

BILL NO. 90-7

Ordinance No. 3488

AN ORDINANCE RELATING TO WAGERING; AMENDING TITLE 10, CHAPTER 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS CHAPTER 10.83; PROVIDING FOR CERTAIN DEFINITIONS; PROVIDING FOR THE PROHIBITION OF WAGERING ON INTERCOLLEGIATE ATHLETIC ASSOCIATION ATHLETIC EVENTS BY NCAA ATHLETES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

Sponsored By:
Councilman Arnie Adamsen

Summary: An ordinance amending LVMC, Title 10, Chapter 10, by adding thereto a new section which prohibits certain types of wagering by NCAA athletes in sports books in the City.

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

SECTION 1: Title 10, Chapter 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto the provisions that are set forth as Sections 2 and 4, inclusive, of this Ordinance.

SECTION 2: As used in this Chapter, unless the context otherwise requires, the following terms shall have the meaning that are ascribed to them as follows:

"Book" means a sports pool licensed and approved pursuant to NRS 463 and regulation 22 of the Regulations of the Nevada Gaming Commission and State Gaming Control Board, as adopted July 1, 1959, and as amended from time to time.

"Establishment" means any premises where business is conducted and includes all buildings, improvements, equipment and facilities used or maintained in connection with such business.

"Institution" means a public or private entity that offers educational training beyond the secondary level. The term also includes:

(1) A postsecondary education institution as defined in NRS 394.099; and

1 (2) A university as defined in NRS 396.838.

2 "Intercollegiate athletic event" means competition, a
3 contest, a game, a match, a meeting or an occurrence between
4 individuals or teams of individuals who attend as students insti-
5 tutions that are members of the National Collegiate Athletic
6 Association and who are developed, talented or trained in physi-
7 cal exercises, games, skills or sports requiring human strength,
8 agility or stamina, and the winner of which competition, contest,
9 game, match, meeting or occurrence is determined by a score of
10 points either earned during the event or awarded by judges of the
11 event or by favorably completing the competition according to a
12 formula of time or a formula of points and time for certain acts
13 performed during the event.

14 "National Collegiate Athletic Association" means a group
15 of institutions of forty or more states which is governed by the
16 rules of the association relating to athletic competition.

17 "Parlay card wager" means a wager on the outcome of a
18 series of three athletic events, at least one of which is an
19 intercollegiate athletic event, or a series of three or more con-
20 tingencies at least one of which is incident to an inter-
21 collegiate athletic event.

22 "Sports Pool" means a business that accepts wagers on
23 intercollegiate athletic events, or other events, other than
24 horse or other races. The term includes, but is not limited to,
25 a business that accepts parlay card wagers.

26 "Student athlete" means a person who is eligible to and
27 does compete individually or as a member of a team in inter-
28 collegiate athletic events at an institution that is a member of
29 and subject to the rules of the National Collegiate Athletic
30 Association.

31 SECTION 3: It is unlawful for any establishment that
32 owns, operates or maintains any book or sports pool to knowingly

1 accept from any student athlete an individual wager or parlay
2 card wager on an intercollegiate athletic event.

3 SECTION 4: It is unlawful for any student athlete to
4 knowingly wager on an intercollegiate athletic event at any
5 establishment that owns, operates or maintains a book or sports
6 pool.

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

19 SECTION 6: Whenever in this ordinance any act is prohi-
20 bited or is made or declared to be unlawful or an offense or a
21 misdemeanor, or whenever in this ordinance the doing of any act
22 is required or the failure to do any act is made or declared to
23 be unlawful or an offense or a misdemeanor, the doing of such
24 prohibited act or the failure to do any such required act shall
25 constitute a misdemeanor and upon conviction thereof, shall be
26 punished by a fine of not more than \$1,000.00 or by imprisonment
27 for a term of not more than six months, or by any combination of

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1 such fine and imprisonment. Any day of any violation of this
2 ordinance shall constitute a separate offense.

3 SECTION 7: All ordinances or parts of ordinances, sec-
4 tions, subsections, phrases, sentences, clauses or paragraphs
5 contained in the Municipal Code of the City of Las Vegas, Nevada,
6 1983 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this 21st day of
8 February, 19 90.

9 APPROVED:

10
11 By 
12 RON LURIE, Mayor OK 2-26-90 RAW

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14 ATTEST:

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16 KATHLEEN M. TIGHE, City Clerk
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1 The above and foregoing ordinance was first proposed and read by
2 title to the City Council on the 17th day of January, 1990,
3 and referred to the following committee composed of Councilman
4 Adamsen and Mayor Lurie for recommen-
5 dation; thereafter the said committee reported favorably on said
6 ordinance on the 21st day of February, 1990, which was a
7 regular meeting of said Council; that at said
8 regular meeting, the proposed ordinance was read by
9 title to the City Council as first introduced and adopted by the
10 following vote:

11 VOTING "AYE": Councilmen Adamsen, Higginson, Miller, Nolen and Mayor Lurie
12 VOTING "NAY": NONE
13 ABSENT: NONE

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16 APPROVED:
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18 By R. Lurie
19 RON LURIE, Mayor OK 2-26-90 RAW

20 ATTEST:
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22 Kathleen M. Tighe
23 KATHLEEN M. TIGHE, City Clerk
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AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 1 4 20 PM '90
CITY CLERK

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 FEBRUARY 24, 1990 to FEBRUARY 24, 1990 inclusive, being the issue of said newspaper for the following dates, to wit:

FEBRUARY 24, 1990

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

BILL NO. 90-7
ORDINANCE NO. 3488

AN ORDINANCE RELATING TO WAGERING; AMENDING TITLE 10, CHAPTER 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS CHAPTER 10.83; PROVIDING FOR CERTAIN DEFINITIONS; PROVIDING FOR THE PROHIBITION OF WAGERING ON INTERCOLLEGIATE ATHLETIC ASSOCIATION ATHLETIC EVENTS BY NCAA ATHLETES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

SPONSORED BY:

Councilman Arnie Adamsen

SUMMARY: An ordinance amending LVMC, Title 10, Chapter 10, by adding thereto a new section which prohibits certain types of wagering by NCAA athletes in sports books in the City.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 17th day of January, 1990, and referred to the following committee composed of Councilman Adamsen and Mayor Lurie for recommendation; thereafter the said committee reported favorably on said ordinance on the 21st day of February, 1990, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote: VOTING "AYE" Councilmen: Adamsen, Higginson, Miller, Nolen and Mayor Lurie
VOTING "NAY" Councilmen: NONE
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: February 24, 1990

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me
this 26 day of Feb, 19 90

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



GLENDAL HARRIS
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Feb. 7, 1994

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FINANCE DEPT

CHIEF OF BUREAU
FEB 28 1990

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COUNTY OF CLARK)

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At the City Council meeting January 17, 1990
BILL NO. 90-7 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilman Adamsen and Mayor Lurie
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PUB: February 1, 1990

Subscribed and sworn to before me this 1 day of Feb, 1990

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



MARJORIE E. OUELLETTE
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Dec. 2, 1993

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FINANCE DEPT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
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STATE OF NEVADA)
COUNTY OF CLARK)

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this 1 day of Feb, 1990

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



MARJORIE E. OUELLETTE

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Dec. 2, 1993



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AFFIDAVIT OF PUBLICATION

RECEIVED
FEB 21 PM '90
CITY CLERK

STATE OF NEVADA)
COUNTY OF CLARK)

SS

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NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



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Notary Public - State of Nevada
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