

FIFTH AMENDMENT

BILL NO. 88-55

Ordinance No. 3411

1
2
3
4
5
6
7 AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 6,
8 CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS
9 VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE
10 TERMS "NONRESTRICTED LICENSE" AND "FACEBOOK INFORMATION SERVICE"
11 TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING
12 THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE;" AMENDING
13 SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR
14 OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE
15 THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO
16 CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING
17 SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE
18 REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS
19 POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING
20 SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME
21 FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED;
22 AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT
23 RESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT
24 IS LICENSED FOR RESTRICTED GAMING ON APRIL 1, 1989, IN AN ESTAB-
25 LISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES OR
26 IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE SALE OF ALCOHOLIC
27 BEVERAGES WITH RESPECT TO WHICH A SPECIAL USE PERMIT THEREFOR IS
28 OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, SUBJECT TO A
29 LIMITATION ON THE NUMBER OF SLOT MACHINES IN SUCH ESTABLISHMENT
30 OF FOUR; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER TO PRO-
31 VIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN
32 ESTABLISHMENT THAT, ON NOVEMBER 1, 1988, WAS LICENSED FOR NON-
RESTRICTED GAMING, IN AN ESTABLISHMENT WHICH CONSISTS, OR WHEN
THE SAME IS CONSTRUCTED WILL CONSIST, OF A RESTAURANT WHICH HAS
FULL KITCHEN FACILITIES AND IS LOCATED WITHIN A FREESTANDING
BUILDING THAT CONTAINS IN EXCESS OF THREE THOUSAND SQUARE FEET OF
USABLE FLOOR SPACE AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, A
TAVERN LICENSE HAS BEEN ISSUED IN ACCORDANCE WITH LVMC 6.50.050
OR PRELIMINARY APPROVAL FOR A TAVERN LICENSE HAS BEEN GRANTED IN
ACCORDANCE WITH LVMC 6.06.050 AND AN APPLICATION FOR NONRESTRICTED
GAMING HAS BEEN FILED WITH THE STATE OR IN AN ESTABLISHMENT WHICH
CONSISTS OF A LICENSED BUSINESS PREMISES THAT CONTAINS IN EXCESS
OF NINE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH
RESPECT TO WHICH, ON APRIL 1, 1989, AN APPLICATION FOR NON-
RESTRICTED GAMING HAS BEEN FILED WITH THE STATE, SUBJECT TO A
LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY
OF A NUMBER NOT TO EXCEED THIRTY-FIVE IN ANY SUCH ESTABLISHMENT
THAT, ON APRIL 1, 1989, IS LICENSED FOR SLOT MACHINES ONLY, IN AN
ESTABLISHMENT THAT IS SITUATE WITHIN ONE OF THE SO-CALLED "RED-
LINED" DISTRICTS AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, AN
APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE
STATE, IN A HOTEL THAT CONTAINS AT LEAST TWO HUNDRED GUESTROOMS,
OR, ON FEBRUARY 1, 1989, SUCH GUESTROOM REQUIREMENT HAD BEEN
WAIVED, AND WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS
OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, IN AN ESTAB-
LISHMENT WITH RESPECT TO WHICH A TAVERN LICENSE IS ISSUED IN
ACCORDANCE WITH THE LIQUOR CONTROL ORDINANCE, SUBJECT TO A

1 LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY
2 OF A NUMBER NOT TO EXCEED TWENTY, OR IN A RETAIL OUTLET THAT
3 CONTAINS AT LEAST FIVE THOUSAND SQUARE FEET OF USEABLE FLOOR
4 SPACE AND WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED
5 IN ACCORDANCE WITH THE ZONING ORDINANCE, SUBJECT TO A LIMITATION
6 ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER
7 NOT TO EXCEED TWENTY; FURTHER AMENDING SAID TITLE AND CHAPTER BY
8 ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 165, TO PRO-
9 VIDE THAT ANY ESTABLISHMENT IN WHICH RESTRICTED OR NONRESTRICTED
10 GAMING IS CONDUCTED BY VIRTUE OF SUCH ESTABLISHMENT'S HAVING BEEN
11 LICENSED FOR SUCH GAMING ON NOVEMBER 1, 1988, OR APRIL 1, 1989,
12 AS THE CASE MAY BE, OR BEING SITUATE WITHIN ONE OF THE SO-CALLED
13 "RED-LINED" DISTRICTS SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH
14 GAMING IF GAMING OPERATIONS THEREIN ARE DISCONTINUED FOR TWENTY-
15 FOUR CONSECUTIVE MONTHS; AMENDING TITLE 19, CHAPTER 4, OF SAID
16 CODE BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 417,
17 TO DEFINE THE TERM "GENERAL BUSINESS RELATED GAMING ESTABLISH-
18 MENT"; AMENDING CHAPTER 40, SECTION 10, CHAPTER 42, SECTION 20,
19 CHAPTER 44, SECTION 20, CHAPTER 46, SECTION 20, CHAPTER 47,
20 SECTION 30, CHAPTER 48, SECTION 20, CHAPTER 49, SECTION 30,
21 CHAPTER 49A, SECTION 30, CHAPTER 50, SECTION 20, AND CHAPTER 52,
22 SECTION 20, OF SAID TITLE TO PROVIDE THAT GENERAL BUSINESS
23 RELATED GAMING ESTABLISHMENTS MAY BE PERMITTED IN THE ZONING
24 DISTRICTS TO WHICH SAID SECTIONS RELATE BY WAY OF SPECIAL USE
25 PERMITS THAT ARE APPROVED BY THE CITY COUNCIL; AMENDING CHAPTER
26 46, SECTION 10, AND FURTHER AMENDING CHAPTER 46, SECTION 20,
27 CHAPTER 48, SECTION 20, AND CHAPTER 50, SECTION 20, OF SAID TITLE
28 TO PROVIDE THAT THE PROPERTIES THAT, ON OR BEFORE OCTOBER 5, 1988,
29 HAD BEEN PERMANENTLY CLASSIFIED AS C-2 AND WITH RESPECT TO WHICH
30 AN APPLICATION FOR AESTHETIC REVIEW HAD BEEN FILED, ARE, UNDER
31 CERTAIN CIRCUMSTANCES, EXEMPT FROM THE SPECIAL USE PERMIT
32 REQUIREMENTS FOR NONRESTRICTED GAMING THAT ARE PROVIDED IN SAID
SECTIONS; AMENDING CHAPTER 90, SECTION 80, OF SAID TITLE TO
INCLUDE WITHIN THE SPECIAL USE PERMITS THAT ARE REQUIRED THEREBY
TO BE APPROVED BY THE CITY COUNCIL SPECIAL USE PERMITS FOR
GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS; REPEALING TITLE
6, CHAPTER 40, SECTIONS 80, 160 AND 175, OF SAID CODE; PROVIDING
FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES
FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS
OF ORDINANCES IN CONFLICT HEREWITH.

22 Sponsored by: Summary: Makes various changes in
23 Mayor Ron Lurie gaming control ordinance

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

27 SECTION 1: Title 6, Chapter 40, Section 20, of the
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
29 hereby amended to read as follows:

30 6.40.020: As used in this Chapter, unless the context otherwise
31 requires, the following words shall have the meaning
32 ascribed:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(A) "Game" or "gambling game" means any banking or percentage game played with cards, dice or any mechanical, electromechanical or electronic device or machine for money, property, checks, credit or any representative of value, including, without limiting the generality of the foregoing, faro, monte, roulette, keno, bingo, fan-tan, twenty-one, blackjack, seven-and-a-half, big injun, klondike, craps, poker chuck-a-luck, Chinese chuck-a-luck (dai shu), wheel of fortune, chemin de fer, baccarat, pai gow, beat the banker, panguingui, slot machine, or any other game or device approved by the [State] Nevada Gaming Commission, but does not include social games played solely for drinks, or cigars or cigarettes served individually, or games played in private homes or residences for prizes or games operated by charitable or educational organizations which have been approved by the State Gaming Control Board.

(B) "Gaming" or "gambling" means to deal, operate, carry on, conduct, maintain or expose for play any game, sports book, parimutuel or any other form of wagering.

(C) "Hotel" means a building or a complex of buildings which are designed and integrated to clearly demonstrate the appearance of one facility wherein:

- (1) Sleeping accommodations are provided in guestrooms at daily rates to tourists or transient guests;
- (2) No provision is made for cooking food in any guestroom; and
- (3) There is integrated into the facility near the

1 area where licensed games are provided at
2 least one restaurant and a lobby for the
3 guests to check in and out and receive messages.

4 (D) "Nonrestricted license" and "nonrestricted gaming"
5 means a gaming license [which permits any game or
6 sports pool other than a license which is restricted
7 to fifteen or less] for, or an operation consisting
8 of, sixteen or more slot machines[.] or a license
9 for, or an operation consisting of, any number of
10 slot machines together with any other game, gaming
11 device, race book or sports pool at one establish-
12 ment.

13 (E) "Race book information service" means [the dissemi-
14 nation of information concerning horseracing, when
15 such information is to be used by the receiver for
16 the purpose of maintaining and operating any
17 gambling game or race book.] any person, other than
18 one who provides a televised broadcast without
19 charge to any person who receives such broadcast,
20 who furnishes an operator of a race book, sports
21 pool or gambling game who is licensed in the State
22 with information that relates to horse racing or
23 other racing which is used to determine the winners
24 of, or payoffs on, wagers that are accepted by such
25 operator.

26 (F) "Racehorse book" or "race book" means a sports pool
27 on horseraces.

