituous, vinous, malt or intoxicating liquor, or any liquor or beverages mentioned in this Chapter, in the City limits, without first making application for and securing a license so to do; provided, that such liquors and beverages may be served by a private family in its home as a part of its family life; and provided, further, that the provisions of this Section shall not apply to the sale or giving away by a regularly licensed druggist of pure alcohol (with or without a physician's prescription) for medicinal, mechanical or scientific uses; nor shall the provisions of this Section extend to physicians, surgeons, apothecaries or chemists as to any alcoholic liquor which they may use in the preparation or compounding of medicines.

5-18-4: APPLICATION FOR LICENSE; INFORMATION TO BE SHOWN: Whenever any person, corporation, partnership, social club or association of persons of any kind whatsoever desires to open, keep, carry on or conduct or engage in any business concerning the sale or other lawful distribution of any alcoholic liquor, except as provided in Section 5-18-3 hereof, such applicant shall make application in writing to the Supervisor of License and Revenue of the City to obtain a license therefor. The application shall contain the following information, all of which shall

be filed and in possession of the Supervisor of License and Revenue prior to commencement of processing the application through the Police Department:

(A) The name and residence of the applicant and how long a resident of the City.

(B) The kind of a license desired, and the particular place for which such license is desired, and the name of the owner of the premises where such business is to be operated.

(C) All persons having any interest in the business asked to be licensed, including stockholders.

(D) A statement that if such application is approved and a license issued, it will be accepted by the applicant subject to the terms and provisions of this Chapter, and such other rules and regulations, as may at any time hereafter be adopted or enacted by resolution or ordinance of the Board of Commissioners of the City, including an acknowledgment of the power and authority of the License Department, or other authorized representative of the City to enter any store, building or any other place in which such business is being conducted at any time during business hours for the purpose of examining the books of account of the business to ascertain the real parties in interest in the business, and all persons having interest in such business, including persons who may have loaned or otherwise advanced money for the operation and conduct of such business.

(E) Health permit from the Clark County Health Department, 2nd and Stewart, if application is for transfer or newly completed or converted premises.

(F) Fire permit from the City Fire Department, if newly completed structure.

(G) Building permit, if new building is contemplated, from the City Building Department.

(H) Completed application form as supplied by the City, with fingerprints, to be taken at the Police Department within twenty-four hours after filing application, together with two approximately 4" x 4" photographs of each applicant.

(I) Necessary investigation fees.

(J) If a partnership, an executed copy of the partnership agreement; if a corporation, a certified copy of the Articles of Incorporation.

(K) Copy of lease, evidence of ownership, bill of sale or escrow instructions on premises.

(L) General application form - the original and two (2) copies with necessary deposit for license fees.

(M) Current financial statement - original and 7 copies.

(N) Copy of proposed Certificate of Doing Business Under Fictitious Firm Name which will be filed with the Clark County Clerk, upon approval of the application.

(O) Applicant must be a citizen of the United States.

(P) Each application must be completed in full and in the hands of the Supervisor of License and Revenue thirty (30) full working days before Commission action. In the event a longer period is required for investigation, an extension of time shall be requested from the City Commission.

(Q) If an applicant is requesting to be added to an existing license, the form thereof shall be completed - the original and 2 copies.

(R) The first annual license fee shall accompany the application, to be returned to applicant if the application is denied.

(S) Such application shall be verified by the person submitting the same and such person shall acknowledge that he has read and understands and will abide by the entire liquor ordinance or any amendments thereto; provided further, each applicant shall verify that he has not or will not pay any additional amount of consideration for any transfer of license other than the amount specified in the application. In the event a misrepresentation be discovered at any time thereafter, it shall be cause for suspension or revocation as provided in this Chapter.

(T) A profit and loss statement from seller for the immediate past year, if application is for transfer of ownership or any portion thereof. Said statement shall reflect the value of fixtures in the premises with the year of purchase together with the make and model, the original cost, and the current sale price of said fixtures.

(U) An estimate of the amount to be paid for the inventory of stock in trade.

(V) No application shall be accepted by the Supervisor of License and Revenue unless a license in a particular category is available for issuance.

5-18-5: REQUIREMENTS WHERE APPLICANT IS CORPORATION OR ASSOCIATION: When an applicant for a license is a corporation or association, the application must be verified by its president, secretary or manager, and in addition to the matters and things hereinbefore required to be set out in the application, there shall be set forth the names and addresses of all officers and directors and the name and address of the person who shall have the management of its business for which or in connection with which a license is desired.

5-18-6: INVESTIGATION: Every person filing an application for a license in the City required by this Chapter shall concurrently therewith deposit with the License Department an investigation fee based on the following schedule:

(A) For each beer or beverage license, the sum of twenty-five dollars (\$25.00), plus an additional sum of twenty-five dollars (\$25.00) for each additional person required to be licensed.

(B) For all other alcoholic liquor licenses, the sum of one hundred fifty dollars (\$150.00), plus an additional sum of twenty-five dollars (\$25.00) for each additional person required to be licensed.

(C) In the event any person shall be an applicant or member of a group of applicants, and such person shall have been previously investigated by the City and shall have held a license within a preceding period of one (1) year, no investigation fee shall be required.

(D) In the event the applicant shall be a partnership or association, each person having an interest therein and each officer thereof shall be investigated and the fee for such investigation shall be fifty dollars (\$50.00) per person. In the event the applicant shall be a corporation, partnership or association, each officer and director thereof and the local representative or managing director not appearing on the license shall be investigated and the fee for such investigation shall be fifty dollars (\$50.00) per person.

(E) In the event an application shall disclose that the financing of the applicant or members thereof, shall have been furnished by any other person or persons, then such lender or lenders shall be investigated, at a fee of one hundred fifty dollars (\$150.00) per person.

(F) No investigation shall be made of any of the foregoing persons prior

to the payment by the applicant of such fee to the License Department of the City, and no application shall be considered until all such fees are paid.

5-18-7: CHARACTER AND CITIZENSHIP:

(A) No license shall be issued to any person, social club or association or persons of any kind whatsoever, unless the applicant shall have an established place of business within a zone permitting such type of license under the Planning and Zoning Regulations of the City and unless the applicant is a citizen of the United States, and of good moral character. In the event the applicant shall be a corporation or association, the managing agent thereof must be a citizen of the United States and a person of good moral character.

(B) No alcoholic liquor license shall be issued hereunder to any person who has previously been convicted of a felony, either in the State of Nevada or in any other State of the United States, nor to any person who has been convicted in any other State or country of a crime which is considered a felony under the laws of the State of Nevada.

5-18-8: LOCATION:

(A) No license shall be granted for the sale of alcoholic liquor unless the building in which such business is to be conducted shall face and have its main entrance from a designated street; provided, however, that the Commission may nevertheless authorize the issuance of licenses which permit the sale, service, or other lawful distribution of alcoholic liquors in specified enclosed areas, which are under the supervision, management and operation of a licensee.

(B) Super market, drug store, grocery and package liquor licenses for the sale or distribution of alcoholic liquors may at the discretion of the Board be permitted anywhere within the limits of the City in any C-1, C-C and C-2, or less restrictive, zone.

(C) Restaurants for the sale of beverages containing no more than thirty percentum (30%) of alcohol by weight may be licensed anywhere within the limits of the City in any C-C, C-1, C-2, or less restrictive zone, except prohibited by Section 5-18-9.

(D) Club licenses for the sale of beverages or alcoholic liquors may be maintained only in such places as may, in the discretion of the Board of Commissioners, be specifically designated at the time application for license therefor is made.

(E) Beverages may be sold, served or distributed by regularly licensed establishments within any C-C, C-1, C-2 Zone, or less restrictive zone, within the City limits except as prohibited by Section 9 of this Chapter.

(F) Import-wholesale alcoholic liquor licenses may be maintained, and kept in that part of the City zone as M-1, Light Industry and M-2, Heavy Industry, in accordance with the Planning and Zoning Regulations of the City.

(G) Taverns may be maintained only in that portion of the City known as the Commercial Districts and described as follows:

All frontage on Main Street on the east and west sides thereof between the intersection of Ogden Street on the north and Carson Street on the south; all frontage on Ogden Street on the north and south sides between the intersection of Main Street and Second Street; all frontage on First Street on the east and west sides between the intersections of Carson and Ogden Streets; all frontage on Second Street on the east and west sides between the intersections of Ogden and Carson Streets; all frontage on Carson Street on the north and south sides between Main and Second Streets; and all frontage on Fremont Street, on both sides, between Second Street and Main Street; and on Fremont Street between Eighth Street and Sahara Avenue; and on each side of Las Vegas Boulevard both North and South, except on either side between Foremaster Lane and Bonanza Road; and on each side of Main Street, both North and South; and on Jackson Street from one hundred feet (100 ft.) east of "D" Street to one hundred feet (100 ft.) west of "F" Street and on "D" Street from Monroe to Van Buren; and on each side of Charleston Boulevard, commencing at the intersection of East Charleston Boulevard and Fremont Street and extending westerly along Charleston Boulevard to 10th Street; and on each side of West Bonanza Road commencing at Main Street and extending to Highland Drive; from the intersection of West Bonanza Road and Tonopah Highway west to Washington Boulevard along Tonopah Highway; along the west side of Decatur from Evergreen to Alta Drive; on West Charleston from the intersection of Valley View Boulevard west to the City limits and on Sahara Avenue both east and west; and on Western and Highland Streets south of Charleston Boulevard to the south City limits. Tavern areas herein designated are subject, however, to the proper zoning on each street mentioned.

Nothing contained in this Chapter shall be interpreted to permit taverns in any areas described above without complying with the Zoning Regulations; provided, however, that hotels as defined herein, may be allowed a tavern license outside such zone if approved by the Board of Commissioners; and provided, further, that any such tavern maintained by a hotel shall be separate, distinct and apart from any other business; and provided further, that this section shall not be construed to prohibit a lunch counter or restaurant from being operated in the same building; and provided further, that no tavern license issued to a major gambling establishment, thirty-six (36) lane bowling alley, or a hotel with two hundred (200) rooms or more shall be transferred from place of issuance.

(H) Supper club license for the sale of beverages or alcoholic liquor may be maintained in any C-C, C-1, C-2, or less restrictive zone, within the City limits, except as provided by Section 9 of this Chapter.

5-18-9: SALES NEAR SCHOOL OR CHURCH PROHIBITED:

(A) It shall be unlawful for a licensee under the provisions of this Chapter to sell, serve, give away or distribute any of the liquors or beverages mentioned in this Chapter within four hundred feet (400 ft.) of any schoolhouse or place wherein a public school is conducted, provided that grocery stores and/or delicatessens may sell or distribute packaged beer and wine in sealed containers on a take-out basis within four hundred feet (400 ft.) of any school or church.

