

ORDINANCE NO. 1238

AN ORDINANCE TO AMEND TITLE V, CHAPTER 18, SECTION 9 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY PROVIDING FOR THE EXEMPTION OF PRIVATE CLUBS FROM THE PROHIBITION OF THE SALE OF LIQUOR WITHIN 400 FEET OF A SCHOOL OR CHURCH; 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 9 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

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') 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') 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') 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') 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') of any school or church. Private clubs serving members and guests only shall be exempt from the 400-foot limitation near schools.

(C) The four hundred foot (400') limitation as defined in Subsections (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.

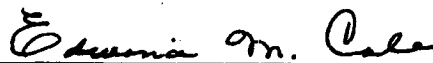
SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day 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 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 6th day of April, 1966.


ORAN K. GRAGSON Mayor

ATTEST:

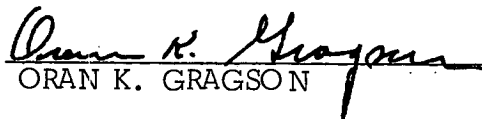

Edwina M. Cole City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 2nd day of March, 1966, and referred to the following committee composed of Commissioners Fountain and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of April, 1966, 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:

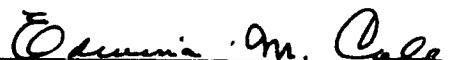
VOTING "AYE": Commissioners Stewart, Mirabelli, Fountain and Mayor Gragson

VOTING "NAY": None ABSENT: Commissioner Whipple (Excused)

APPROVED:


ORAN K. GRAGSON Mayor

ATTEST:


Edwina M. Cole City Clerk