28 (G) "Restricted license" and "restricted gaming" means
29 a gaming license for, or an operation consisting
30 of, not more than fifteen slot machines, incidental
31 to the primary business at the establishment, and no
32 other game or gaming device at the establishment.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(H) "Slot machine" means any mechanical, electrical or other device, contrivance or machine which, upon insertion of a coin, token or similar object therein, or upon payment of any consideration whatsoever, is available to play or operate, the play or operation of which, whether by reason of the skill of the operator or application of the element of chance, or both, may deliver or entitle the person playing or operating the machine to receive cash, premiums, merchandise, tokens or anything of value whatsoever, whether the payoff is made automatically from the machine or in any other manner whatsoever.

If a machine has multiple capacities the Director of Business Activity shall make a determination, consistent with the determination made by the State Gaming Control Board, whether the machine constitutes two or more slot machines for the purpose of this Chapter based on the number of payout devices, coin receptacles or slots, handles or other devices for multiple players, or means of determining winnings.

[(H)](I) "Slot operator" means a licensee engaged in the business of placing slot machines upon the business premises of another under any agreement whereby consideration is paid or is payable for the placement of such slot machines, whether the consideration is measured by a percentage of revenue derived from such machines or by a fixed fee or otherwise.

[(I)](J) "Sports pool" means the business of accepting wagers on sporting events by any system or method of wagering other than the system known as the

1 parimutuel method of wagering.

2 SECTION 2: Title 6, Chapter 40, Section 50, of the
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
4 hereby amended to read as follows:

5 6.40.050: (A) Any person who furnishes services or property to a
6 gaming licensee under any arrangement pursuant to
7 which the person receives payments based on earn-
8 ings, profits or receipts from gaming may be
9 required by the Director of Business Activity to
10 apply for a gaming license or apply for an approval
11 of suitability to be associated with the gaming
12 licensee.

13 (B) If such person fails to apply within twenty days of
14 the Director's request the [Board of Commissioners]
15 City Council may require the licensee to terminate
16 the arrangement.

17 (C) Failure to so terminate the arrangement is grounds
18 for disciplinary action to be taken against the
19 licensee.

20 SECTION 3: Title 6, Chapter 40, Section 60, of the
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
22 hereby amended to read as follows:

23 6.40.060: The [Board of Commissioners] Director may in [its] his
24 discretion approve any charitable or educational organi-
25 zation which has obtained a charitable solicitations
26 permit[, and without the necessity of having a gaming
27 license as provided in Section 6.40.030,] to conduct and
28 maintain any games or sports pool, [at any location
29 deemed suitable and appropriate by the Board,] provided
30 such charitable or educational organization has first
31 obtained the approval of the State Gaming Control Board
32 as required by NRS 463.409.

1 SECTION 4: Title 6, Chapter 40, Section 65, of the
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
3 hereby amended to read as follows:

4 6.40.065: (A) Any licensee who [as] has acquired a "holiday or
5 special event" permit from the State to add addi-
6 tional games to the licensed premises during an
7 anticipated temporary period of increased tourist
8 activity may apply to the Director for a holiday or
9 special event permit from the City. The application
10 must be made on a form acceptable to the Director
11 and filed at least three days prior to the date the
12 games are to be added.

13 (B) If the permit is approved by the Director he shall
14 specify on the permit the number and type of games
15 approved and the time period for which they are
16 permitted. The number of games and the time per-
17 mitted shall not exceed that which has been
18 approved by the State. [and in no case shall the
19 time period exceed seven days.] The licensee shall
20 not exceed or deviate from the number and types of
21 games allowed under the permit or allow the games
22 to remain on the premises beyond the time permitted.

23 (C) The licensee must pay in advance a permit fee equal
24 to one-sixth of the regular semiannual license fee
25 for each game permitted for a holiday or special
26 event. The licensee must also pay the regular quar-
27 terly convention authority tax imposed by Chapter
28 4.20.

29 SECTION 5: Title 6, Chapter 40, Section 70, of the Muni-
30 cipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
31 hereby amended to read as follows:

32 6.40.070: The [Board of Commissioners,] City Council, in the

1 exercise of its discretion, may limit the number of
2 licenses provided for in this Chapter.

3 SECTION 6: Title 6, Chapter 40, Section 90, of the
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
5 hereby amended to read as follows:

6 6.40.090: Except as provided in Section 6.40.100, an applicant
7 for a gaming license, other than an applicant for a
8 restricted license [for thirty-five or fewer slot ma-
9 chines and no other game or gambling device, and each
10 principal of the applicant], shall not be required to
11 submit to a background investigation and the [Board of
12 Commissioners] City Council shall determine that the
13 applicant and its principals are suitable if the Nevada
14 Gaming Commission has granted a license to the applicant
15 or found the applicant and its principals suitable.

16 SECTION 7: Title 6, Chapter 40, Section 100, of the
17 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
18 hereby amended to read as follows:

19 6.40.100: The [Board of Commissioners] City Council may, at any
20 time before a City gaming license is finally approved,
21 determine that the public health, safety, morals or
22 welfare of the City require that a background investiga-
23 tion be conducted of the applicant or a principal
24 thereof notwithstanding the fact that the applicant or
25 principal is being, or has been, investigated by or
26 approved by the Nevada Gaming Commission.

27 SECTION 8: Title 6, Chapter 40, Section 140, of the
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
29 hereby amended to read as follows:

30 6.40.140: No restricted gaming shall be conducted, maintained
31 or operated in the [city] City except [as allowed within
32 the following specified districts;

- 1 (A) The area bounded by the east side of Main Street,
2 the south side of Stewart Avenue, the west side of
3 3rd Street and the north side of Carson Avenue;
4 (B) The frontage on both sides of West Jackson Avenue
5 between North "D" Street and North "G" Street and
6 the frontage on both sides of Owens Avenue between
7 "H" Street and Highland Avenue.]

8 at a location which:

- 9 (A) On April 1, 1989, was licensed to operate not more
10 than fifteen slot machines;
11 (B) Is licensed for the sale of alcoholic beverages; or
12 (C) Is not licensed for the sale of alcoholic bever-
13 ages but with respect to which location a special
14 use permit for a general business related gaming
15 establishment, as that term is defined in LVMC
16 19.04.417, is obtained in accordance with LVMC
17 Title 19; provided, however, that such gaming
18 shall be limited to the operation of not more than
19 four slot machines.

20 SECTION 9: Title 6, Chapter 40, Section 150, of the
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
22 hereby amended to read as follows:

23 6.40.150: [Notwithstanding Section 6.40.140, the following] No
24 nonrestricted gaming [may be permitted by the City Coun-
25 cil outside said districts:

- 26 (A) At those locations which, prior to November 1,
27 1986, have been approved by the Council for a non-
28 restricted license and either had at least one
29 hundred guestrooms available or with respect to
30 which building plans for a hotel which will have at
31 least one hundred guestrooms were on file with the
32 City;

1 (B) In hotels having at least two hundred guestrooms
2 available to the public, subject to the provisions
3 contained in Section 6.40.175.

4 (C) In hotels having less than two hundred guestrooms
5 available to the public, for which the City Council
6 has waived the guestroom requirement contained in
7 Subsection (B) of this Section. At the request of,
8 and upon the payment of an application fee in the
9 amount of fifty dollars by, the applicant, the Coun-
10 cil, in its discretion, may grant such a waiver,
11 based on a consideration of the nature and char-
12 acter of the surrounding neighborhood. Notice of
13 the time and place of the Council's consideration
14 of the request for waiver shall be given by a
15 published announcement in a newspaper of general
16 circulation in the City not less than five days or
17 more than ten days before the date of the hearing.]
18 shall be conducted, maintained or operated in the
19 City except:

20 (A) At a location which:

- 21 (1) On November 1, 1988, was licensed for non-
22 restricted gaming;
23 (2) Consists, or when the same is constructed will
24 consist, of a restaurant which has full kitchen
25 facilities and is located within a freestand-
26 ing building that contains in excess of three
27 thousand square feet of usable floor space
28 under one roof and is separated along its
29 entire exterior perimeter from any other com-
30 mercial establishment either by a property
31 line or by an unobstructed open area at least
32 ten feet in width and with respect to which,

1 on April 1, 1989, a tavern license had been
2 issued pursuant to LVMC 6.50.050 or prelimi-
3 nary approval for a tavern license had been
4 granted pursuant to LVMC 6.06.050, as the
5 case may be, and an application for nonre-
6 stricted gaming had been filed with the
7 State; or

8 (3) Consists of a licensed business premises that
9 contains in excess of nine thousand square
10 feet of usable floor space under one roof
11 within which the gaming is, at all times,
12 under the supervision of an attendant whose
13 duties shall be limited solely to the making
14 of change and supervising such gaming and
15 with respect to which, on April 1, 1989, an
16 application for nonrestricted gaming had been
17 filed with the State;

18 provided, however, that such gaming shall be
19 limited to the operation of not more than thirty-
20 five slot machines at any such location that, on
21 April 1, 1989 was licensed for slot machines only;

22 (B) At a location which:

23 (1) Is situate within the area that is bounded by
24 the east side of Main Street, the south side
25 of Stewart Avenue, the west side of Third
26 Street and the north side of Carson Avenue; or

27 (2) Fronts on either side of Jackson Avenue be-
28 tween "D" Street and "G" Street or on either
29 side of Owens Avenue between "H" Street and
30 Martin Luther King Boulevard

31 and with respect to which, on April 1, 1989, an
32 application for nonrestricted gaming had been filed

1 with the State;

2 (C) In a hotel which:

3 (1) Has at least two hundred guestrooms that are
4 available to the public; or

5 (2) On February 1, 1989, had at least eighty
6 guestrooms that continue to be available to
7 the public, and the requirement for the other
8 one hundred twenty guestrooms had been waived;

9 (D) At a location with respect to which a tavern
10 license is issued pursuant to LVMC 6.50.050; pro-
11 vided, however, that such gaming shall be limited
12 to the operation of not more than twenty slot
13 machines; or

14 (E) In a retail outlet that contains at least five
15 thousand square feet of usable floor space and with
16 respect to which a special use permit for a general
17 business related gaming establishment, as that term
18 is defined in LVMC 19.04.417, is obtained in accor-
19 dance with LVMC Title 19; provided, however, that
20 such gaming shall be limited to the operation of
21 not more than twenty slot machines.