(B) It shall be unlawful for any licensee under the provisions of this Chapter to sell, serve, give away or distribute any alcoholic liquor as defined in Sections 2 and 3 of this Chapter within four hundred feet (400 ft.) of any church; provided, however, this restriction shall not apply to licensees or places of business selling alcoholic liquors in a prohibited location prior to the effective date of this Chapter, or to licensees engaged in business at any approved location which would become a prohibited location by reason of the establishment of a church within four hundred feet (400 ft.) of such approved location; and provided further, that grocery stores and/or delicatessens may sell or distribute packaged beer and wine in sealed containers on a take-out basis within four hundred feet (400 ft.) of any school or church.

(C) The four hundred feet (400 ft.) limitation as defined in Subsection, (A) and (B) above shall be determined by measurement from the property line of the

school or church to the nearest corner of the building wherein alcoholic beverages are sold. The measurements shall be actual or by mechanical device in the event there are obstructions between the property line and the building to be measured, and the Board of Commissioners is hereby empowered to make findings from the measurements or calculations which shall be conclusive.

5-18-10: LIQUOR TO BE APPROVED BY UNITED STATES GOVERNMENT:

It shall be unlawful for any person, social club, or association of persons of any kind whatsoever, to sell, serve, give away, or dispose of any alcoholic, spirituous, vinous or malt liquor, except such liquor as is manufactured under the supervision of or approved for sale by the United States Government.

5-18-11: TRADING STAMPS AND HOME DELIVERIES PROHIBITED: It

shall be unlawful for any licensee under the provisions of this Chapter to make so-called "home deliveries," or to deliver any alcoholic liquor as defined in this Chapter to any private home or residence pursuant to telephone calls requesting such delivery.

It shall be unlawful for any licensee under the provisions of this Chapter to sell, give, deliver or otherwise distribute trading stamps or any other evidence of value as a part of the sale or distribution of any alcoholic liquor as defined in Subsection (F) of Section 5-18-2.

5-18-12: POWER OF BOARD TO ALLOW OR REFUSE LICENSE:

(A) The Board of Commissioners may, if the applicant for a license under this Chapter is qualified to carry on such business, approve such application and authorize the Supervisor of License and Revenue to issue such license; provided, however, that the Board shall have the right to deny any application for any reason deemed sufficient by the Board and refuse to license any applicant.

(B) The Board shall have the right to limit the number of licenses which may be issued, based upon population as determined by any formula deemed sufficient by the Board, and to determine where and under what conditions alcoholic liquor may be sold, served, given away or distributed in the City.

(C) The Board shall have the right to immediately suspend at any time, and without prior notice, any license for the sale of alcoholic liquor for any violation of this Chapter, and every licensee shall be deemed to have accepted his license subject to such right of suspension without prior notice; provided, however, that an order of the Commission suspending such license shall not be made unless

the Commission finds that such action is necessary for the immediate preservation of the public health, safety, morals, or general welfare of the inhabitants of the City. Such order of suspension shall remain effective until further order of the Commission or final disposition of the charges upon which the order is based. In the event of a suspension without prior notice, every such licensee shall immediately be given notice in writing of the reason or reasons for such suspension, which shall include a specification of violations of law and set forth in ordinary language the acts or omissions alleged against the licensee. The licensee shall be given an opportunity to be heard at the next regular meeting of the Board of Commissioners. The hearing shall permit the licensee to show cause why his license should not be suspended and shall be conducted in the manner and under the procedures provided for the revocation of business licenses in general. The licensee may waive the time hereinbefore provided for a hearing upon suspension and such hearing may be held at any time thereafter which may be agreed upon; provided, however, that nothing herein shall be construed to limit the right of the Board to proceed with revocation proceedings. The Board shall also have the right, whether or not a license is suspended with or without prior notice, to require a licensee to show cause, if any, why his license should not be revoked for any violations of this Chapter, or other applicable provisions of this Code or state law. In such event, the licensee shall be given a notice in writing of the reason or reasons for such hearing, which shall include a written specification of the charges in ordinary and concise language describing the acts or omissions alleged against the licensee. The hearing shall be conducted in the manner and under the procedures for the revocation of business licenses in general.

5-18-13: ISSUANCE OF LICENSE:

(A) Upon the approval of an application and payment of required fees, the Supervisor of License and Revenue shall issue a license for the type of business specified in the application. All licenses shall be permanent and fees therefor shall be paid semiannually. Such license shall be prominently displayed in the place of business for which it is issued and shall be retained by the licensee as long as it is in effect.

(B) Every licensee whose semiannual license fee is more than seven hundred fifty dollars (\$750.00) may pay such license fee in two (2) installements as follows: Fifty per cent (50%) on the due date, and the remaining fifty per cent (50%) within ninety (90) days after the due date.

(C) Each licensee shall be notified prior to the due date of the amount due for this license; provided that the actual receipt by the licensee of such notice is in no case required; and provided further that the failure of the City to notify any licensee shall in no event be construed or held to be a waiver of the payment of such license fee.

(D) Upon the approval of a sale or transfer of ownership of a business for which an alcoholic liquor license has been issued and the approval of an alcoholic liquor license for the purchaser or transferee, license fees already paid shall be refunded to the seller or transferor for the unexpired portion of the licensing period, but only in the event that the purchaser or transferee has paid in advance the license fee for a period of one (1) year as the next succeeding licensing period.

(E) Nothing herein shall be construed to authorize the sale, transfer or assignment of an alcoholic liquor license, and no such license shall in any event be sold, assigned or transferred; and it shall be cause for suspension or revocation of license if holder thereof sells, transfers or places in possession any applicant or other person prior to approval of a transfer, by the City Commission, and provided, further, that all sales or transfers of the stock or merchandise of any licensee shall be made in compliance with applicable laws of the State of Nevada, including the Bulk Sales Act (Chapter 98, Nevada Revised Statutes).

(F) In the event the holder of an alcoholic liquor license shall not commence business within sixty (60) days after issuance of license, or shall discontinue business for a period of sixty (60) days without specific approval of the Board of Commissioners, such license shall be revoked automatically, without action by the Board. In the event the holder of an alcoholic liquor license cannot commence operations or discontinues operations for reasons beyond his control or for an Act of God, then and in that event the City Commission may, for good cause shown, grant additional sixty (60) day extensions not to exceed, however, a total period of one (1) year, including said initial sixty (60) day period. In the event an alcoholic liquor licensee shall not commence business within the respective period, or shall discontinue business for longer than the respective specific approval, said license shall be revoked automatically without action by the Board. It is further provided that there shall be no transfer of license or business or any portion thereof to any other person or persons during the period while the business is not in actual operation. The intent of this

section is that holders of alcoholic liquor licenses shall maintain the same in actual operation or that the same shall be invalid as herein provided.

5-18-14: LICENSE FEES:

(A) The fees for licenses provided for in this Chapter shall be, and the same are fixed and established, and the same shall be paid in advance by all persons receiving such licenses respectively, as follows:

1. For an import-wholesale alcoholic liquor license the sum of six hundred dollars (\$600.00) per semiannual period.

2. For an import-wholesale alcoholic beverage license the sum of five hundred dollars (\$500.00) per semiannual period.

3. For a tavern license the sum of seven hundred fifty dollars (\$750.00) per semiannual period.

4. Package Liquor Licenses:

(a) For a package liquor license or shopping center liquor license the sum of four hundred fifty dollars (\$450.00) per semiannual period.

(b) For a package liquor license in a super market, grocery store or drug store, the sum of four hundred dollars (\$400.00) per semiannual period.

5. For a beverage license the sum of one hundred dollars (\$100.00) per semiannual period.

6. For a beer license the sum of one hundred dollars (\$100.00) per semiannual period.

7. For a club license the sum of fifty dollars (\$50.00) per semiannual period.

8. For a hotel liquor license the sum of seven hundred fifty dollars (\$750.00) per semiannual period; provided that any hotel maintaining more than one (1) bar shall pay an additional amount of seven hundred fifty dollars (\$750.00) per semiannual period for each bar in excess of one (1) number and shall pay in addition the sum of six hundred dollars (\$600.00) per semiannual period for each service bar maintained in such hotel.

9. For a service bar license in a restaurant or casino the sum of six hundred dollars (\$600.00) per semiannual period.

10. For a special events license for the sale of beverages the

sum of ten dollars (\$10.00) per day, and for a special events license for the sale of liquor the sum of twenty-five dollars (\$25.00) per day.

11. For a supper club license the sum of seven hundred fifty dollars (\$750.00) per semiannual period.

An applicant not previously licensed shall pay with the application the license fee set forth hereinabove for the appropriate type applied for, covering a one (1) year period. After a licensee shall have held a license for one (1) year, the license fee shall be paid semiannually in advance, subject, however, to the provisions of Subsection (B) of Section 5-18-13.

(B) Every license fee required by this Chapter which is not paid when the same becomes due and payable is hereby declared to be delinquent and the Supervisor of License and Revenue shall thereupon add to such license fee and collect before issuing such license, a penalty of ten per cent (10%) of such license fee so delinquent (but not in any case less than fifty cents (50¢)) in the event such license fee shall have been delinquent for less than fifteen (15) days. If such license fee shall have been delinquent for more than fifteen (15) days, the Supervisor shall add to such license fee and collect before issuing such license a penalty of twenty-five per cent (25%) of such license fee so delinquent. Such penalty may also be recovered in any civil action brought in the name of the City for the recovery of the amount of license fee imposed by this Chapter. This Chapter shall not be construed to permit the operation of any business to which this Chapter applies for any length of time whatever without having in full force and effect a proper license issued by the City.

5-18-15: FINANCIAL INTEREST OF BREWER, WHOLESALER IN RETAIL ESTABLISHMENTS: No license shall be granted to any brewer or brewery, manufacturer of liquors or beverages, or wholesaler who shall have any financial interest, direct or indirect, in any retail alcoholic liquor or retail beverage establishment in the City.

5-18-16: IMPORT-WHOLESALE ALCOHOLIC LIQUOR LICENSE REQUIREMENTS:

(A) No import-wholesale alcoholic liquor license shall be issued to or be operated by any person who does not meet the following qualifications in connection with his premises licensed as his principal place of business:

1. Maintains warehouse and office space either owned or leased by him or dedicated to his use in a public warehouse and such space is sufficient to store at one (1) time either:

(a) A stock of distilled spirits equal to ten percent (10%) or more of his annual gross volume of distilled spirits sales to retailers within this State, or

(b) A stock of distilled spirits whose cost of acquisition is fifty thousand dollars (\$50,000.00) or more, and

2. Sells distilled spirits to retailers generally rather than a selected few retailers.

The stock of distilled spirits herein required shall be owned by him, not held on consignment and not acquired pursuant to a prior agreement to sell it to a specific licensee or licensees. A wholesaler who sells to twenty-five percent (25%) of the retailers in Clark County, Nevada, or a wholesaler whose total volume of sales of distilled spirits to retailers during any twelve (12) month period consists of fifty percent (50%) or more of individual sales in quantities of ten (10) cases or less shall be conclusively presumed to be selling to retailers generally.

