

Matter underscored is new

ORDINANCE NO. 1200

AN ORDINANCE TO AMEND TITLE V, CHAPTER 18, SECTION 17 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960, EXTENDING THE DISTRICT BOUNDARY FOR TAVERN OPERATIONS MAINTAINED IN THE CITY OF LAS VEGAS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. Title V, Chapter 18, Section 17 of the Municipal Code of the City of Las Vegas, Nevada, 1960, is hereby amended to read as follows:

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, canceled 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 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 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 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 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 canceled 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, canceled 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 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

Stewart Avenue on the north and Bridger Avenue on the south; all frontage on Stewart Avenue on the north and south sides between the intersection of Main Street and Third Street; all frontage on First Street on the east and west sides between the intersections of Stewart Avenue and Bridger Avenue; all frontage on Third Street on the east and west sides between the intersections of Stewart Avenue and Bridger Avenue; all frontage on Bridger Avenue on the north and south sides between Main and Third Streets; and all frontage on Fremont Street, on both sides, between Third 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.

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 (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 3. All ordinances or 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 4th day of August, 1965.

APPROVED:


Mayor pro tem.

ATTEST:


City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 21st day of July, 1965, and referred to the following committee composed of Commissioners Mirabelli and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of August, 1965, which was a regular

meeting of said Board; that at said _____ regular _____ meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

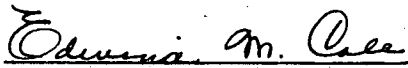
VOTING "AYE": Commissioners Stewart, Mirabelli, Fountain and Mayor pro tem. Whipple

VOTING "NAY": None ABSENT: Mayor Gragson

APPROVED:


Mayor pro tem.

ATTEST:


City Clerk.

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK, } SS

LOUIE MURATORE, being first duly sworn deposes and says that he is foreman for the Las Vegas Review-Journal, a daily newspaper 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 TWO (2) insertions from August 7, 1965 to August 14, 1965, inclusive, being the issue of said newspaper for the following dates to wit:

August 7 and 14; 1965

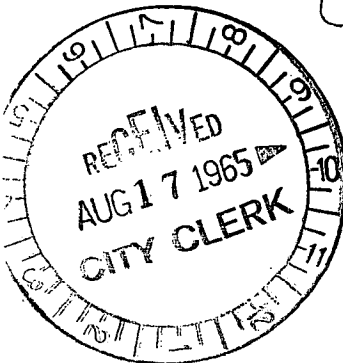
That said newspaper was regularly issued and circulated on each of the dates above named.

SIGNED

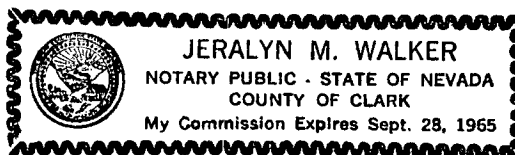
L. Muratore
LOUIE MURATORE

Subscribed and sworn to
before me

this 14th day of August, 1965



Jeralyn M. Walker
NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA
My commission expires
September 28, 1965



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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 (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

3. All ordinances or 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.

ASSENT, ADOPTED AND APPROVED this 4th day of August, 1965.

APPROVED
(s) REED WHIPPLE
Mayor pro tem.

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 21st day of July, 1965, and referred to the following committee composed of Commissioners Mirabelli and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of August, 1965, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote.

VOTING "AYE" Commissioners Stewart, Mirabelli, Fountain and Mayor pro tem. Whipple.

VOTING "NAY" None.

ABSENT, Mayor Gragson

APPROVED:
(s) REED WHIPPLE
Mayor pro tem.

ATTEST:
(s) EDWINA M. COLE
City Clerk

Aug. 7, 14