22 SECTION 10: Title 6, Chapter 40, of the Municipal Code
23 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
24 by adding thereto a new section, to be designated as Section 165,
25 reading as follows:

26 6.40.165: If gaming operations at any location at which
27 restricted gaming may be conducted by virtue of LVMC
28 6.40.140(A) or at any location at which nonrestricted
29 gaming may be conducted by virtue of LVMC 6.40.150(A) or
30 6.40.150(B) are discontinued for twenty-four consecu-
31 tive months, the right to conduct gaming at such
32 establishment by virtue of LVMC 6.40.140(A),

1 6.40.150(A) or 6.40.150(B), as the case may be, shall,
2 upon the expiration of such twenty-four month period,
3 automatically terminate, and no gaming may be conducted
4 at such location unless or until such location is
5 licensed for restricted gaming pursuant to some other
6 provision of LVMC 6.40.140 or for nonrestricted gaming
7 pursuant to some other provision of LVMC 6.40.150.

8 SECTION 11: Title 6, Chapter 40, Section 170, of the
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
10 hereby amended to read as follows:

11 6.40.170: Nothing contained in Section 6.40.140[,] and 6.40.150[,
12 6.40.160 and 6.40.175] shall be construed to require
13 the issuance of a gaming license to any applicant
14 because of any zoning approval, location, structure
15 involved or nature of any allied business.

16 SECTION 12: Title 19, Chapter 4, of the Municipal Code
17 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
18 by adding thereto a new section, to be designated as Section 417,
19 reading as follows:

20 19.04.417: "General business related gaming establishment" means
21 a building or structure which is primarily used or
22 intended to be used for some business other than gaming
23 but in which restricted gaming is permitted pursuant to
24 Chapter 6.40 of this Code as a use that is incidental to
25 such other business.

26 SECTION 13: Title 19, Chapter 40, Section 10, of the
27 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
28 hereby amended to read as follows:

29 19.40.010: Uses permitted in the C-C District include:

- 30 (A) Any uses permitted in the C-1 District;
31 (B) Uses customarily incidental, or similar to any of
32 the above uses, provided that such uses or opera-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

tions are not objectionable due to dust, odor, smoke, noise, vibrations or other similar causes[.];

(C) General business related gaming establishments, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080.

SECTION 14: Title 19, Chapter 42, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.42.020: Only those uses specifically approved by the [Board of Commissioners] City Council upon recommendation of the Planning Commission and of the general category listed below are permitted in the C-D District; however, no use shall be permitted until a development approval is issued by the Planning Commission in accord with an approved development plan which satisfies the conditions contemplated in Section 19.42.030:

- (A) Retail shops and stores for the dispensing of goods and services;
- (B) General business and professional offices;
- (C) Banks and financial institutions[.];
- (D) General business related gaming establishments, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080.

SECTION 15: Title 19, Chapter 44, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.44.020: (A) The following uses may be permitted in the C-1 District upon securing a special use permit as provided in LVMC 19.90, except that the uses enu-

1 merated in this Subsection may be permitted as a
2 matter of right when in accordance with the excep-
3 tion shown in Subsection (C) of this Section:

- 4 (1) Automobile service stations for the sale of
5 gasoline, oil and minor accessories only,
6 where no repair work is done, except minor
7 repairs made by the attendant and provided all
8 lubrications, washing, repairing and storage
9 are conducted within an enclosed permanent
10 building;
- 11 (2) Apartment houses;
- 12 (3) Customer-operated car washes;
- 13 (4) Lodginghouses, boardinghouses or rooming-
14 houses, hotels, motels and other like
15 tourist accommodations;
- 16 (5) Emergency ground ambulance facilities;
- 17 (6) Special care facilities.

18 (B) The following uses may be permitted upon securing a
19 special use permit in each case pursuant to the
20 procedure provided for in LVMC 19.90.080, except
21 that the uses enumerated in this Subsection may be
22 permitted as a matter of right when in accordance
23 with the exception shown in Subsection (C) of this
24 Section:

- 25 (1) Class III secondhand dealers as defined in
26 LVMC 19.04.250, except that these uses shall
27 not be allowed on Fremont Street or Las Vegas
28 Boulevard South between Charleston Boulevard
29 and Sahara Avenue as prescribed by LVMC
30 6.74.050;
- 31 (2) Retail demonstration merchandise sales stores
32 as defined in LVMC 6.72.010;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

- (3) Mini-storage facilities, subject to the following limitations:
 - (a) No more than one manager's or security residence is permitted.
 - (b) All storage of items must be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.
 - (c) No business may be conducted within or from a mini-storage facility.
 - (d) Wholesale storage and the on-premise sale of stored items are prohibited.
 - (e) The commercial repair of motor vehicles, boats, trailers and other like vehicles is prohibited. "Commercial repair" means any repair work except work performed on a vehicle by the owner thereof.
 - (f) The operation of spray painting equipment, power tools, welding equipment or other similar equipment is prohibited.
 - (g) The production, fabrication or assembly of products is prohibited.
 - (4) Off-premises signs;
 - (5) Liquefied petroleum gas installations for which a special use permit is required by LVMC 19.55.110, subject to the limitations set forth in LVMC 19.55.010 and 19.55.020;
 - (6) Gaming establishments (hotel)[.];
 - (7) General business related gaming establishments.
- (C) Exception: If an application for reclassification

1 to a C-1 District under LVMC 19.92 includes any of
2 the uses hereinabove enumerated, the approval of
3 the application shall constitute approval of the
4 use or uses and no special use permit shall be
5 required; provided, however, that the notice of
6 public hearing for reclassification shall specifi-
7 cally list the use or uses.

8 SECTION 16: Title 19, Chapter 46, Section 10, of the
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
10 hereby amended to read as follows:

11 19.46.010: Uses permitted in the C-2 District include:

- 12 (A) Any use permitted in a C-C or C-1 District;
- 13 (B) Automobile sales and service facilities, excluding
14 body and fender shops. Subject use may include an
15 outdoor used car sales lot, when operated by a
16 franchised new car dealer and located directly
17 adjacent to the new car sales and service facility
18 and operated as an incidental use to the conduct of
19 the new car sales and service facility;
- 20 (C) Wedding chapels;
- 21 (D) Public parking areas, when located and developed as
22 required in Chapter 19.64;
- 23 (E) Restaurants;
- 24 (F) Mortuaries and mausoleums, which may include ceme-
25 teries when the cemeteries are developed in con-
26 junction with a mortuary and/or a mausoleum;
- 27 (G) Customer-operated car washes;
- 28 (H) R-5-density and R-6-density residential develop-
29 ments, when located within the Central Business
30 District, as defined in Section 19.64.030;
- 31 (I) Hotels, motels, and other like tourist accommoda-
32 tions;

1 (J) Gaming establishments (non-hotel);

2 (K) Gaming establishments (hotel), when located [within
3 the areas specified in subsection (A) of Section
4 6.40.175;] on property that, on or before October
5 5, 1988, had been permanently classified as C-2
6 and with respect to which an application for
7 aesthetic review had been filed; provided,
8 however, that this paragraph becomes operative
9 only in the event that such property is developed
10 by the person on whose behalf such application for
11 aesthetic review was filed;

12 (L) Other similar enterprises or businesses of the same
13 general class which, in the opinion of the Planning
14 Commission, as evidenced by resolution of record,
15 are not more detrimental to the welfare and safety
16 of the residents within the particular district
17 than other classifications enumerated in this Sec-
18 tion;

19 (M) Uses customarily incidental to any of the above,
20 when located on the same premises.

21 SECTION 17: Title 19, Chapter 46, Section 20, of the
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
23 hereby amended to read as follows:

24 19.46.020: (A) The following uses may be permitted in the C-2
25 District upon securing a special use permit as pro-
26 vided in Chapter 19.90, except that the uses enu-
27 merated in this Subsection may be permitted as a
28 matter of right when in accordance with the excep-
29 tion shown in Subsection [(H)] (J) of this Section:

30 (1) Used car lots;

31 (2) Trailer sales lots;

32 (3) Boat sales and service facilities, including

1 all floating craft;

2 (4) Automotive parts exchanges. This shall not
3 include public garages or salvage operations,
4 but shall be limited to the sale and installa-
5 tion of new or rebuilt major automotive parts;

6 (5) Drive-in theaters, miniature golf courses and
7 other outdoor amusement centers;

8 (6) Automobile laundry;

9 (7) Body and fender repair operations when con-
10 ducted by a franchised new car agency;

11 (8) Cemeteries as provided for in Section
12 19.10.080;

13 (9) Apartment houses, when located outside the
14 Central Business District, as defined in Sec-
15 tion 19.64.030;

16 (10) Special care facilities.