(B) No import-wholesale alcoholic beverage license shall be issued to or be operated by any person who does not meet the following qualifications in connection with his premises licensed as his principal place of business:

1. Maintains warehouse and office space either owned or leased by him or dedicated to his use in a public warehouse and such space is sufficient to store at one (1) time either:

(a) A stock of wine or beer equal to ten per cent (10%) or more of his annual gross volume of wine or beer sales to retailers within this State, or

(b) A stock of wine or beer whose cost of acquisition is ten thousand dollars (\$10,000.00) or more, and

2. Sells wine or beer to retailers generally rather than a selected few retailers.

The stock of wine or beer herein required shall be owned by him, not held on consignment and not acquired pursuant to a prior agreement to sell it to a specific licensee or licensees. A wholesaler who sells to twenty-five per cent (25%) of the retailers in Clark County, Nevada, or a wholesaler whose total volume of sales of wine or beer to retailers during any twelve (12) month period consists of fifty percent (50%) or more of individual sales in quantities of ten (10) cases or less shall be conclusively presumed to be selling to retailers generally.

Notwithstanding the provisions of this subsection (B), a limited import-wholesale alcoholic beverage license may be issued to, or be operated by, a person who complies only with the requirements of Subsection (1) hereof and who need not sell wine or beer to retailers generally and who need not own such wine or beer and may have acquired the same pursuant to a prior agreement to sell it to a specific licensee; provided, however, that only one (1) limited import-wholesale alcoholic beverage license may be issued for each seventy-five thousand (75,000) persons, or fraction thereof, residing in the City as determined under the provisions of Section 17 of this Chapter.

5-18-17: LIMITATION ON NUMBER OF CERTAIN LICENSES:

(A) There shall be one (1) package liquor license excluding present and future automatic category licenses available for issuance for each eighteen hundred (1800) persons residing in the City. The holder of a package liquor license heretofore issued by the appropriate governing body for a business located in an area which is subsequently annexed to the City shall be entitled to a similar license under the provisions of this Chapter without regard to the population limitation provided herein, but thereafter shall be subject to said limitation, and to all of the applicable provisions of this Chapter. If and when any package liquor license is surrendered, cancelled or revoked, no such new license shall be issued until the population of the City is such that another license is available for issuance. The Board of Commissioners hereby finds that certain outlying areas of the City are not adequately served by the package liquor establishments, and further finds that when and as licenses provided in this subsection may be available for issuance, preference should be given to package liquor license businesses located in such outlying areas. Nothing herein shall be con-

strued to require the approval of an application for a package liquor license simply because one (1) may be available for issuance, and the Board of Commissioners may withhold the issuance of such license, in its sole discretion, and for any reason whatsoever, including the encouragement of the installation of businesses in outlying areas. No new package or tavern liquor license shall be issued for, and no existing package or tavern liquor license shall be transferred to any location which is within four hundred feet (400') of an existing package or tavern liquor establishment, except that this limitation shall not apply to Main Street on the east and west sides thereof between the intersection of Ogden Street on the north and Carson Street on the south; all frontage on Ogden Street on the north and south sides between the intersection of Main Street and Second Street; all frontage on First Street on the east and west sides between the intersection of Carson and Ogden Streets; all frontage on Second Street on the east and west sides between the intersection of Ogden and Carson Streets; all frontage on Carson Street on the north and south sides between Main and Second Streets; and all frontage on Fremont Street, on both sides, between Second Street and Main Street; and on Jackson Street from one hundred feet (100') east of "D" Street to one hundred feet (100') west of "F" Street; and on "D" Street from Monroe to Van Buren.

(B) There shall be one (1) tavern license, excluding present and future automatic category licenses, available for issuance for each two thousand seven hundred fifty (2,750) persons residing in the City, except that a separate district is hereby defined for the purpose of tavern licenses on the basis of centralized population within the district. The population may be designated by the Board of Commissioners as and when the same shall be deemed necessary. The district is hereby defined within, and bounded on the south by the north side of Bonanza Road, on the east by the Union Pacific Railway tracks, on the north by Lake Mead Boulevard, and on the west by the east side of Highland Drive. Licenses issued in said separate district shall not be transferable outside of said district. Club licenses as defined in subsection (I) of Section 5-18-2 shall not be included in any determination of the number of tavern licenses which may be issued and outstanding at any one (1) time based upon each two thousand seven hundred fifty (2,750) persons of population; provided, however, that no tavern license heretofore issued by the City shall be deemed to be prohibited or cancelled by reason of the limitation herein; and provided, further, that the holder of a tavern license here-

tofore issued by the appropriate governing body for a business located in an area which is subsequently annexed to the City shall be entitled to a similar license under the provisions of this Chapter without regard to the population limitation provided herein, but shall be thereafter subject to said limitation and to all other applicable provisions of this Chapter. If and when any tavern license is surrendered, cancelled or revoked, no such new license shall be issued until the population of the City is such that another such license is available for issuance. Nothing herein shall be construed to require the approval of an application for a tavern license simply because one may be available, and the Board of Commissioners may withhold the issuance of such license in its sole discretion and for any reason whatsoever. Hotels having two hundred (200) rooms or more and one or more dining rooms, and major gaming establishments having ten (10) or more gambling devices, exclusive of slot machines, and bowling alleys of thirty-six (36) or more lanes, shall be exempt from the population limitation of the number of tavern licenses available for issuance.

From and after the effective date of this Chapter, no new tavern or package liquor license shall be issued for, and no existing package or tavern liquor license shall be transferred to any location which is within four hundred feet (400') of an existing tavern or package establishment; provided, further, that this limitation shall not apply to places of business on Main Street on the east and west sides thereof between the intersection of Ogden Street on the north and Carson Street on the south; all frontage on Ogden Street on the north and south sides between the intersection of Main Street and Second Street; all frontage on First Street on the east and west sides between the intersections of Carson and Ogden Streets; all frontage on Second Street on the east and west sides between the intersections of Ogden and Carson Streets; all frontage on Carson Street on the north and south sides between Main and Second Streets; and all frontage on Fremont Street, on both sides, between Second Street and Main Street; and on Jackson Street from one hundred feet (100') east of "D" Street to one hundred feet (100') west of "F" Street; and on "D" Street from Monroe to Van Buren; provided, further, that the four hundred feet (400') limitation shall not apply to hotels with two hundred (200) rooms or more wherever the same may be located; and provided, further, that no tavern license issued to a major gambling establishment or a hotel with two

hundred (200) rooms or more shall be transferred from the place of issuance.

(C) The four hundred foot (400') limitation as defined in subsections (A) and (B) above shall be measured between door to door from each establishment by the nearest direct line and the measurements shall be either actual or by mechanical calculation in the event there are obstructions between the licenses, and the Board of Commissioners is hereby empowered to make findings from the measurements or calculations which shall be conclusive.

(D) The population of the City for the purposes of this Section may be determined from time to time by the Board of Commissioners by any formula deemed sufficient by the Board, and when so determined the population shall be presumed to remain the same until the next population determination.

(E) No package liquor license or tavern license shall be convertible or transferable into a different type of license unless such proposed transfer complies with and meets all of the requirements of this Chapter with respect to the proposed type of new or transferred license.

(F) No new package liquor license shall be issued for, and no existing package liquor license shall be transferred to, the same location licensed as a tavern; and no new tavern license shall be issued for, and no existing tavern license shall be transferred to the same location licensed as a package liquor establishment.

5-18-18: SALE TO INTOXICATED PERSONS: It shall be unlawful for any licensee under the provisions of this Chapter or any of his servants or employees to sell, serve or give away alcoholic liquor to any intoxicated person.

5-18-19: SALE AT DRIVE-INS OUTSIDE OF BUILDING PROHIBITED: It shall be unlawful for any holder of a beverage, beer, wine, or tavern license or drive-ins, or any servants, agents or employees of such licensee, to sell, serve, give away or otherwise distribute any alcoholic liquor outside of the building described in the application of such licensee and for which such license is issued, or to sell, serve, give away or otherwise distribute any alcoholic liquor in any manner other than for consumption in the building described in the application of such licensee; provided, however, that the Commission may, for good cause shown, authorize the sale, service or other lawful distribution of alcoholic liquor in specified enclosed areas or premises under

the supervision, management and operation of a licensee.

5-18-20: SALES ON ELECTION DAY: It shall be unlawful for any licensee to sell, serve or give away any alcoholic liquor on any election day between the hours of opening and closing of the polls on the day, as established by State Law, or County Law, or provision of this Code; provided, however, that the foregoing prohibition on election days shall not apply to any election at which the sole matter to be voted on therein relates to the creation or assumption of any public indebtedness to be evidenced by bonds or otherwise.

5-18-21: SALE OF FOOD IN TAVERNS OR GAMBLING CASINOS: It shall be unlawful for the holder of any license under the provisions of this Chapter, or any person employed by him, to serve or give away food, except in taverns as permitted by Subsection (J) of Section 2 of this Chapter, except that holders of beer licenses may serve or give away nuts, jerkey, popcorn, potato chips, and pretzels and except that hor d'oeuvres may be given away in hotels or gambling casinos between the hours of 5:00 P.M. to 7:00 P.M., but then only in the event the place of service of such hor d'oeuvres, whether portable or stationary, is supervised and operated by a separate employee; and except that food may be served and sold in taverns, hotels and gambling casinos if it is sold at a fair and equitable price under a license permitting a restaurant or lunch counter operation.

5-18-22: SALES IN CONNECTION WITH PLACES WHERE GAMBLING IS CONDUCTED: Nothing in this Chapter shall be construed to prohibit licenses for the sale or service of alcoholic liquor in any premises wherein gambling is conducted.

5-18-23: SALES TO MINORS:

(A) It shall be unlawful for any licensee or other person to sell, furnish, dispose of, give, or cause to be sold, furnished, disposed of or given to a person under the age of twenty-one (21) years, or for a person under the age of twenty-one (21) years to buy, receive, have in his possession or consume, alcoholic liquors.

