

FIRST AMENDMENT

BILL NO. 81-22,

Ordinance No. 2158

AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE V, CHAPTER 18, SECTION 17, SUBSECTION (I) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY PROVIDING THAT AN ESTABLISHMENT WHICH HELD A VALID GENERAL ON-SALE LICENSE OR GENERAL ON-OFF-SALE LICENSE AS OF THE EFFECTIVE DATE OF SAID TITLE AND CHAPTER IS NOT SUBJECT TO THE 1,500' DISTANCE LIMITATION BETWEEN GENERAL ON-SALE OR GENERAL ON-OFF-SALE LOCATIONS PROVIDED FOR IN SAID SUBSECTION (I) ONLY AS LONG AS IT CONTINUES TO HOLD A VALID GENERAL ON-SALE OR GENERAL ON-OFF-SALE LICENSE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Commissioner
Paul Christensen

Summary: Provides that an existing liquor establishment is not subject to the 1,500' distance limitation between licensed locations only as long as it continues to hold a valid license.

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

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

5-18-17: (I) No general on-sale license or general on-off-sale license shall be located within 1,500 feet of any other general on-sale license or general on-off-sale license. The distance between the establishments shall be measured in a straight line from the primary public entrance of the proposed establishment to the primary public entrance of any existing licensed premises, disregarding all intervening obstacles. At the request of the applicant, the Board in its discretion may waive this provision based on a consideration of the nature and character

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of the surrounding neighborhood. Notice of the time and place of the Board's consideration of the request for waiver shall be given by a published announcement in a newspaper of general circulation in the City not less than five days or more than ten days prior to the date of the hearing. [Establishments] Licensed premises which are included in the classifications listed in this Subsection I and which hold valid licenses therefor as of the effective date of this Chapter are exempt from the provisions of this Subsection I[.] only as long as they continue to hold valid licenses. Subsection (I) does not apply to any general on-sale restaurant limited license.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Chapter or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Chapter or any part thereof. The Board of City Commissioners of the City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections

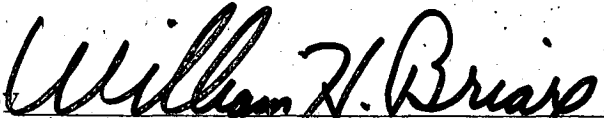
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1 subsections, subdivisions, paragraphs, sentences, clauses or
2 phrases be declared unconstitutional, invalid or ineffective.

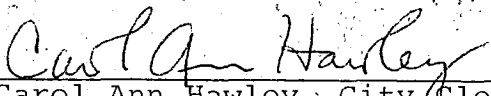
3 PASSED, ADOPTED AND APPROVED this 15th day of

4 April, 1981.

5 APPROVED:

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7 By William H. Briare
8 William H. Briare, Mayor

9 ATTEST:

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12 Carol Ann Hawley, City Clerk

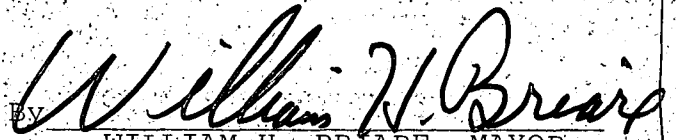
1 The above and foregoing ordinance was first proposed
2 and read by title to the Board of Commissioners on the 1st day
3 of April, 1981, and referred to the following com-
4 mittee composed of Commissioners Woofter and
5 Lurie for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the 15th
7 day of April, 1981, which was a regular meeting of
8 said Board; that at said regular meeting, the proposed
9 ordinance was read by title to the Board of Commissioners as
10 amended and adopted by the following vote:

11 VOTING "AYE" Commissioners: Levy, Lurie and Mayor Briare

12 VOTING "NAY" Commissioners: Christensen and Woofter

13 ABSENT: none

14 APPROVED:

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16 BY WILLIAM H. BRIARE, MAYOR

17
18 ATTEST:

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20 
21 Carol Ann Hawley, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager 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 one insertions from period of April 18, 1981 to April 18, 1981 inclusive, being the issue of said newspaper for the following dates, to wit:

April 18, 1981

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

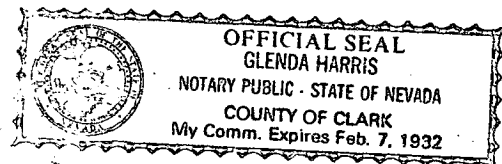
FIRST AMENDMENT
BILL NO. 81-22
ORDINANCE NO. 2158
AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE V, CHAPTER 18, SECTION 17, SUBSECTION (1) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY PROVIDING THAT AN ESTABLISHMENT WHICH HELD A VALID GENERAL ON-SALE LICENSE OR GENERAL ON-OFF-SALE LICENSE AS OF THE EFFECTIVE DATE OF SAID TITLE AND CHAPTER IS NOT SUBJECT TO THE 1,500' DISTANCE LIMITATION BETWEEN GENERAL ON-SALE OR GENERAL ON-OFF-SALE LOCATIONS PROVIDED FOR IN SAID SUBSECTION (1) ONLY AS LONG AS IT CONTINUES TO HOLD A VALID GENERAL ON-SALE OR GENERAL ON-OFF-SALE LICENSE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
Sponsored by:
Commissioner Paul Christensen
Summary: Provides that an existing liquor establishment is not subject to the 1,500' distance limitation between licensed locations only as long as it continues to hold a valid license.
The above and foregoing amended ordinance was first proposed and read by title to the Board of Commissioners on the 1st day of April, 1981, and referred to the following committee composed of Commissioners Woolter and Lurie, for recommendation; thereafter, the said committee reported favorably on said amended ordinance on the 15th day of April, 1981, 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 amended and adopted by the following vote:
VOTING "AYE" Commissioners:
Levy, Lurie, and Mayo Brilene
VOTING "NAY" Commissioners:
Christensen and Woolter
ABSENT: None
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
Pub. Apr. 18, 1981

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me this 20 day of April, 1981

Glenda Harris
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager 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 one insertions from period of April 8, 1981 to April 8, 1981 inclusive, being the issue of said newspaper for the following dates, to wit:

April 8, 1981

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

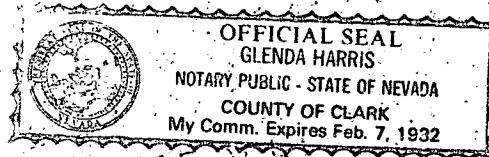
SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me
this 9 day of April, 19 81

Glenda Harris
NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA

BILL NO. 81-22
AN ORDINANCE RELATING TO LIQUOR CONTROL; AMENDING TITLE V, CHAPTER 18, SECTION 17, SUBSECTION (1) OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA; 1960 EDITION, BY PROVIDING THAT AN ESTABLISHMENT WHICH HELD A VALID GENERAL ON-SALE LICENSE OR GENERAL ON-OFF-SALE LICENSE AS OF THE EFFECTIVE DATE OF SAID TITLE AND CHAPTER IS NOT SUBJECT TO THE 1,500' DISTANCE LIMITATION BETWEEN GENERAL ON-SALE OR GENERAL ON-OFF-SALE LOCATIONS PROVIDED FOR IN SAID SUBSECTION (1) AS LONG AS IT CONTINUES TO HOLD A VALID GENERAL ON-SALE OR GENERAL ON-OFF-SALE LICENSE AND FOR A PERIOD NOT TO EXCEED THIRTY (30) DAYS THEREAFTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
Sponsored by:
Commissioner
Paul Christensen
Summary: Provides that an existing liquor establishment may remain unlicensed for a period of 30 days without a prospective license being required to obtain a waiver of the 1,500' distance limitation between licensed locations.
At a Commission Meeting on
April 1, 1981
BILL NO. 81-22 WAS READ @ V. TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Commissioners Woolfer and Lurie
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA 89101
Pub. Apr. 8, 1981



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