17 (B) Pawnshops may be permitted in the C-2 District sub-
18 ject to the securing of a special use permit in
19 each case pursuant to the procedure provided for in
20 Section 19.90.080, except that no pawnshop may be
21 located on either side of Fremont Street or Las
22 Vegas Boulevard South between Charleston Boulevard
23 and Sahara Avenue. Those pawnshops which were
24 located on Fremont Street or Las Vegas Boulevard
25 South between Charleston Boulevard and Sahara Ave-
26 nue at the time of enactment of the 1974 amendatory
27 ordinance which is codified, in part, in this Sec-
28 tion shall be allowed to remain only as long as
29 their present leases do not expire. No such lease
30 may be modified to extend its term or otherwise
31 prevent it from expiring. Those pawnshops which
32 are located in a C-2 Zone, other than on Fremont

1 Street or Las Vegas Boulevard South between
2 Charleston Boulevard and Sahara Avenue, at the time
3 of enactment of the 1974 amendatory ordinance which
4 is codified, in part, in this Section shall be
5 allowed to remain at their locations without the
6 necessity of securing a special use permit.

7 (C) Class III secondhand dealers, retail demonstration
8 merchandise sales stores, transient sales lots,
9 open sales lots and off-premises signs may be per-
10 mitted in the C-2 District subject to the securing
11 of a special use permit in each case pursuant to
12 the procedure provided for in Section 19.90.080 of
13 this Chapter, except that Class III secondhand
14 dealers shall not be allowed on Fremont Street and
15 Las Vegas Boulevard South between Charleston Boule-
16 vard or Sahara Avenue as prescribed by Section
17 6.74.050.

18 (D) Custodial institutions and detention facilities may
19 be permitted in the C-2 District subject to the
20 securing of a special use permit in each case pur-
21 suant to the procedure provided for in Section
22 19.90.080.

23 (E) Subject to the limitations contained in this Sub-
24 section, commercial storage units may be permitted
25 in the C-2 District subject to the securing of a
26 special use permit in each case pursuant to the
27 procedure provided for in Section 19.90.080. All
28 stored items must be located within an enclosed
29 building and there must be no wholesale storage or
30 sale of the stored items, nor any commercial repair
31 or sale of passenger cars, trucks, two-wheeled
32 vehicles, three-wheeled vehicles, trailers, boats

1 or other like vehicles. "Commercial repair" means
2 any repair work except work done by the owner on
3 his own personal property.

4 (F) Liquefied petroleum gas installations for which a
5 special use permit is required by Section
6 19.55.010, subject to the limitations set forth in
7 Sections 19.55.010 and 19.55.020.

8 (G) Gaming establishments (hotel), when not located
9 [outside the areas specified in Subsection (A) of
10 Section 6.40.175,] on property to which Section
11 19.46.10(K)(2) applies, may be permitted in the C-2
12 District subject to the securing of a special use
13 permit in each case pursuant to the procedure pro-
14 vided for in Section 19.90.080.

15 (H) General business related gaming establishments may
16 be permitted in the C-2 District, subject to the
17 securing of a special use permit in each case pur-
18 suant to the procedure provided for in Section
19 19.90.080.

20 (I) Plasma donor centers and rescue missions may be
21 permitted in the C-2 district subject to the
22 securing of a special use permit in each case pur-
23 suant to the procedure provided for in Section
24 19.90.080. However, no such use may be permitted
25 within the Downtown Las Vegas Redevelopment Area
26 unless the special use permit application has first
27 been referred to and approved by the staff of the
28 City of Las Vegas Downtown Redevelopment Agency.

29 [(I)](J) Exception: If an application for a reclassifica-
30 tion to a C-2 District under Chapter 19.92 includes
31 any of the uses hereinabove enumerated, the appro-
32 val of the application shall constitute approval of

1 the use or uses and no special use permit shall be
2 required; provided, however, that the notice of
3 public hearing for reclassification shall specifi-
4 cally list the use or uses.

5 SECTION 18: Title 19, Chapter 47, Section 30, of the
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
7 hereby amended to read as follows:

8 19.47.030: The following uses may be permitted by the City
9 Council, upon recommendation of the Planning Commission
10 if, in each case, the City Council finds that the use is
11 designed to serve the business park district and is
12 complementary to a permitted principal use:

- 13 (A) Retail and commercial service uses, including, but
14 not limited to, restaurants, cocktail lounges,
15 financial institutions, convenience retail uses,
16 day care center and service stations;
- 17 (B) Outdoor storage and/or mechanical equipment which
18 comprises ten percent or more of the total lot area
19 and is ancillary to and necessary for the operation
20 of a permitted use;
- 21 (C) Other uses, not otherwise permitted, which are
22 incidental to and necessary for a permitted use,
23 such as a residence for security purposes[.];
- 24 (D) General business related gaming establishments,
25 subject to the securing of a special use permit in
26 each case pursuant to the procedure provided for in
27 Section 19.90.080.

28 SECTION 19: Title 19, Chapter 48, Section 20, of the
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
30 hereby amended to read as follows:

31 19.48.020: (A) The following uses may be permitted in the C-M
32 District subject to the securing of a special use

1 permit as provided in Chapter 19.90, except that
2 the uses enumerated in this Subsection may be per-
3 mitted as a matter of right when in accordance with
4 the exception shown in Subsection (B) of this Sec-
5 tion:

6 (1) Cemeteries, as provided for in Section
7 19.10.080;

8 (2) Pawnshops, subject to the securing of a spe-
9 cial use permit in each case pursuant to the
10 procedure provided for in Section 19.90.080;

11 (3) Custodial institutions and detention facili-
12 ties, subject to the securing of a special use
13 permit in each case pursuant to the procedure
14 provided for in Section 19.90.080;

15 (4) Commercial storage units, subject to the limi-
16 tations contained in this Subsection and sub-
17 ject to the securing of a special use permit
18 in each case pursuant to the procedure pro-
19 vided for in Section 19.90.080. All stored
20 items must be located within an enclosed
21 building and there must be no wholesale
22 storage or sale of the stored items, nor any
23 commercial repair or sale of passenger cars,
24 trucks, two-wheeled vehicles, three-wheeled
25 vehicles, trailers, boats or other like
26 vehicles. "Commercial repair" means any
27 repair work except work done by the owner on
28 his own personal property;

29 (5) Transient sales lots and open sales lots, sub-
30 ject to the securing of a special use permit
31 in each case pursuant to the procedure pro-
32 vided for in Section 19.90.080;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(6) Off-premises signs, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(7) Liquefied petroleum gas installations for which a special use permit is required by Section 19.55.010, subject to the limitations set forth in Sections 19.55.010 and 19.55.020;

(8) Gaming establishments (hotel), when not located [outside the areas specified in Subsection (A) of Section 6.40.175,] on property to which Section 19.46.010(K)(2) applies, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(9) General business related gaming establishments, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(10) Special care facilities;

[(10)](11) Plasma donor centers and rescue missions, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080. However, no such use may be permitted within the Downtown Las Vegas Redevelopment Area unless the special use permit application has first been referred to and approved by the staff of the City of Las Vegas Downtown Redevelopment Agency.

(B) Exception: If an application for reclassification to a C-M District under Chapter 19.92 includes any

1 of the uses hereinabove enumerated, the approval of
2 the application shall constitute approval of the
3 use or uses and no special use permit shall be
4 required; provided, however, that the notice of
5 public hearing for reclassification shall specifi-
6 cally list the use or uses.

7 SECTION 20: Title 19, Chapter 49, Section 30, of the
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
9 hereby amended to read as follows:

10 19.49.030: Uses in the T-C District should be office, light
11 commercial or tourist-oriented uses that can be com-
12 patible with the surrounding area[.], including without
13 limitation general business related gaming establish-
14 ments, subject to the securing of a special use permit
15 in each case pursuant to the procedure provided for in
16 Section 19.90.080. However, no use is permitted in the
17 T-C District unless it is specifically approved by the
18 City Council, upon recommendation of the Planning Com-
19 mission. Such approval must include an approved devel-
20 opment plan. The City Council may impose in connection
21 with its approval whatever requirements, conditions or
22 limitations it deems are necessary to ensure that devel-
23 opment is consistent with the intent of this Chapter
24 and compatible with surrounding uses.

25 SECTION 21: Title 19, Chapter 49A, Section 30, of the
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
27 hereby amended to read as follows:

28 19.49A.030: Uses in the R-C District should be residential,
29 light commercial or office uses, including without limi-
30 tation general business related gaming establishments,
31 subject to the securing of a special use permit in each
32 case pursuant to the procedure provided for in Section

1 19.90.080, that can be compatible with the surrounding
2 area. However, no use is permitted in the R-C district
3 unless it is specifically approved by the City Council,
4 upon recommendation of the Planning Commission. Such
5 approval must include an approved development plan. The
6 City Council may impose in connection with its approval
7 whatever requirements, conditions or limitations it deems
8 are necessary to ensure that development is consistent
9 with the intent of this Chapter and compatible with
10 surrounding uses.

11 SECTION 22: Title 19, Chapter 50, Section 20, of the
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
13 hereby amended to read as follows:

14 19.50.020: (A) The following uses may be permitted in the M
15 District upon securing a special use permit as pro-
16 vided in Chapter 19.90, except that the uses enu-
17 merated in this Subsection may be permitted as of
18 right when in accordance with the exception set
19 forth in Subsection (B) of this Section:

20 (1) Any manufacturing, processing or assembling
21 use which is unable to meet the letter of the
22 standards designated in Section 19.50.040.