(B) In any criminal prosecution or proceeding for the suspension or revocation of any license based upon a violation of Subsection (A) of this Section, proof that the defendant licensee or his agent or employee demanded and was shown, immediately prior to the furnishing any alcoholic liquor to a person under the age of twenty-one (21)

years, bona fide documentary evidence of majority and identity of such person issued by a Federal, State, County or Municipal government, or subdivision or agency thereof, including but not limited to, a motor vehicle operator's license, a registered certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces, is a defense to the criminal prosecution, or proceeding, for the suspension or revocation of any license.

(C) Penalties provided in this Chapter shall be cumulative and not exclusive, and any other proceeding under other provisions of this Code shall not be deemed prohibited by this Chapter.

5-18-24: EMPLOYMENT OF MINORS PROHIBITED:

(A) It shall be unlawful for any licensee to employ any minor person to sell or handle any alcoholic liquor of any kind, or to permit any minor person to handle such liquor in his place of business in any way, regardless of whether such place of business may be a duly licensed restaurant, eating establishment of any kind, drug store, grocery store, shopping center, super market, hotel, import-wholesaler, beverage licensee, beer licensee, package liquor establishment, or tavern or other licensee, and whenever such practice is permitted, the license of such licensee shall be revoked; provided, however, that grocery store, shopping center, and super market licensees affording "box-boy" or other delivery service from the place of sale to the conveyance of the purchaser shall be responsible under the foregoing prohibition only until the sale is completed, and that minors may nevertheless carry or transport alcoholic liquors from the place of such consummated sale to the conveyance of the purchaser, in which event such purchaser shall be deemed to have assumed full and complete ownership of and responsibility for such alcoholic liquor.

(B) It shall be unlawful for any female to prepare mixed drinks in any tavern hotel or service bar unless such female is a bona fide owner of an interest in such license and is approved as a licensee for such license.

5-18-25: INTOXICATION OF LICENSEE OR EMPLOYEES: It shall be unlawful for any licensee under the provisions of this Chapter or any of his servants, agents, or employees to be in an intoxicated condition in or about the premises of business occupied by a tavern while such licensee, servant, agent, or employee is engaged in the performance of his employment duties at such tavern.

5-18-26: LIGHTING IN BARS: At all times while any alcoholic beverage licensed premises are open for business the interior lighting therein shall be sufficient to make easily discernible upon immediately entering the main entrance the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered or consumed. In no event shall the intensity of such interior lighting be less than one foot (1') candle power light when measured at a point thirty inches (30") from the floor whenever persons and patrons are sitting or standing within the premises. This Section shall apply in all cases except in licensed establishments where floor shows are permitted under City Law. In such cases the floor showroom lights only may be dimmed during the floor show, and at the conclusion of each floor show the lighting must then immediately be restored to the minimum standards of light intensity hereinbefore provided.

5-18-27: RESIDENT MANAGER: A resident or store manager shall be required for each establishment of a licensee who has licensed establishments at different locations. Said resident manager shall be appointed in writing by the licensee. Said resident manager shall obtain a police card as provided by City ordinance and shall be responsible for the control of the establishment, provided that such appointment of a resident manager shall not relieve the licensee of his responsibility under this ordinance and, provided further, that such license shall be subject to the suspension and revocation proceedings as otherwise provided in this ordinance.

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 3. All ordinances, parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 25th day of March, 1964.

ATTEST:

Mayor

City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 4th day of March, 1964, and referred to the following committee composed of commissioners Whipple and Fountain for recommendation; thereafter the said committee reported favorably on said ordinance on the 25th day of March, 1964, which was a special meeting of said Board; that at said special meeting the proposed ordinance was read by title to the Board of Commissioners, as amended, and adopted by the following vote:

VOTING "AYE": Commissioners Mirabelli, Levy, Fountain, Whipple and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:



~~W. J. Gragson~~

Mayor

ATTEST:



~~Edwina M. Cole~~

City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, {
COUNTY OF CLARK ss.

CHARLES M. BLAIR, being first duly sworn,

deposes and says: That he is FOREMAN of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of

2 times

from March 30, 1964 to April 6, 1964

inclusive, being the issues of said newspaper for the following dates, to-wit:

March 30, April 6, 1964

That said newspaper was regularly issued and circulated on each of the dates
above named.

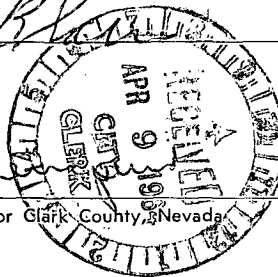
Signed

Charles M. Blair

Subscribed and sworn to before me this 7th
day of April, 1964

Barbara J. Young

Notary Public in and for Clark County, Nevada



My Commission Expires

March 14th 1968

ORDINANCE No. 1117

AN ORDINANCE TO AMEND TITLE V, CHAPTER 18, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960, AMENDING DEFINITIONS IN SECTION 2 THEREOF; PROVIDING ADDITIONAL CONTROL OF LICENSES; AMENDING APPLICATION PROCEDURE IN SECTION 4 THEREOF; AMENDING SECTION 13 PROVIDING REQUIREMENTS ON PROPOSED SALE OR TRANSFER OF OWNERSHIP OF BUSINESS WHEREIN ALCOHOLIC LIQUOR LICENSE IS A PART THEREOF; LIMITING TRANSFER OF ALCOHOLIC LIQUOR LICENSES; PROVIDING FOR AUTOMATIC REVOCATION OF LICENSES; EXTENSIONS OF TIME UNDER CERTAIN CONDITIONS; AMENDING SECTION 17 CONCERNING LIMITATION OF CERTAIN LICENSES AS PERTAINS TO POPULATION RESTRICTIONS; PROVIDING FOR ISSUANCE OF CERTAIN LICENSES WITHOUT THE SAME BEING SUBJECT TO THE POPULATION LIMITATION; PROVIDING FOR RESIDENT MANAGER WHERE LICENSEE HOLDS MORE THAN ONE LICENSE IN SEPARATE ESTABLISHMENTS; AMENDING OTHER SECTIONS OF SAID ORDINANCE TO COMPLY WITH THE ABOVE PROVISIONS; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; REPEALING ALL ORDINANCES, PARTS OF ORDINANCES, SECTIONS, SUBSECTIONS, PARAGRAPHS OR SENTENCES IN CONFLICT HERewith; AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title V, Chapter 18, of the Municipal Code of the City of Las Vegas, Nevada, is hereby amended to read as follows:

5-18-1: SHORT TITLE: This Chapter may be cited as "The Las Vegas Liquor Control Act."

5-18-2: DEFINITIONS: Whenever used in this Chapter, the following words shall have the meaning described in this Section, unless the context clearly indicates a different meaning:

(A) Alcohol: The word "alcohol" means a product of distillation of any fermented liquor, rectified either once or more often, whatever may be the origin thereof, and includes synthetic ethyl alcohol.

(B) Spirits: The word "spirits" means any liquor which contains alcohol obtained by distillation, mixed with drinkable water and other substances in solution, including rum, brandy, whiskey and gin.

(C) Wine: The word "wine" means any alcoholic liquor obtained by the fermentation of natural sugar contents of fruits or other agricultural products containing sugar, including fortified wines such as port, sherry and champagne.

(D) Beer: The word "beer" means any liquor obtained by the alcoholic fermentation of an infusion or concoction of malt, barley and hops in drinking water.

(E) Beverage: The word "beverage" means any beer or wine containing not more than thirty percentum (30%) of alcohol by weight.

(F) Alcoholic liquor: The words "Alcoholic liquor" include the four (4) varieties of liquor defined (alcohol, spirits, wine and beer), and wine, or beer, spirits and every liquor or solid, patented or not, containing alcohol and intended for consumption by human beings as a beverage.

(G) Hotel: The word "hotel" means every building or structure kept, used, maintained, advertised, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which two hundred (200) or more rooms are used for the sleeping accommodations of such transient guests and having one (1) or more dining rooms each with fifty (50) or more seating capacity where meals are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings in connection therewith. Hotels in existence or presently holding building permits with plans for a tavern and restaurant with one hundred (100) rooms shall be exempt from this provision.

(H) Restaurant: The word "restaurant" means space in a suitable building kept, used, maintained, advertised, or held out to the public to be a place where meals are served and where fifty (50) or more persons may be served with meals at any one (1) time at tables or stools.

(I) Club: The word "club" means an association of persons, whether incorporated or unincorporated, for the promotion of some common object, but not including associations organized for any commercial or business purpose the object of which is money profit, owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests; provided, that such club shall be chartered under, or a duly recognized affiliate of, a national service association or organization.

(J) Tavern: The word "tavern" means a place where alcoholic liquors are sold at retail by drink only to the general public; a place where no other kind of business, except gambling, is being maintained, or conducted, except that in such taverns, cigars, cigarettes, tobacco, nuts, jerkey, popcorn, potato chips, and pretzels may be sold or given away. A gambling casino shall be required to obtain a separate tavern license for each bar operated in the casino. A restaurant or lunch counter may be operated in the same building with a tavern; provided, however, no lunches, foodstuffs or so-called "free lunches" shall be either given away or sold at other than a fair and equitable price in such taverns. A "tavern license" shall not permit or otherwise authorize or allow the gift or distribution of alcoholic liquor or beverages by means of organized drawings, raffles, free or complimentary tickets, or trading stamps, and no advertising or any such proposed gift or distribution shall be permitted at any time.

Commencing upon adoption of this chapter, no tavern license issued hereafter shall permit the sale of package liquor. Existing tavern licenses shall be limited to a display of package liquor within the tavern not to exceed more than twenty-four square feet (24 sq. ft.) of display area, the area not to exceed more than twelve inches (12 in.) in depth.

(K) Package Liquor Establishment: A package liquor establishment is defined as a place where alcoholic liquors and beverages are sold, served or otherwise lawfully distributed for consumption off of the premises. Such establishments shall have a "package liquor license." A package liquor license shall not permit the sale of draught beer in such licensed establishment, except that this limitation shall not apply to those package liquor stores selling draught beer prior to the effective date of this chapter. A "package liquor license" shall not permit or otherwise authorize or allow the gift or distribution of alcoholic liquor or beverages by means of organized drawings, raffles, free or complimentary tickets or trading stamps, and no advertising of any such proposed gift or distribution shall be permitted at any time. No alcoholic liquor shall be sold through or by means of a drive-in window.

(L) Hotel Liquor License: A hotel liquor license shall permit the sale of package goods for room delivery only, and shall permit the maintenance of a tavern in the premises including the sale of liquors by the drink in the rooms and restaurant portion thereof, and shall only be granted to hotels with two hundred (200) or more rooms and having a dining room capable of seating fifty (50) people at tables at one time.