23 Such use permit may be properly granted pro-
24 vided the applicant can provide evidence to
25 document a favorable conclusion on all of the
26 following factors:

27 (a) The proposed use can be operated substan-
28 tially in conformity with the require-
29 ments of the standards listed under Sec-
30 tion 19.50.040;

31 (b) The use, as proposed, will not be
32 materially detrimental to the uses of

1 surrounding property;

2 (c) The public interest will best be served
3 by the granting of the permit;

4 (2) Cemeteries, as provided for in Section
5 19.10.080;

6 (3) Pawnshops, subject to the securing of a spe-
7 cial use permit in each case pursuant to the
8 procedure provided for in Section 19.90.080;

9 (4) Custodial institutions and detention facili-
10 ties, subject to the securing of a special use
11 permit in each case pursuant to the procedure
12 provided for in Section 19.90.080;

13 (5) Junk yards, wrecking yards and salvage yards;

14 (6) Commercial storage units, subject to the limi-
15 tations contained in this Subsection and sub-
16 ject to the securing of a special use permit
17 in each case pursuant to the procedure pro-
18 vided for in Section 19.90.080. All stored
19 items must be located within an enclosed
20 building and there must be no wholesale
21 storage or sale of the stored items, nor any
22 commercial repair or sale of passenger cars,
23 trucks, two-wheeled vehicles, three-wheeled
24 vehicles, trailers, boats or other like
25 vehicles. "Commercial repair" means any
26 repair work except work done by the owner on
27 his own personal property;

28 (7) Transient sales lots and open sales lots, sub-
29 ject to the securing of a special use permit
30 in each case pursuant to the procedure pro-
31 vided for in Section 19.90.080;

32 (8) Off-premises signs, subject to the securing of

1 a special use permit in each case pursuant to
2 the procedure provided for in Section
3 19.90.080;

4 (9) Liquefied petroleum gas installations for
5 which a special use permit is required by Sec-
6 tion 19.55.010, subject to the limitations set
7 forth in Sections 19.55.010 and 19.55.020;

8 (10) Gaming establishments (hotel), when not
9 located [outside the areas specified in Sub-
10 section (A) of Section 6.40.175,] on property
11 to which Section 19.46.020(K)(1) applies, sub-
12 ject to the securing of a special use permit
13 in each case pursuant to the procedure pro-
14 vided for in Section 19.90.080;

15 (11) General business related gaming establish-
16 ments, subject to the securing of a special
17 use permit in each case pursuant to the pro-
18 cedure provided for in Section 19.90.080;

19 (12) Special care facilities;

20 [(12)] (13) Plasma donor centers and rescue missions, sub-
21 ject to the securing of a special use permit
22 in each case pursuant to the procedure pro-
23 vided for in Section 19.90.080. However, no
24 such use may be permitted within the Downtown
25 Las Vegas Redevelopment Area unless the spe-
26 cial use permit application has first been
27 referred to and approved by the staff of the
28 City of Las Vegas Downtown Redevelopment Agency.

29 (B) Exception: If an application for a reclassifica-
30 tion to an M District under Chapter 19.92 includes
31 any of the uses hereinabove enumerated, the appro-
32 val of the application shall constitute approval of

1 the use or uses, and no special use permit shall be
2 required; provided, however, that the notice of
3 public hearing for reclassification shall specifi-
4 cally list the use or uses.

5 SECTION 23: Title 19, Chapter 52, Section 30, of the
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
7 hereby amended to read as follows:

8 19.52.030: The following uses are permitted in the C-V District,
9 subject to the securing of a special use permit in each
10 case, as provided in Chapter 19.90:

11 (A) Cemeteries, as provided for in Section 19.10.080;

12 (B) Custodial institutions and detention facilities;

13 (C) Publicly-operated convention and stadium facili-
14 ties; [and]

15 (D) Off-premises signs; [and]

16 (E) Liquefied petroleum gas installations for which a
17 special use permit is required by Section
18 19.55.010, subject to the limitations set forth in
19 Sections 19.55.010 and 19.55.020[.] ; and

20 (F) General business related gaming establishments,
21 subject to the securing of a special use permit in
22 each case pursuant to the procedure provided for in
23 Section 19.90.080.

24 SECTION 24: Title 19, Chapter 90, Section 80, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 19.90.080: Following the conduct of a public hearing on any
28 application for a special use permit to allow a
29 pawnshop; a retail demonstration merchandise sales
30 store; a Class III or other secondhand dealer, except
31 for an antique store or used car lot; a transient sales
32 lot; an open sales lot; a custodial institution or a

1 detention facility; a publicly-operated convention and
2 stadium facility; mini-storage facilities; off-premises
3 signs; a liquefied petroleum gas installation; a gaming
4 establishment (hotel); a general business related gaming
5 establishment; a plasma donor center or a rescue mission,
6 the Board of Zoning Adjustment shall report its recom-
7 mendation on said application to the City Council.
8 Prior to the next subsequent meeting of the City Coun-
9 cil, the Secretary of the Board of Zoning Adjustment
10 shall transmit a copy of said recommendation to the City
11 Clerk. Within not to exceed thirty days from the date
12 of the Board of Zoning Adjustment's recommendation, the
13 City Council shall set the date for a public hearing,
14 and public notice shall be given by the City Clerk not
15 less than ten days prior to the public hearing to all
16 property owners who received notice of the public
17 hearing conducted by the Board of Zoning Adjustment.
18 The City Council shall consider the application for said
19 special use permit and the recommendation of the Board
20 of Zoning Adjustment at the public hearing. Action by
21 the City Council on such application, following a public
22 hearing, shall be by majority vote of the entire Council
23 and shall be final and conclusive.

24 SECTION 25: Title 6, Chapter 40, Sections 80, 160 and
25 175, are hereby repealed in their entirety.

26 SECTION 26: If any section, subsection, subdivision
27 paragraph, sentence, clause or phrase in this ordinance or any
28 part thereof, is for any reason held to be unconstitutional or
29 invalid or ineffective by any court of competent jurisdiction,
30 such decision shall not affect the validity or effectiveness of
31 the remaining portions of this ordinance or any part thereof.
32 The City Council of the City of Las Vegas, Nevada, hereby

1 declares that it would have passed each section, subsection, sub-
2 division, paragraph, sentence, clause or phrase thereof,
3 irrespective of the fact that any one or more sections, subsec-
4 tions, subdivisions, paragraphs, sentences, clauses or phrases be
5 declared unconstitutional, invalid or ineffective.

6 SECTION 27: Whenever in this ordinance any act is pro-
7 hibited or is made or declared to be unlawful or an offense or a
8 misdemeanor, or whenever in this ordinance the doing of any act
9 is required or the failure to do any act is made or declared to
10 be unlawful or an offense or a misdemeanor, the doing of any such
11 prohibited act or the failure to do any such required act shall
12 constitute a misdemeanor and upon conviction thereof, shall be
13 punished by a fine of not more than \$1,000.00 or by imprisonment
14 for a term of not more than six months, or by any combination of
15 such fine and imprisonment. Any day of any violation of this
16 ordinance shall constitute a separate offense.

17 SECTION 28: All ordinances or parts of ordinances, sec-
18 tions, subsections, phrases, sentences, clauses or paragraphs
19
20
21
22
23
24
25
26
27
28
29
30
31
32

1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

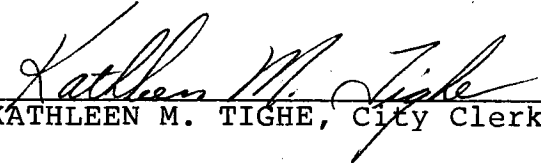
3 PASSED, ADOPTED and APPROVED this 8th day of
4 February, 1989.

5 APPROVED:

6 
7 _____
8 RON LURIE, Mayor

*Copy
1-10-89*

9 ATTEST:

10 
11 _____
12 KATHLEEN M. TIGHE, City Clerk

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

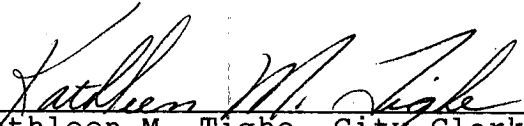
1 The above and foregoing ordinance was first proposed
2 and read by title to the City Council on the 21st day of September,
3 198⁸, and referred to the following committee composed of
4 Councilmen Nolen and
5 Adamsen for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the 8th
7 day of February, 1989, which was a recessed meeting of
8 said Council; that at said recessed meeting, the proposed
9 ordinance was read by title to the City Council as amended and
10 adopted by the following vote:

11 VOTING "AYE" : Councilmen Adamsen, Bunker and Nolen
 ABASTAINING:
12 VOTING "NAY" : Mayor Lurie
13 ABSENT: Councilman Miller

14 APPROVED:

15
16 By 
17 RON LURIE, MAYOR

18 ATTEST:

19
20 
21 Kathleen M. Tighe, City Clerk

FOURTH AMENDMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

BILL NO. 88-55

Ordinance No. _____

AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE TERMS "NONRESTRICTED LICENSE" AND "RACEBOOK INFORMATION SERVICE" TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE;" AMENDING SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED; AMENDING SECTION 110 OF SAID TITLE AND CHAPTER TO ELIMINATE THE DISPARITY BETWEEN THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH FIVE OR LESS SLOT MACHINES AND THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH MORE THAN FIVE SLOT MACHINES; AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT RESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR RESTRICTED GAMING ON APRIL 1, 1989, IN AN ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES OR IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES WITH RESPECT TO WHICH A SPECIAL USE PERMIT THEREFOR IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, SUBJECT TO A LIMITATION ON THE NUMBER OF SLOT MACHINES IN SUCH ESTABLISHMENT, OTHER THAN A RETAIL OUTLET THAT CONTAINS AT LEAST 5,000 SQUARE FEET, OF FOUR; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT, ON NOVEMBER 1, 1988, IS LICENSED FOR NONRESTRICTED GAMING, IN AN ESTABLISHMENT WHICH CONSISTS, OR WHEN THE SAME IS CONSTRUCTED WILL CONSIST, OF A RESTAURANT WHICH HAS FULL KITCHEN FACILITIES AND IS LOCATED WITHIN A FREESTANDING BUILDING THAT CONTAINS IN EXCESS OF THREE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, A TAVERN LICENSE HAS BEEN ISSUED IN ACCORDANCE WITH LVMC 6.50.050 OR PRELIMINARY APPROVAL FOR A TAVERN LICENSE HAS BEEN GRANTED IN ACCORDANCE WITH LVMC 6.06.050 AND AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE OR IN AN ESTABLISHMENT WHICH CONSISTS OF A LICENSED BUSINESS PREMISES THAT CONTAINS IN EXCESS OF NINE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED THIRTY-FIVE IN ANY SUCH ESTABLISHMENT THAT, ON APRIL 1, 1989, IS LICENSED FOR SLOT MACHINES ONLY, OR IN A HOTEL WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE; FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW

1 SECTION, DESIGNATED AS SECTION 165, TO PROVIDE THAT ANY ESTAB-
2 LISHMENT IN WHICH RESTRICTED OR NONRESTRICTED GAMING IS CONDUCTED
3 BY VIRTUE OF SUCH ESTABLISHMENT'S HAVING BEEN LICENSED FOR SUCH
4 GAMING ON APRIL 1, 1989, SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH
5 GAMING IF GAMING OPERATIONS THEREIN ARE DISCONTINUED FOR TWENTY-
6 FOUR CONSECUTIVE MONTHS; AMENDING TITLE 19, CHAPTER 4, SECTION
7 412, OF SAID CODE TO PROVIDE THAT NONRESTRICTED GAMING, OTHER
8 THAN AS PERMITTED BY LVMC 6.40.150(A), MAY BE CONDUCTED ONLY IN A
9 HOTEL WITH AT LEAST TWO HUNDRED GUESTROOMS OR IN A HOTEL WITH
10 RESPECT TO WHICH, ON FEBRUARY 1, 1989, THE GUESTROOM REQUIREMENT
11 HAD BEEN WAIVED; FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING
12 THERETO A NEW SECTION, DESIGNATED AS SECTION 417, TO DEFINE THE
13 TERM "GENERAL BUSINESS RELATED GAMING ESTABLISHMENT"; AMENDING
14 CHAPTER 40, SECTION 10, CHAPTER 42, SECTION 20, CHAPTER 44,
15 SECTION 20, CHAPTER 46, SECTION 20, CHAPTER 47, SECTION 30,
16 CHAPTER 48, SECTION 20, CHAPTER 49, SECTION 30, CHAPTER 49A,
17 SECTION 30, CHAPTER 50, SECTION 20, AND CHAPTER 52, SECTION 20,
18 OF SAID TITLE TO PROVIDE THAT GENERAL BUSINESS RELATED GAMING
19 ESTABLISHMENTS MAY BE PERMITTED IN THE ZONING DISTRICTS TO WHICH
20 SAID SECTIONS RELATE BY WAY OF SPECIAL USE PERMITS THAT ARE
21 APPROVED BY THE CITY COUNCIL; AMENDING CHAPTER 46, SECTION 10,
22 AND FURTHER AMENDING CHAPTER 48, SECTION 20, AND CHAPTER 50,
23 SECTION 20, OF SAID TITLE TO PROVIDE THAT THE PROPERTIES THAT
24 FRONT ON FREMONT STREET, MAIN STREET AND LAS VEGAS BOULEVARD ARE
25 EXEMPT FROM THE USE PERMIT REQUIREMENTS FOR NONRESTRICTED GAMING
26 THAT ARE PROVIDED IN SAID SECTIONS; AMENDING CHAPTER 90, SECTION
27 80, OF SAID TITLE TO INCLUDE WITHIN THE SPECIAL USE PERMITS THAT
28 ARE REQUIRED THEREBY TO BE APPROVED BY THE CITY COUNCIL SPECIAL
29 USE PERMITS FOR GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS;
30 REPEALING TITLE 6, CHAPTER 40, SECTIONS 80, 160 AND 175, OF SAID
31 CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO;
32 PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

19 Sponsored by: Summary: Makes various changes in
20 Mayor Ron Lurie gaming control ordinance

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

24 SECTION 1: Title 6, Chapter 40, Section 20, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 6.40.020: As used in this Chapter, unless the context otherwise
28 requires, the following words shall have the meaning
29 ascribed:

30 (A) "Game" or "gambling game" means any banking or per-
31 centage game played with cards, dice or any mecha-
32 nical, electromechanical or electronic device or

1 machine for money, property, checks, credit or any
2 representative of value, including, without limit-
3 ing the generality of the foregoing, faro, monte,
4 roulette, keno, bingo, fan-tan, twenty-one, black-
5 jack, seven-and-a-half, big injun, klondike, craps,
6 poker chuck-a-luck, Chinese chuck-a-luck (dai shu),
7 wheel of fortune, chemin de fer, baccarat, pai gow,
8 beat the banker, panguingui, slot machine, or any
9 other game or device approved by the [State] Nevada
10 Gaming Commission, but does not include social
11 games played solely for drinks, or cigars or
12 cigarettes served individually, or games played in
13 private homes or residences for prizes or games
14 operated by charitable or educational organizations
15 which have been approved by the State Gaming
16 Control Board.

17 (B) "Gaming" or "gambling" means to deal, operate,
18 carry on, conduct, maintain or expose for play any
19 game, sports book, parimutuel or any other form of
20 wagering.

21 (C) "Hotel" means a building or a complex of buildings
22 which are designed and integrated to clearly demon-
23 strate the appearance of one facility wherein:

24 (1) Sleeping accommodations are provided in
25 guestrooms at daily rates to tourists or tran-
26 sient guests;

27 (2) No provision is made for cooking food in any
28 guestroom; and

29 (3) There is integrated into the facility near the
30 area where licensed games are provided at
31 least one restaurant and a lobby for the
32 guests to check in and out and receive messages.

1 (D) "Nonrestricted license" and "nonrestricted gaming"
2 means a gaming license [which permits any game or
3 sports pool other than a license which is restricted
4 to fifteen or less] for, or an operation consisting
5 of, sixteen or more slot machines[.] or a license
6 for, or an operation consisting of, any number of
7 slot machines together with any other game, gaming
8 device, race book or sports pool at one establish-
9 ment.

10 (E) "Race book information service" means [the dissemi-
11 nation of information concerning horseracing, when
12 such information is to be used by the receiver for
13 the purpose of maintaining and operating any
14 gambling game or race book.] any person, other than
15 one who provides a televised broadcast without
16 charge to any person who receives such broadcast,
17 who furnishes an operator of a race book, sports
18 pool or gambling game who is licensed in the State
19 with information that relates to horse racing or
20 other racing which is used to determine the winners
21 of, or payoffs on, wagers that are accepted by such
22 operator.

23 (F) "Racehorse book" or "race book" means a sports pool
24 on horseraces.

25 (G) "Restricted license" and "restricted gaming" means
26 a gaming license for, or an operation consisting
27 of, not more than fifteen slot machines, incidental
28 to the primary business at the establishment, and no
29 other game or gaming device at the establishment.

30 (H) "Slot machine" means any mechanical, electrical or
31 other device, contrivance or machine which, upon
32 insertion of a coin, token or similar object

1 therein, or upon payment of any consideration what-
2 soever, is available to play or operate, the play
3 or operation of which, whether by reason of the
4 skill of the operator or application of the element
5 of chance, or both, may deliver or entitle the per-
6 son playing or operating the machine to receive
7 cash, premiums, merchandise, tokens or anything of
8 value whatsoever, whether the payoff is made auto-
9 matically from the machine or in any other manner
10 whatsoever.

11 If a machine has multiple capacities the Director
12 of Business Activity shall make a determination,
13 consistent with the determination made by the State
14 Gaming Control Board, whether the machine consti-
15 tutes two or more slot machines for the purpose of
16 this Chapter based on the number of payout devices,
17 coin receptacles or slots, handles or other devices
18 for multiple players, or means of determining win-
19 nings.

20 [(H)](I) "Slot operator" means a licensee engaged in the
21 business of placing slot machines upon the business
22 premises of another under any agreement whereby
23 consideration is paid or is payable for the place-
24 ment of such slot machines, whether the considera-
25 tion is measured by a percentage of revenue derived
26 from such machines or by a fixed fee or otherwise.

27 [(I)](J) "Sports pool" means the business of accepting
28 wagers on sporting events by any system or method
29 of wagering other than the system known as the
30 parimutuel method of wagering.

31 SECTION 2: Title 6, Chapter 40, Section 50, of the
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

1 hereby amended to read as follows:

2 6.40.050: (A) Any person who furnishes services or property to a
3 gaming licensee under any arrangement pursuant to
4 which the person receives payments based on earn-
5 ings, profits or receipts from gaming may be
6 required by the Director of Business Activity to
7 apply for a gaming license or apply for an approval
8 of suitability to be associated with the gaming
9 licensee.

10 (B) If such person fails to apply within twenty days of
11 the Director's request the [Board of Commissioners]
12 City Council may require the licensee to terminate
13 the arrangement.

14 (C) Failure to so terminate the arrangement is grounds
15 for disciplinary action to be taken against the
16 licensee.

17 SECTION 3: Title 6, Chapter 40, Section 60, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 6.40.060: The [Board of Commissioners] Director may in [its] his
21 discretion approve any charitable or educational organi-
22 zation which has obtained a charitable solicitations
23 permit[, and without the necessity of having a gaming
24 license as provided in Section 6.40.030,] to conduct and
25 maintain any games or sports pool, [at any location
26 deemed suitable and appropriate by the Board,] provided
27 such charitable or educational organization has first
28 obtained the approval of the State Gaming Control Board
29 as required by NRS 463.409.