(M) Beverage License: Beverage licenses shall permit the sale of

beer or wine containing not more than thirty percentum (30%) of alcohol by weight, and may be permitted in grocery stores for off-premise consumption, and in restaurants, as herein defined, for on-premise consumption; provided, that such licenses are permitted under the planning and zoning regulations of the City.

(N) Beer License: Beer licenses may be permitted in a restaurant as defined herein, or in a lunch counter wherein twelve (12) or more persons may be served with meals at any one time at tables or stools, or in package liquor establishments, or a hotel, or a shopping center liquor store; provided, that the issuance thereof is permitted under the planning and zoning regulations of the City, and shall permit the consumption of beer on the premises.

(O) Service Bar: Service bar is defined as a bar wherein drinks are prepared for service only at tables or rooms in hotels, restaurants or casinos and does not permit sales direct to customers at such bar. Service bars are permitted in hotels, with a minimum of one hundred (100) rooms, or restaurants with seating capacity of one hundred (100) persons at one time, and in casinos.

(P) Special Events License: A special events license shall permit the sale of alcoholic liquor at such locations and as specified on such license, for a period of not more than one (1) week; provided that the Board of Commissioners shall have first approved the application therefor.

(Q) Import-Wholesale License: An "import-wholesale alcoholic liquor license" shall authorize the holder thereof to be the first person in possession of alcoholic or spirits within the City after completion of the act of importation of such alcohol or spirits into the State of Nevada. No such license shall be issued to or be operated by any person who does not possess a valid and effective permit, license, certificate, or other authorization from the State of Nevada entitling such person to import alcohol or spirits into the State of Nevada. Every such license shall permit the maintenance of a wholesale liquor establishment where alcoholic, spirituous, or mixed alcoholic and intoxicating liquors are kept, sold, given away or otherwise distributed, contained in sealed or corked packages or kegs, and not to be consumed on the premises where so kept, given away or distributed; and are to be sold, given away or distributed to retailers only, and only in the original packages or kegs. Every wholesale liquor establishment shall keep a record of the retail City license number of each and every person to whom any sale of alcohol or spirits is made, and shall keep an invoice of each and every sale. Such records shall at all times during business hours be open to inspection by the City.

An "import-wholesale alcoholic beverage license" shall authorize the holder thereof to be the first person in possession of wine and beer within the City after completion of the act of importation of such wine or beer into the State of Nevada. No such license shall be issued to or be operated by any person who does not possess a valid and effective license, permit, certificate or other authorization from the State of Nevada entitling such person to import wine or beer, or both, into the State of Nevada. Every such license shall permit the maintenance of a wholesale beverage establishment where wine or beer, or both, are kept, sold, given away or otherwise lawfully distributed, contained in sealed or corked packages or kegs, and not to be consumed on the premises where so kept, given away or distributed and are to be sold, given away or distributed to retailers only, and only in the original packages or kegs. Every wholesale beverage establishment shall keep a record of the retail City license number of each and every person to whom any sale of wine or beer is made, and shall keep an invoice of each and every sale. Such records shall at all times during business hours be open to inspection by the City.

(R) Grocery store, Super Market and Drug Store Liquor Licenses: A grocery store, super market, or drug store liquor license shall permit the sale of alcoholic liquors only for off-premise consumption and may be permitted in a grocery store, super market, or drug store; provided that no self service sales shall be permitted; provided further, it shall be unlawful to sell or offer to sell alcoholic liquor through or by means of a drive-in window; and provided further, that the issuance of a license is permitted under the zoning provisions of the City.

Intoxicating liquors, other than wine and beer, must be segregated and kept under the exclusive control of and sold or distributed only by an adult at least twenty-one (21) years of age. All beer and wine shall be handled only by an adult person over the age of twenty-one (21) years and sold and distributed only by an adult of at least twenty-one (21) years of age. No sales shall be permitted at a grocery store, super market, or drug store, in quantities of less than one-half (1/2) pint.

In order that proper control be maintained of licensees authorized to sell beer and wine, it shall be unlawful to sell or distribute the same from any premises of a grocery store, super market or drug store, unless there shall be in attendance not less than two (2) paid, on-duty attendants at all times between 3 p.m. and 7 a.m., which provision shall apply to all existing licensees. Distance between establishments shall be not less than six hundred feet (600 ft.) as defined in Section 5-18-17(C) of this ordinance.

(S) Person: "Person" shall include a firm, association, partnership, corporation, or other entity.

(T) Thirty-six (36) Lane Bowling Alley: A "bowling alley" means not less than a thirty-six lane bowling alley, contiguous, under one roof, and operated by one person or firm. A tavern license may be issued to a person or firm who meets the requirements of this Chapter. The license shall be granted to a specific location and shall not be removable or transferable to any other location within the City.

(U) Supper Club License: A supper club license is hereby defined as permitting a bar lounge operation in conjunction with a supper club wherein the seating capacity of the restaurant, where food is served, is one hundred (100) or more persons at one time, and wherein the restaurant operation is the principal business. The license is subject to the following limitations:

1. That a separate bar lounge operation may be maintained in a divided, enclosed, portion of the building with connecting entrance to the restaurant, wherein alcoholic liquor, draught or bottle beer is sold by the drink only, and wherein the bar lounge may open for business not earlier than 5 p.m. each day and close not later than 3 a.m. the day following, and provided that the bar lounge shall maintain the same closing hour as the restaurant in the event the restaurant shall close earlier than 3 a.m. of each day.

2. The license shall not be granted unless an applicant shall have a separate facility where guests waiting to be served in the restaurant may be seated in the event they do not desire to wait in the bar lounge.

3. The license shall not permit any printed or exterior advertising other than "cocktails and dining."

4. No person shall be entitled to or receive both a supper club license and a service bar license for the same establishment.

(V) Keg Beer Home Delivery License: A keg beer home delivery license is hereby defined as permitting delivery of not less than one quarter (1/4) barrel size kegs to homes or other establishments within the City. The fees for such license shall be one hundred dollars (\$100.00) per semi-annual period. The application for license shall be as required for any other license in this Chapter. Keg beer shall be delivered to an individual who is not less than twenty-one (21) years of age, who shall sign a delivery receipt therefor and who shall specify the address of delivery. No delivery shall be made to any person or individual who is not a permanent occupant of the residence or other establishment. A copy of every delivery receipt on keg beer shall be furnished to the Supervisor of License of the City of Las Vegas within seventy-two (72) hours after such delivery and the

receipts shall be available to the Supervisor of License and every peace officer upon demand.

5-18-3: LICENSE REQUIRED: EXCEPTIONS: It shall be unlawful for any person, social club or association of persons of any kind whatsoever to sell, offer to sell, serve, give away, or distribute, or cause or permit to be sold, offered for sale, served, given away or distributed, any alcoholic, spirituous, vinous, malt or intoxicating liquor, or any liquor or beverages mentioned in this Chapter, in the City limits, without first making application for and securing a license so to do; provided, that such liquors and beverages may be served by a private family in its home as a part of its family life; and provided, further, that the provisions of this Section shall not apply to the sale or giving away by a regularly licensed druggist of pure alcohol (with or without a physician's prescription) for medicinal, mechanical or scientific uses; nor shall the provisions of this Section extend to physicians, surgeons, apothecaries or chemists as to any alcoholic liquor which they may use in the preparation or compounding of medicines.

5-18-4: APPLICATION FOR LICENSE: INFORMATION TO BE SHOWN: Whenever any person, corporation, partnership, social club or association of persons of any kind whatsoever desires to open, keep, carry on or conduct or engage in any business concerning the sale or other lawful distribution of any alcoholic liquor, except as provided in Section 5-18-3 hereof, such applicant shall make application in writing to the Supervisor of License and Revenue of the City to obtain a license therefor. The application shall contain the following information, all of which shall be filed and in possession of the Supervisor of License and Revenue prior to commencement of processing the application through the Police Department:

(A) The name and residence of the applicant and how long a resident of the City.

(B) The kind of a license desired, and the particular place for which such a license is desired, and the name of the owner of the premises where such business is to be operated.

(C) All persons having any interest in the business asked to be licensed, including stockholders.

(D) A statement that if such application is approved and a license issued, it will be accepted by the applicant subject to the terms and provisions of this Chapter, and such other rules and regulations, as may at any time hereafter be adopted or enacted by resolution or ordinance of the Board of Commissioners of the City, including an acknowledgment of the power and authority of the License Department, or other authorized representative of the City to enter any store, building or any other place in which such business is being conducted at any time during business hours for the purpose of examining the books of account of the business to ascertain the real parties in interest in the business, and all persons having interest in such business, including persons who may have loaned or otherwise advanced money for the operation and conduct of such business.

(E) Health permit from the Clark County Health Department, 2nd and Stewart, if application is for transfer or newly completed or converted premises.

(F) Fire permit from the City Fire Department, if newly completed structure.

(G) Building permit, if new building is contemplated, from the City Building Department.

(H) Completed application form as supplied by the City, with fingerprints, to be taken at the Police Department within twenty-four hours after filing application, together with two approximately 4"x4" photographs of each applicant.

(I) Necessary investigation fees.

(J) If a partnership, an executed copy of the partnership agreement; if a corporation, a certified copy of the Articles of Incorporation.

(K) Copy of lease, evidence of ownership, bill of sale or escrow instructions on premises.

(L) General application form — the original and two (2) copies with necessary deposit for license fees.

(M) Current financial statement — original and 7 copies.

(N) Copy of proposed Certificate of Doing Business Under Fictitious Firm Name which will be filed with the Clark County Clerk, upon approval of the application.

(O) Applicant must be a citizen of the United States.

(P) Each application must be completed in full and in the hands of the Supervisor of License and Revenue thirty (30) full working days before Commission action. In the event a longer period is required for investigation, an extension of time shall be requested from the City Commission.

(Q) If an applicant is requesting to be added to an existing license, the form thereof shall be completed — the original and 2 copies.

(R) The first annual license fee shall accompany the application, to be returned to applicant if the application is denied.

(S) Such application shall be verified by the person submitting the same and such person shall acknowledge that he or she has read and understands and will abide by the entire liquor ordinance or any amendments thereto; provided further, each applicant shall verify that he has or will not pay any additional amount of consideration for any transfer of license other than the amount specified in the application. In the event a misrepresentation be discovered at any time thereafter, it shall be cause for suspension or revocation as provided in this Chapter.

(T) A profit and loss statement from seller for the immediate past year, if application is for transfer of ownership or any portion thereof. Said statement shall reflect the value of fixtures in the premises, with the year of purchase together with the make and model, the original cost, and the current sale price of said fixtures.

(U) An estimate of the amount to be paid for the inventory of stock in trade.

(V) No application shall be accepted by the Supervisor of License and Revenue unless a license in a particular category is available for issuance.

5-18-5: REQUIREMENTS WHERE APPLICANT IS CORPORATION OR ASSOCIATION: When an applicant for a license is a corporation or association, the application must be verified by its president, secretary or manager, and in addition to the matters and things hereinbefore required to be set out in the application, there shall be set forth the names and addresses of all officers and directors and the name and address of the person who shall have the management of its business for which or in connection with which a license is desired.

5-18-6: INVESTIGATION: Every person filing an application for a license in the City required by this Chapter shall concurrently therewith deposit with the License Department an investigation fee based on the following schedule:

(A) For each beer or beverage license, the sum of twenty-five dollars (\$25.00), plus an additional sum of twenty-five dollars (\$25.00) for each additional person required to be licensed.

(B) For all other alcoholic liquor licenses, the sum of one hundred fifty dollars (\$150.00), plus an additional sum of twenty-five dollars (\$25.00) for each additional person required to be licensed.

(C) In the event any person shall be an applicant or member of a group of applicants, and such person shall have been previously investigated by the City and shall have held a license within a preceding period of one (1) year, no investigation fee shall be required.

(D) In the event the applicant shall be a partnership or association, each person having an interest there-

in and each officer thereof shall be investigated and the fee for such investigation shall be fifty dollars (\$50.00) per person. In the event the applicant shall be a corporation, partnership or association, each officer and director thereof and the local representative or managing director not appearing on the license shall be investigated and the fee for such investigation shall be fifty dollars (\$50.00) per person.

(E) In the event an application shall disclose that the financing of the applicant or members thereof, shall have been furnished by any other person or persons, then such lender or lenders shall be investigated, at a fee of one hundred fifty dollars (\$150.00) per person.

(F) No investigation shall be made of any of the foregoing persons prior to the payment by the applicant of such fee to the License Department of the City, and no application shall be considered until all such fees are paid.

5-18-7: CHARACTER AND CITIZENSHIP:

(A) No license shall be issued to any person, social club or association or persons of any kind whatsoever, unless the applicant shall have an established place of business within a zone permitting such type of license under the Planning and Zoning Regulations of the City and unless the applicant is a citizen of the United States, and of good moral character. In the event the applicant shall be a corporation or association, the managing agent thereof must be a citizen of the United States and a person of good moral character.

(B) No alcoholic liquor license shall be issued hereunder to any person who has previously been convicted of a felony, either in the State of Nevada or in any other State of the United States, nor to any person who has been convicted in any other State or country of a crime which is considered a felony under the laws of the State of Nevada.

5-18-8: LOCATION:

(A) No license shall be granted for the sale of alcoholic liquor unless the building in which such business is to be conducted shall face and have its main entrance from a designated street; provided, however, that the Commission may nevertheless authorize the issuance of licenses which permit the sale, service, or other lawful distribution of alcoholic liquors in specified enclosed areas, which are under the supervision, management and operation of a license.

(B) Super market, drug store, grocery and package liquor licenses for the sale or distribution of alcoholic liquors may at the discretion of the Board be permitted anywhere within the limits of the City in any C-1, C-C and C-2, or less restrictive, zone.

(C) Restaurants for the sale of beverages containing no more than thirty percentum (30%) of alcohol by weight may be licensed anywhere within the limits of the city in any C-C, C-1, C-2, or less restrictive zone, except prohibited by Section 5-18-9.

(D) Club licenses for the sale of beverages or alcoholic liquors may be maintained only in such places as may, in the discretion of the Board of Commissioners, be specifically designated at the time application for license therefore is made.

(E) Beverages may be sold, served or distributed by regularly licensed establishments within any C-C, C-1, C-2 Zone, or less restrictive zone, within the City limits except as prohibited by Section 9 of this Chapter.

(F) Import-wholesale alcoholic liquor licenses may be maintained, and kept in that part of the City zone as M-1, Light Industry and M-2, Heavy Industry, in accordance with the Planning and Zoning Regulations of the City.

(G) Taverns may be maintained only in that portion of the City known as the Commercial Districts and described as follows:

All frontage on Main Street on the east and west sides thereof between the intersection of Ogden Street on the North and Carson Street on the south; all frontage on Ogden Street on the north and south sides between the intersection of Main Street and Second Street; all frontage on First Street on the east and west sides between the intersections of Carson and Ogden Streets; all frontage on Second Street on the east and west sides between the intersections of Ogden and Carson Streets; all frontage on Carson Street on the north and south sides between Main and Second Streets; and all frontage on Fremont Street, on both sides, between Second Street and Main Street; and on Fremont Street between Eighth Street and Sahara Avenue; and on each side of Las Vegas Boulevard both North and South, except on either side between Foremaster Lane and Bonanza Road; and one each side of Main Street, both north and south; and on Jackson Street from one hundred feet (100 ft.) east of "D" Street to one hundred feet (100 ft.) west of "F" Street and on "D" Street from Monroe to Van Buren; and on each side of Charleston Boulevard, commencing at the intersection of East Charleston Boulevard and Fremont Street and extending westerly along Charleston Boulevard to 10th Street; and on each side of West Bonanza Road commencing at Main Street and extending to Highland Drive; from the intersection of West Bonanza Road and Tonopah Highway west to Washington Boulevard along Tonopah Highway; along the west side of Decatur from Evergreen to Alta Drive; on West Charleston from the intersection of Valley View Boulevard west to the City limits and on Sahara Avenue both east and west; and on Western and Highland Streets south of Charleston Boulevard to the south City limits. Tavern areas herein designated are subject, however, to the proper zoning on each street mentioned.

Nothing contained in this Chapter shall be interpreted to permit taverns in any areas described above without complying with the Zoning Regulations; provided, however, that hotels as defined herein, may be allowed a tavern license outside such zone if approved by the Board of Commissioners; and provided, further, that any such tavern maintained by a hotel shall be separate, distinct and apart from any other business; and provided further, that this section shall not be construed to prohibit a lunch counter or restaurant from being operated in the same building; and provided further, that no tavern license issued to a major gambling establishment, thirty-six (36) lane bowling alley, or a hotel with two hundred (200) rooms or more shall be transferred from place of issuance.

(H) Supper club license for the sale of beverages or alcoholic liquor may be maintained in any C-C, C-1, C-2, or less restrictive zone, within the City limits, except as provided by Section 9 of this Chapter.

5-18-9: SALES NEAR SCHOOL OR CHURCH PROHIBITED:

(A) It shall be unlawful for a licensee under the provisions of this Chapter to sell, serve, give away or distribute any of the liquors or beverages mentioned in this Chapter within four hundred feet (400 ft.) of any schoolhouse or place wherein a public school is conducted, provided that grocery stores and/or delicatessens may sell or distribute packaged beer and wine in sealed containers on a take-out basis within four hundred feet (400ft.) of any school or church.

(B) It shall be unlawful for any licensee under the provisions of this Chapter to sell, serve, give away or distribute any alcoholic liquor as defined in Sections 2 and 3 of this Chapter within four hundred feet (400ft.) of any church; provided, however, this restriction shall not apply to licensees or places of business selling alcoholic liquors in a prohibited location prior to the effective date of this Chapter, or to licensees engaged in business at any approved location which would become a prohibited location by reason of the establishment of a church within four hundred feet (400 ft.) of such approved location; and provided further, that grocery stores and/or delicatessens may sell or distribute packaged beer and wine in sealed containers on a take-out basis within four hundred feet (400 ft.) of any school or church.

(C) The four hundred feet (400 ft.) limitation as defined in Subsection, (A) and (B) above shall be determined by measurement from the

property line of the school or church to the nearest corner of the building wherein alcoholic beverages are sold. The measurements shall be actual or by mechanical device in the event there are obstructions between the property line and the building to be measured, and the Board of Commissioners is hereby empowered to make findings from the measurements or calculations which shall be conclusive.

5-18-10: LIQUOR TO BE APPROVED BY UNITED STATES GOVERNMENT:

It shall be unlawful for any person, social club, or association of persons of any kind whatsoever, to sell, serve, give away, or dispose of any alcoholic, spirituous, vinous or malt liquor, except such liquor as is manufactured under the supervision of or approved for sale by the United States Government.

5-18-11: TRADING STAMPS AND HOME DELIVERIES PROHIBITED:

It shall be unlawful for any licensee under the provisions of this Chapter to make so-called "home deliveries," or to deliver any alcoholic liquor as defined in this Chapter to any private home or residence pursuant to telephone calls requesting such delivery.

It shall be unlawful for any licensee under the provisions of this Chapter to sell, give, deliver or otherwise distribute trading stamps or any other evidence of value as a part of the sale or distribution of any alcoholic liquor as defined in Subsection (F) of Section 5-18-2.

5-18-12: POWER OF BOARD TO

ALLOW OR REFUSE LICENSE:

(A) The Board of Commissioners may, if the applicant for a license under this Chapter is qualified to carry on such business, approve such application and authorize the Supervisor of License and Revenue to issue such license; provided, however, that the Board shall have the right to deny any application for any reason deemed sufficient by the Board and refuse to license any applicant.

(B) The Board shall have the right to limit the number of licenses which may be issued, based upon population as determined by any formula deemed sufficient by the Board, and to determine where and under what conditions alcoholic liquor may be sold, served, given away or distributed in the City.

(C) The Board shall have the right to immediately suspend at any time, and without prior notice, any license for the sale of alcoholic liquor for any violation of this Chapter, and every licensee shall be deemed to have accepted his license subject to such right of suspension without prior notice; provided, however, that an order of the Commission suspending such license shall not be made unless the Commission finds that such action is necessary for the immediate preservation of the public health, safety, morals, or general welfare of the inhabitants of the City. Such order of suspension shall remain effective until further order of the Commission or final disposition of the charges upon which the order is based. In the event of a suspension without prior notice, every such licensee shall immediately be given notice in writing of the reason or reasons for such suspension, which shall include a specification of violations of law and set forth in ordinary language the acts or omissions alleged against the licensee. The licensee shall be given an opportunity to be heard at the next regular meeting of the Board of Commissioners. The hearing shall permit the licensee to show cause why his license should not be suspended and shall be conducted in the manner and under the procedures provided for the revocation of business licenses in general. The licensee may waive the time hereinafter provided for a hearing upon suspension and such hearing may be held at any time thereafter which may be agreed upon; provided, however, that nothing herein shall be construed to limit the right of the Board to proceed with revocation proceedings. The Board shall also have the right, whether or not a license is suspended with or without prior notice, to require a licensee to show cause, if any, why his license should not be revoked for any violations of this Chapter, or other applicable provisions of this Code or state law. In such event, the licensee shall be given a notice in writing of the reason or reasons for such hearing, which shall include a written specification of the charges in ordinary and concise language describing the acts or omissions alleged against the licensee. The hearing shall be conducted in the manner and under the procedures for the revocation of business licenses in general.