30 SECTION 4: Title 6, Chapter 40, Section 65, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
32 hereby amended to read as follows:

1 6.40.065: (A) Any licensee who [as] has acquired a "holiday or
2 special event" permit from the State to add addi-
3 tional games to the licensed premises during an
4 anticipated temporary period of increased tourist
5 activity may apply to the Director for a holiday or
6 special event permit from the City. The application
7 must be made on a form acceptable to the Director
8 and filed at least three days prior to the date the
9 games are to be added.

10 (B) If the permit is approved by the Director he shall
11 specify on the permit the number and type of games
12 approved and the time period for which they are
13 permitted. The number of games and the time per-
14 mitted shall not exceed that which has been
15 approved by the State. [and in no case shall the
16 time period exceed seven days.] The licensee shall
17 not exceed or deviate from the number and types of
18 games allowed under the permit or allow the games
19 to remain on the premises beyond the time permitted.

20 (C) The licensee must pay in advance a permit fee equal
21 to one-sixth of the regular semiannual license fee
22 for each game permitted for a holiday or special
23 event. The licensee must also pay the regular quar-
24 terly convention authority tax imposed by Chapter
25 4.20.

26 SECTION 5: Title 6, Chapter 40, Section 70, of the Muni-
27 cipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
28 hereby amended to read as follows:

29 6.40.070: The [Board of Commissioners,] City Council, in the
30 exercise of its discretion, may limit the number of
31 licenses provided for in this Chapter.

32 SECTION 6: Title 6, Chapter 40, Section 90, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 6.40.090: Except as provided in Section 6.40.100, an applicant
4 for a gaming license, other than an applicant for a
5 restricted license [for thirty-five or fewer slot ma-
6 chines and no other game or gambling device, and each
7 principal of the applicant], shall not be required to
8 submit to a background investigation and the [Board of
9 Commissioners] City Council shall determine that the
10 applicant and its principals are suitable if the Nevada
11 Gaming Commission has granted a license to the applicant
12 or found the applicant and its principals suitable.

13 SECTION 7: Title 6, Chapter 40, Section 100, of the
14 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
15 hereby amended to read as follows:

16 6.40.100: The [Board of Commissioners] City Council may, at any
17 time before a City gaming license is finally approved,
18 determine that the public health, safety, morals or
19 welfare of the City require that a background investiga-
20 tion be conducted of the applicant or a principal
21 thereof notwithstanding the fact that the applicant or
22 principal is being, or has been, investigated by or
23 approved by the Nevada Gaming Commission.

24 SECTION 8: Title 6, Chapter 40, Section 110, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 6.40.110: Each licensee shall pay to the Department of Business
28 Activity, in advance semiannually, the following license
29 fees:

- 30 (A) Each bridge, whist and solo. \$ 30.00;
31 (B) Chemin de fer (baccarat) 500.00;
32 (C) Crap table:

- 1 (1) For one table 300.00;
- 2 (2) For each table over one 500.00;
- 3 (D) Sports pool (not including
- 4 race books) 200.00;
- 5 (E) Bingo.150.00; plus \$3.00
- 6 for each chair pro-
- 7 vided for players;
- 8 (F) [Panguingue] Panguingui. 60.00;
- 9 (G) Race book. 800.00;
- 10 (H) Racehorse information service. 500.00;
- 11 (I) Keno 600.00;
- 12 (J) Each roulette, "21," hazard, faro bank,
- 13 wheel of fortune and big six wheel, . . 300.00;
- 14 (K) [Slot machines:
- 15 (1) Establishment with five or less,
- 16 each machine 50.00;
- 17 (2) Establishment with more than
- 18 five, each machine] Each slot
- 19 machine. 60.00;
- 20 (L) Stud poker and draw poker. 100.00;
- 21 (M) Slot machine operator. 300.00;
- 22 (N) Any other game 100.00.

23 SECTION 9: Title 6, Chapter 40, Section 140, of the
 24 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
 25 hereby amended to read as follows:

26 6.40.140: No restricted gaming shall be conducted, maintained
 27 or operated in the [city] City except [as allowed within
 28 the following specified districts;

- 29 (A) The area bounded by the east side of Main Street,
- 30 the south side of Stewart Avenue, the west side of
- 31 3rd Street and the north side of Carson Avenue;
- 32 (B) The frontage on both sides of West Jackson Avenue

1 between North "D" Street and North "G" Street and
2 the frontage on both sides of Owens Avenue between
3 "H" Street and Highland Avenue.]

4 at a location which:

- 5 (A) On April 1, 1989, was licensed to operate not more
6 than fifteen slot machines;
7 (B) Is licensed for the sale of alcoholic beverages; or
8 (C) Is not licensed for the sale of alcoholic bever-
9 ages but with respect to which location a special
10 use permit for a general business related gaming
11 establishment, as that term is defined in LVMC
12 19.04.417, is obtained in accordance with LVMC
13 Title 19; provided, however, that, except in
14 retail outlets that contain at least 5,000 square
15 feet, such gaming shall be limited to the opera-
16 tion of not more than four slot machines.

17 SECTION 10: Title 6, Chapter 40, Section 150, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 6.40.150: [Notwithstanding Section 6.40.140, the following] No
21 nonrestricted gaming [may be permitted by the City Coun-
22 cil outside said districts:

- 23 (A) At those locations which, prior to November 1,
24 1986, have been approved by the Council for a non-
25 restricted license and either had at least one
26 hundred guestrooms available or with respect to
27 which building plans for a hotel which will have at
28 least one hundred guestrooms were on file with the
29 City;
- 30 (B) In hotels having at least two hundred guestrooms
31 available to the public, subject to the provisions
32 contained in Section 6.40.175.

1 (C) In hotels having less than two hundred guestrooms
2 available to the public, for which the City Council
3 has waived the guestroom requirement contained in
4 Subsection (B) of this Section. At the request of,
5 and upon the payment of an application fee in the
6 amount of fifty dollars by, the applicant, the Coun-
7 cil, in its discretion, may grant such a waiver,
8 based on a consideration of the nature and char-
9 acter of the surrounding neighborhood. Notice of
10 the time and place of the Council's consideration
11 of the request for waiver shall be given by a
12 published announcement in a newspaper of general
13 circulation in the City not less than five days or
14 more than ten days before the date of the hearing.]
15 shall be conducted, maintained or operated in the
16 City except:

17 (A) At a location which:

- 18 (1) On November 1, 1988, was licensed for non-
19 restricted gaming;
20 (2) Consists, or when the same is constructed will
21 consist, of a restaurant which has full kitchen
22 facilities and is located within a freestand-
23 ing building that contains in excess of three
24 thousand square feet of usable floor space
25 under one roof and is separated along its
26 entire exterior perimeter from any other com-
27 mercial establishment either by a property
28 line or by an unobstructed open area at least
29 ten feet in width and with respect to which,
30 on April 1, 1989, a tavern license had been
31 issued pursuant to LVMC 6.50.050 or prelimi-
32 nary approval for a tavern license had been

1 granted pursuant to LVMC 6.06.050, as the
2 case may be, and an application for nonre-
3 stricted gaming had been filed with the
4 State; or

5 (3) Consists of a licensed business premises that
6 contains in excess of nine thousand square
7 feet of usable floor space under one roof
8 within which the gaming is, at all times,
9 under the supervision of an attendant whose
10 duties shall be limited solely to the making
11 of change and supervising such gaming and
12 with respect to which, on April 1, 1989, an
13 application for nonrestricted gaming had been
14 filed with the State;

15 provided, however, that such gaming shall be
16 limited to the operation of not more than thirty-
17 five slot machines at any such location that, on
18 April 1, 1989 was licensed for slot machines only;

19 (B) At a location which:

20 (1) Is situate within the area that is bounded by
21 the east side of Main Street, the south side
22 of Stewart Avenue, the west side of Third
23 Street and the north side of Carson Avenue; or

24 (2) Fronts on either side of Jackson Avenue be-
25 tween "D" Street and "G" Street or on either
26 side of Owens Avenue between "H" Street and
27 Martin Luther King Boulevard

28 and with respect to which, on April 1, 1989, an
29 application for nonrestricted gaming had been filed
30 with the State; or

31 (C) In a gaming establishment (hotel), as that term is
32 defined in LVMC 19.04.412, subject to compliance

1 with the special use permit provisions that are
2 contained in LVMC Title 19.

3 SECTION 11: Title 6, Chapter 40, of the Municipal Code
4 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
5 by adding thereto a new section, to be designated as Section 165,
6 reading as follows:

7 6.40.165: If gaming operations at any location at which
8 restricted gaming may be conducted by virtue of LVMC
9 6.40.140(A) or at any location at which nonrestricted
10 gaming may be conducted by virtue of LVMC 6.40.150(A)
11 are discontinued for twenty-four consecutive months, the
12 right to conduct gaming at such establishment by virtue
13 of LVMC 6.40.140(A) or 6.40.150(A), as the case may be,
14 shall, upon the expiration of such twenty-four month
15 period, automatically terminate, and no gaming may be
16 conducted at such location unless or until such location
17 is licensed for restricted gaming pursuant to some other
18 provision of LVMC 6.40.140 or for nonrestricted gaming
19 pursuant to some other provision of LVMC 6.40.150.