5-18-13: ISSUANCE OF LICENSE:

(A) Upon the approval of an application and payment of required fees, the Supervisor of License and Revenue shall issue a license for the type of business specified in the application. All licenses shall be permanent and fees therefor shall be paid semiannually. Such license shall be prominently displayed in the place of business for which it is issued and shall be retained by the licensee as long as it is in effect.

(B) Every licensee whose semiannual license fee is more than seven hundred fifty dollars (\$750.00) may pay such license fee in two (2) installments as follows: Fifty per cent (50%) on the due date, and the remaining fifty per cent (50%) within ninety (90) days after the due date.

(C) Each licensee shall be notified prior to the due date of the amount due for this license; provided that the actual receipt by the licensee of such notice is in no case required; and provided further that the failure of the City to notify any licensee shall in no event be construed or held to be a waiver of the payment of such license fee.

(D) Upon the approval of a sale or transfer of ownership of a business for which an alcoholic liquor license has been issued and the approval of an alcoholic liquor license for the purchaser or transferee, license fees already paid shall be refunded to the seller or transferor for the unexpired portion of the licensing period, but only in the event that the purchaser or transferee has paid in advance the license fee for a period of one (1) year as the next succeeding licensing period.

(E) Nothing herein shall be construed to authorize the sale, transfer or assignment of an alcoholic liquor license, and no such license shall in any event be sold, assigned or transferred; and it shall be cause for suspension or revocation of license if holder thereof sells, transfers or places in possession any applicant or other person prior to approval of a transfer, by the City Commission, and provided, further, that all sales or transfers of the stock or merchandise of any licensee shall be made in compliance with applicable laws of the State of Nevada, including the Bulk Sales Act (Chapter 98, Nevada Revised Statutes).

(F) In the event the holder of an alcoholic liquor license shall not commence business within sixty (60) days after issuance of license, or shall discontinue business for a period of sixty (60) days without specific approval of the Board of Commissioners, such license shall be revoked automatically, without action by the Board. In the event the holder of an alcoholic liquor license cannot commence operations or discontinues operations for reasons beyond his control or for an Act of God, then and in that event the City Commission may, for good cause shown, grant additional sixty (60) day extensions not to exceed, however, a total period of one (1) year, including said initial sixty (60) day period. In the event an alcoholic liquor licensee shall not commence business within the respective period, or shall discontinue business for longer than the respective specific approval, said license shall be revoked automatically without action by the Board. It is further provided that there shall be no transfer of license or business or any portion thereof to any other person or persons during the period while the business is not in actual operation. The intent of this section is that holders of alcoholic licenses shall maintain the same in actual operation or that the same shall be invalid as herein provided.

5-18-14: LICENSE FEES:

(A) The fees for licenses provided for in this Chapter shall be, and the same are fixed and established, and the same shall be paid in advance by all persons receiving such licenses respectively, as follows:

1. For an import-wholesale alcoholic liquor license the sum of six hundred dollars (\$600.00) per semiannual period.

2. For an import-wholesale alcoholic beverage license the sum of five hundred dollars (\$500.00) per semiannual period.

3. For a tavern license the sum of seven hundred fifty dollars (\$750.00) per semiannual period.

4. Package Liquor Licenses:

(a) For a package liquor license or shopping center liquor license the sum of four hundred fifty dollars (\$450.00) per semiannual period.

(b) For a package liquor license in a super market, grocery store or drug store, the sum of four hundred dollars (\$400.00) per semiannual period.

5. For a beverage license the sum of one hundred dollars (\$100.00) per semiannual period.

6. For a beer license the sum of one hundred dollars (\$100.00) per semiannual period.

7. For a club license the sum of fifty dollars (\$50.00) per semiannual period.

8. For a hotel liquor license the sum of seven hundred fifty dollars (\$750.00) per semiannual period; provided that any hotel maintaining more than one (1) bar shall pay an additional amount of seven hundred fifty dollars (\$750.00) per semiannual period for each bar in excess of one (1) number and shall pay in addition the sum of six hundred dollars (\$600.00) per semiannual period for each service bar maintained in such hotel.

9. For a service bar license in a restaurant or casino the sum of six hundred dollars (\$600.00) per semiannual period.

10. For a special events license for the sale of beverages the sum of ten dollars (\$10.00) per day, and for a special events license for the sale of liquor the sum of twenty-five dollars (\$25.00) per day.

11. For a supper club license the sum of seven hundred fifty dollars (\$750.00) per semiannual period.

An applicant not previously licensed shall pay with the application the license fee set forth hereinabove for the appropriate type applied for, covering a one (1) year period. After a licensee shall have held a license for one (1) year, the license fee shall be paid semiannually in advance, subject, however, to the provisions of Subsection (B) of Section 5-18-13.

(B) Every license fee required by this Chapter which is not paid when the same becomes due and payable is hereby declared to be delinquent and the Supervisor of License and Revenue shall thereupon add to such license fee and collect before issuing such license, a penalty of ten per cent (10%) of such license fee so delinquent (but not in any case less than fifty (\$50) in the event such license fee shall have been delinquent for less than fifteen (15) days. If such license fee shall have been delinquent for more than fifteen (15) days, the Supervisor shall add to such license fee and collect before issuing such license a penalty of twenty-five per cent (25%) of such license fee so delinquent. Such penalty may also be recovered in any civil action brought in the name of the City for the recovery of the amount of license fee imposed by this Chapter. This Chapter shall not be construed to permit the operation of any business to which this Chapter applies for any length of time without having in full force and effect a proper license issued by the City.

5-18-15: FINANCIAL INTEREST OF BREWER, WHOLESALER IN RETAIL ESTABLISHMENTS: No license shall be granted to any brewer or brewery, manufacturer of liquors or beverages, or wholesaler who shall have any financial interest, direct or indirect, in any retail alcoholic liquor or retail beverage establishment in the City.

5-18-16: IMPORT-WHOLESALE ALCOHOLIC LIQUOR LICENSE REQUIREMENTS:

(A) No import-wholesale alcoholic liquor license shall be issued to or be operated by any person who does not meet the following qualifications in connection with his premises licensed as his principal place of business:

1. Maintains warehouse and office space either owned or leased by him or dedicated to his use in a public warehouse and such space is sufficient to store at one (1) time either:

(a) A stock of distilled spirits equal to ten percent (10%) or more of his annual gross volume of distilled spirits sales to retailers within this State, or

(b) A stock of distilled spirits whose cost of acquisition is fifty thousand dollars (\$50,000.00) or more, and

2. Sell distilled spirits to retailers generally rather than a selected few retailers.

The stock of distilled spirits herein required shall be owned by him, not held on consignment and not acquired pursuant to a prior agreement to sell it to a specific licensee or licensees. A wholesaler who sells to twenty-five per cent (25%) of the retailers in Clark County, Nevada, or a wholesaler whose total volume of sales of distilled spirits to retailers during any twelve (12) month period consists of fifty per cent (50%) or more of individual sales in quantities of ten (10) cases or less shall be conclusively presumed to be selling to retailers generally.

(B) No import-wholesale alcoholic beverage license shall be issued to or be operated by any person who does not meet the following qualifications in connection with his premises licensed as his principal place of business:

1. Maintains warehouse and office space either owned or leased by him or dedicated to his use in a public warehouse and such space is sufficient to store at one (1) time either:

(a) A stock of wine or beer equal to ten per cent (10%) or more of his annual gross volume of wine or beer sales to retailers within this State, or

(b) A stock of wine or beer whose cost of acquisition is ten thousand dollars (\$10,000.00) or more, and

2. Sells wine or beer to retailers generally rather than a selected few retailers.

The stock of wine or beer herein required shall be owned by him, not held on consignment and not acquired pursuant to a prior agreement to sell it to a specific licensee or licensees. A wholesaler who sells to twenty-five per cent (25%) of the retailers in Clark County, Nevada, or a wholesaler whose total volume of sales of wine or beer to retailers during any twelve (12) months period consists of fifty per cent (50%) or more of individual sales in quantities of ten (10) cases or less shall be conclusively presumed to be selling to retailers generally.

Notwithstanding the provisions of this subsection (B), a limited import-wholesale alcoholic beverage license may be issued to, or be operated by, a person who complies only with the requirements of Subsection (1) hereof and who need not sell wine or beer to retailers generally and who need not own such wine or beer and may have acquired the same pursuant to a prior agreement to sell it to a specific licensee; provided, however, that only one (1) limited import-wholesale alcoholic beverage license may be issued for each seventy-five thousand (75,000) persons, or fraction thereof, residing in the City as determined under the provisions of Section 17 of this Chapter.

5-18-17: LIMITATION ON NUMBER OF CERTAIN LICENSES:

(A) There shall be one (1) package liquor license excluding present and future automatic category licenses available for issuance for each eighteen hundred (1800) persons residing in the City. The holder of a package liquor license heretofore issued by the appropriate governing body for a business located in an area which is subsequently annexed to the City shall be entitled to a similar license under the provisions of this Chapter without regard to the population limitation provided herein, but

thereafter shall be subject to said limitation, and to all of the applicable provisions of this Chapter. If and when any package liquor license is surrendered, cancelled or revoked, no such new license shall be issued until the population of the City is such that another license is available for issuance. The Board of Commissioners hereby finds that certain outlying areas of the City are not adequately served by the package liquor establishments, and further finds that when and as licenses provided in this subsection may be available for issuance, preference should be given to package liquor license business located in such outlying areas. Nothing herein shall be construed to require the approval of an application for a package liquor license simply because one (1) may be available for issuance, and the Board of Commissioners may withhold the issuance of such license, in its sole discretion, and for any reason whatsoever, including the encouragement of the installation of businesses in outlying areas. No new package or tavern liquor license shall be issued for, and no existing package or tavern liquor license shall be transferred to any location which is within four hundred feet (400') of any existing package or tavern liquor establishment, except that this limitation shall not apply to Main Street on the east and west sides thereof between the intersection of Ogden Street on the north and Carson Street on the south; all frontage on Ogden Street on the north and south sides between the intersection of Main Street and Second Street; all frontage on First Street on the east and west sides between the intersection of Carson and Ogden Streets; all frontage on Second Street on the east and west sides between the intersection of Ogden and Carson Streets; all frontage on Carson Street on the north and south sides between Main and Second Streets; and all frontage on Fremont Street, on both sides, between Second Street and Main Street; and on Jackson Street from one hundred feet (100') east of "D" Street to one hundred feet (100') west of "F" Street; and on "D" Street from Monroe to Van Buren.

(B) There shall be one (1) tavern license, excluding present and future automatic category licenses, available for issuance for each two thousand seven hundred fifty (2,750) persons residing in the City, except that a separate district is hereby defined for the purpose of tavern licenses on the basis of centralized population within the district. The population may be designated by the Board of Commissioners as and when the same shall be deemed necessary. The district is hereby defined within, and bounded on the south by the north side of Bonanza Road, on the east by the Union Pacific Railway tracks, on the north by Lake Mead Boulevard, and on the west by the east side of Highland Drive. Licenses issued in said separate district shall not be transferable outside of said district. Club licenses as defined in subsection (1) of Section 5-18-2 shall not be included in any determination of the number of tavern licenses which may be issued and outstanding at any one (1) time based upon each two thousand seven hundred fifty (2,750) persons of population; provided, however, that no tavern license heretofore issued by the City shall be deemed to be prohibited or cancelled by reason of the limitation herein; and provided, further, that the holder of a tavern license heretofore issued by the appropriate governing body for a business located in an area which is subsequently annexed to the City shall be entitled to a similar license under the provisions of this Chapter without regard to the population limitation provided herein, but shall be thereafter subject to said limitation and to all other applicable provisions of this Chapter. If and when any tavern license is surrendered, cancelled or revoked, no such new license shall be issued until the population of the City is such that another such license is available for issuance. Nothing herein shall be construed to require the approval of an application for a tavern license simply because one may be available, and the Board of Commissioners may withhold the issuance of such license in its sole discretion and for any reason whatsoever. Hotels having two hundred (200) rooms or more and one or more dining rooms, and major gaming establishments having ten (10) or more gaming devices, exclusive of slot machines, and bowling alleys of thirty-six (36) or more lanes, shall be exempt from the population limitation of the number of tavern licenses available for issuance.

From and after the effective date of this Chapter, no new tavern or package liquor license shall be issued for, and no existing package or tavern liquor license shall be transferred to any location which is within four hundred feet (400') of an existing tavern or package establishment; provided, further, that this limitation shall not apply to places of business on Main Street on the east and west sides thereof between the intersection of Ogden Street on the north and Carson Street on the south; all frontage on Ogden Street on the north and south sides between the intersection of Main Street and Second Street; all frontage on First Street on the east and west sides between the intersections of Carson and Ogden Streets; all frontage on Second Street on the east and west sides between the intersections of Ogden and Carson Streets; all frontage on Carson Street on the north and south sides between Main and Second Streets; and all frontage on Fremont Street, on both sides, between Second Street and Main Street; and on Jackson Street from one hundred feet (100') east of "D" Street to one hundred feet (100') west of "F" Street; and on "D" Street from Monroe to Van Buren; provided, further, that the four hundred feet (400') limitation shall not apply to hotels with two hundred (200) rooms or more wherever the same may be located; and provided, further, that no tavern license issued to a major gaming establishment or a hotel with two hundred (200) rooms or more shall be transferred from the place of issuance.

(C) The four hundred foot (400') limitation as defined in subsections (A) and (B) above shall be measured between door to door from each establishment by the nearest direct line and the measurements shall be either actual or by mechanical calculation in the event there are obstructions between the licenses, and the Board of Commissioners is hereby empowered to make findings from the measurements or calculations which shall be conclusive.

(D) The population of the City for the purposes of this Section may be determined from time to time by the Board of Commissioners by any formula deemed sufficient by the Board, and when so determined the population shall be presumed to remain the same until the next population determination.

(E) No package liquor license or tavern license shall be convertible or transferable into a different type of license unless such proposed transfer complies with and meets all of the requirements of this Chapter with respect to the proposed type of new or transferred license.

(F) No new package liquor license shall be issued for, and no existing package liquor license shall be transferred to, the same location licensed as a tavern; and no new tavern license shall be issued for, and no existing tavern license shall be transferred to the same location licensed as a package liquor establishment.

5-18-18: SALE TO INTOXICATED PERSONS: It shall be unlawful for any licensee under the provisions of this Chapter or any of his servants or employees to sell, serve or give away alcoholic liquor to any intoxicated person.

5-18-19: SALE AT DRIVE-INS OUTSIDE OF BUILDINGS PROHIBITED: It shall be unlawful for any holder of a beverage, beer, wine, or tavern license or drive-ins, or any servants, agents or employees of such licensee, to sell, serve, give away or otherwise distribute any alcoholic liquor outside of the building described in the application of such licensee and for which such license is issued, or to sell, serve, give away or otherwise distribute any alcoholic liquor in any manner other than for consumption in the building described in the application of such licensee; provided, however, that the Commission may, for good cause shown, authorize the sale, service or other lawful distribution of alcoholic liquor in specified enclosed areas or premises under the supervision, management and operation of a licensee.

5-18-20: SALES ON ELECTION DAY: It shall be unlawful for any licensee to sell, serve or give away any alcoholic liquor on any election day between the hours of opening

and closing of the polls on the day, as established by State Law, or County Law, or provision of this Code; provided, however, that the foregoing prohibition on election days shall not apply to any election at which the sole matter to be voted on therein relates to the creation or assumption of any public indebtedness to be evidenced by bonds or otherwise.

5-18-21: SALE OF FOOD IN TAVERNS OR GAMBLING CASINOS: It shall be unlawful for the holder of any license under the provisions of this Chapter, or any person employed by him, to serve or give away food, except in taverns as permitted by Subsection (J) of Section 2 of this Chapter, except that holders of beer licenses may serve or give away nuts, jerkey, popcorn, potato chips, and pretzels and except that hot d'oeuvres may be given away in hotels or gambling casinos between the hours of 5:00 P.M. to 7:00 P.M., but then only in the event the place of service of such hot d'oeuvres, whether portable or stationary, is supervised and operated by a separate employee; and except that food may be served and sold in taverns, hotels and gambling casinos if it is sold at a fair, and equitable price under a license permitting a restaurant or lunch counter operation.

5-18-22: SALES IN CONNECTION WITH PLACES WHERE GAMBLING IS CONDUCTED: Nothing in this Chapter shall be construed to prohibit licenses for the sale or service of alcoholic liquor in any premises wherein gambling is conducted.

5-18-23: SALES TO MINORS:

(A) It shall be unlawful for any licensee or other person to sell, furnish, dispose of, give, or cause to be sold, furnished, disposed of or given to a person under the age of twenty-one (21) years, or for a person under the age of twenty-one (21) years to buy, receive, have in his possession or consume, alcoholic liquors.

(B) In any criminal prosecution or proceeding for the suspension or revocation of any license based upon a violation of Subsection (A) of this Section, proof that the defendant licensee or his agent or employee demanded and was shown, immediately prior to the furnishing any alcoholic liquor to a person under the age of twenty-one (21) years, bona fide documentary evidence of majority and identity of such person issued by a Federal, State, County or Municipal government, or subdivision or agency thereof, including but not limited to, a motor vehicle operator's license, a registered certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces, is a defense to the criminal prosecution, or proceeding, for the suspension or revocation of any license.

(C) Penalties provided in this Chapter shall be cumulative and not exclusive, and any other proceeding under other provisions of this Code shall not be deemed prohibited by this Chapter.

5-18-24: EMPLOYMENT OF MINORS PROHIBITED:

(A) It shall be unlawful for any licensee to employ any minor person to sell or handle any alcoholic liquor of any kind, or to permit any minor person to handle such liquor in his place of business in any way, regardless of whether such place of business may be a duly licensed restaurant, eating establishment of any kind, drug store, grocery store, shopping center, super market, hotel, import-wholesaler, beverage licensee, beer licensee, package liquor establishment, or tavern or other licensee, and whenever such practice is permitted, the license of such licensee shall be revoked; provided, however, that grocery store, shopping center, and super market licensees affording "box-boy" or other delivery service from the place of sale to the conveyance of the purchaser shall be responsible under the foregoing prohibition only until the sale is completed, and that minors may nevertheless carry or transport alcoholic liquors from the place of such consummated sale to the conveyance of the purchaser, in which event such purchaser shall be deemed to have assumed full and complete ownership of and responsibility for such alcoholic liquor.

(B) It shall be unlawful for any female to prepare mixed drinks in any tavern hotel or service bar, unless such female is a bona fide owner of an interest in such license and is approved as a licensee for such license.

5-18-25: INTOXICATION OF LICENSEE OR EMPLOYEES: It shall be unlawful for any licensee under the provisions of this Chapter or any of his servants, agents, or employees to be in an intoxicated condition in or about the premises of business occupied by a tavern while such licensee, servant, agent, or employee is engaged in the performance of his employment duties at such tavern.

5-18-26: LIGHTING IN BARS: At all times while any alcoholic beverage licensed premises are open for business the interior lighting therein shall be sufficient to make easily discernible upon immediately entering the main entrance the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered or consumed. In no event shall the intensity of such interior lighting be less than one foot (1') candle power light when measured at a point thirty inches (30") from the floor whenever persons and patrons are sitting or standing within the premises. This Section shall apply in all cases except in licensed establishments where floor shows are permitted under City Law. In such cases the floor showroom lights only may be dimmed during the floor show, and at the conclusion of each floor show the lighting must then immediately be restored to the minimum standards of light intensity hereinbefore provided.

5-18-27: RESIDENT MANAGERS: A resident or store manager shall be required for each establishment of a licensee who has licensed establishments at different locations. Said resident manager shall be appointed in writing by the licensee. Said resident manager shall obtain a police card as provided by City ordinance and shall be responsible for the control of the establishment, provided that such appointment of a resident manager shall not relieve the licensee of his responsibility under this ordinance and, provided further, that such license shall be subject to the suspension and revocation proceedings as otherwise provided in this ordinance.

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 3. All ordinances, parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 25th day of March, 1964.

/s/ ORAN K. GRAGSON
Mayor.

ATTEST:
/s/ EDWINA M. COLE
City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 4th day of March, 1964, and referred to the following committee composed of commissioners Whipple and Fountain for recommendation; thereafter the said committee reported favorably on said ordinance on the 25th day of March, 1964, which was a special meeting of said Board; that at said special meeting the proposed ordinance was read by title to the Board of Commissioners, as amended, and adopted by the following vote:

VOTING "AYE": Commissioners Mirabelli, Levy, Fountain, Whipple and Mayor Gragson.

VOTING "NAYE". None. ABSENT: None.

APPROVED:
/s/ ORAN K. GRAGSON, Mayor.

ATTEST:
/s/ EDWINA M. COLE

City Clerk
Pub. March 30 and April 6, 1964.