20 SECTION 12: Title 6, Chapter 40, Section 170, of the
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
22 hereby amended to read as follows:

23 6.40.170: Nothing contained in Section 6.40.140[,] and 6.40.150[
24 6.40.160 and 6.40.175] shall be construed to require
25 the issuance of a gaming license to any applicant
26 because of any zoning approval, location, structure
27 involved or nature of any allied business.

28 SECTION 13: Title 19, Chapter 4, Section 412, of the
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
30 hereby amended to read as follows:

31 19.04.412: "Gaming establishment (hotel)" means a part of a
32 hotel which:

- 1 (A) Has at least two hundred guestrooms; or
2 (B) On February 1, 1989, had at least eighty
3 guestrooms, and the requirement for the other one
4 hundred twenty guestrooms had been waived
5 [which] that is used or intended to be used for gaming
6 activities for which a nonrestricted gaming license is
7 required pursuant to Chapter 6.40.

8 SECTION 14: Title 19, Chapter 4, of the Municipal Code
9 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
10 by adding thereto a new section, to be designated as Section 417,
11 reading as follows:

12 19.04.417: "General business related gaming establishment" means
13 a building or structure which is primarily used or
14 intended to be used for some business other than gaming
15 but in which restricted gaming is permitted pursuant to
16 Chapter 6.40 of this Code as a use that is incidental to
17 such other business.

18 SECTION 15: Title 19, Chapter 40, Section 10, of the
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
20 hereby amended to read as follows:

21 19.40.010: Uses permitted in the C-C District include:

- 22 (A) Any uses permitted in the C-1 District;
23 (B) Uses customarily incidental, or similar to any of
24 the above uses, provided that such uses or opera-
25 tions are not objectionable due to dust, odor,
26 smoke, noise, vibrations or other similar
27 causes[.];
28 (C) General business related gaming establishments,
29 subject to the securing of a special use permit in
30 each case pursuant to the procedure provided for in
31 Section 19.90.080.

32 SECTION 16: Title 19, Chapter 42, Section 20, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 19.42.020: Only those uses specifically approved by the [Board
4 of Commissioners] City Council upon recommendation of
5 the Planning Commission and of the general category
6 listed below are permitted in the C-D District; however,
7 no use shall be permitted until a development approval
8 is issued by the Planning Commission in accord with an
9 approved development plan which satisfies the conditions
10 contemplated in Section 19.42.030:

11 (A) Retail shops and stores for the dispensing of goods
12 and services;

13 (B) General business and professional offices;

14 (C) Banks and financial institutions[.];

15 (D) General business related gaming establishments,
16 subject to the securing of a special use permit in
17 each case pursuant to the procedure provided for in
18 Section 19.90.080.

19 SECTION 17: Title 19, Chapter 44, Section 20, of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
21 hereby amended to read as follows:

22 19.44.020: (A) The following uses may be permitted in the C-1
23 District upon securing a special use permit as pro-
24 vided in LVMC 19.90, except that the uses enu-
25 merated in this Subsection may be permitted as a
26 matter of right when in accordance with the excep-
27 tion shown in Subsection (C) of this Section:

28 (1) Automobile service stations for the sale of
29 gasoline, oil and minor accessories only,
30 where no repair work is done, except minor
31 repairs made by the attendant and provided all
32 lubrications, washing, repairing and storage

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

are conducted within an enclosed permanent building;

- (2) Apartment houses;
- (3) Customer-operated car washes;
- (4) Lodginghouses, boardinghouses or rooming-houses, hotels, motels and other like tourist accommodations;
- (5) Emergency ground ambulance facilities;
- (6) Special care facilities.

(B) The following uses may be permitted upon securing a special use permit in each case pursuant to the procedure provided for in LVMC 19.90.080, except that the uses enumerated in this Subsection may be permitted as a matter of right when in accordance with the exception shown in Subsection (C) of this Section:

- (1) Class III secondhand dealers as defined in LVMC 19.04.250, except that these uses shall not be allowed on Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue as prescribed by LVMC 6.74.050;
- (2) Retail demonstration merchandise sales stores as defined in LVMC 6.72.010;
- (3) Mini-storage facilities, subject to the following limitations:
 - (a) No more than one manager's or security residence is permitted.
 - (b) All storage of items must be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from

1 surrounding properties and abutting
2 streets.

3 (c) No business may be conducted within or
4 from a mini-storage facility.

5 (d) Wholesale storage and the on-premise sale
6 of stored items are prohibited.

7 (e) The commercial repair of motor vehicles,
8 boats, trailers and other like vehicles
9 is prohibited. "Commercial repair" means
10 any repair work except work performed on
11 a vehicle by the owner thereof.

12 (f) The operation of spray painting equip-
13 ment, power tools, welding equipment or
14 other similar equipment is prohibited.

15 (g) The production, fabrication or assembly
16 of products is prohibited.

17 (4) Off-premises signs;

18 (5) Liquefied petroleum gas installations for
19 which a special use permit is required by LVMC
20 19.55.110, subject to the limitations set
21 forth in LVMC 19.55.010 and 19.55.020;

22 (6) Gaming establishments (hotel)[.];

23 (7) General business related gaming establishments.

24 (C) Exception: If an application for reclassification
25 to a C-1 District under LVMC 19.92 includes any of
26 the uses hereinabove enumerated, the approval of
27 the application shall constitute approval of the
28 use or uses and no special use permit shall be
29 required; provided, however, that the notice of
30 public hearing for reclassification shall specifi-
31 cally list the use or uses.

32 SECTION 18: Title 19, Chapter 46, Section 10, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 19.46.010: Uses permitted in the C-2 District include:

- 4 (A) Any use permitted in a C-C or C-1 District;
- 5 (B) Automobile sales and service facilities, excluding
6 body and fender shops. Subject use may include an
7 outdoor used car sales lot, when operated by a
8 franchised new car dealer and located directly
9 adjacent to the new car sales and service facility
10 and operated as an incidental use to the conduct of
11 the new car sales and service facility;
- 12 (C) Wedding chapels;
- 13 (D) Public parking areas, when located and developed as
14 required in Chapter 19.64;
- 15 (E) Restaurants;
- 16 (F) Mortuaries and mausoleums, which may include ceme-
17 teries when the cemeteries are developed in con-
18 junction with a mortuary and/or a mausoleum;
- 19 (G) Customer-operated car washes;
- 20 (H) R-5-density and R-6-density residential develop-
21 ments, when located within the Central Business
22 District, as defined in Section 19.64.030;
- 23 (I) Hotels, motels, and other like tourist accommoda-
24 tions;
- 25 (J) Gaming establishments (non-hotel);
- 26 (K) Gaming establishments (hotel), when located [within
27 the areas specified in subsection (A) of Section
28 6.40.175;] on property that:
- 29 (1) Fronts on Fremont Street, Main Street or Las
30 Vegas Boulevard; or
- 31 (2) On or before October 5, 1988, had been per-
32 manently classified as C-2 and with respect to

1 which an application for aesthetic review had
2 been filed; provided, however, that this
3 paragraph becomes operative only in the event
4 that such property is developed by the person
5 on whose behalf such application for aesthetic
6 review was filed;

7 (L) Other similar enterprises or businesses of the same
8 general class which, in the opinion of the Planning
9 Commission, as evidenced by resolution of record,
10 are not more detrimental to the welfare and safety
11 of the residents within the particular district
12 than other classifications enumerated in this Sec-
13 tion;

14 (M) Uses customarily incidental to any of the above,
15 when located on the same premises.

16 SECTION 19: Title 19, Chapter 46, Section 20, of the
17 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
18 hereby amended to read as follows:

19 19.46.020: (A) The following uses may be permitted in the C-2
20 District upon securing a special use permit as pro-
21 vided in Chapter 19.90, except that the uses enu-
22 merated in this Subsection may be permitted as a
23 matter of right when in accordance with the excep-
24 tion shown in Subsection [(H)] (J) of this Section:
25 (1) Used car lots;
26 (2) Trailer sales lots;
27 (3) Boat sales and service facilities, including
28 all floating craft;
29 (4) Automotive parts exchanges. This shall not
30 include public garages or salvage operations,
31 but shall be limited to the sale and installa-
32 tion of new or rebuilt major automotive parts;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

- (5) Drive-in theaters, miniature golf courses and other outdoor amusement centers;
- (6) Automobile laundry;
- (7) Body and fender repair operations when conducted by a franchised new car agency;
- (8) Cemeteries as provided for in Section 19.10.080;
- (9) Apartment houses, when located outside the Central Business District, as defined in Section 19.64.030;
- (10) Special care facilities.

(B) Pawnshops may be permitted in the C-2 District subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080, except that no pawnshop may be located on either side of Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue. Those pawnshops which were located on Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue at the time of enactment of the 1974 amendatory ordinance which is codified, in part, in this Section shall be allowed to remain only as long as their present leases do not expire. No such lease may be modified to extend its term or otherwise prevent it from expiring. Those pawnshops which are located in a C-2 Zone, other than on Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue, at the time of enactment of the 1974 amendatory ordinance which is codified, in part, in this Section shall be allowed to remain at their locations without the

1 necessity of securing a special use permit.

2 (C) Class III secondhand dealers, retail demonstration
3 merchandise sales stores, transient sales lots,
4 open sales lots and off-premises signs may be per-
5 mitted in the C-2 District subject to the securing
6 of a special use permit in each case pursuant to
7 the procedure provided for in Section 19.90.080 of
8 this Chapter, except that Class III secondhand
9 dealers shall not be allowed on Fremont Street and
10 Las Vegas Boulevard South between Charleston Boule-
11 vard or Sahara Avenue as prescribed by Section
12 6.74.050.

13 (D) Custodial institutions and detention facilities may
14 be permitted in the C-2 District subject to the
15 securing of a special use permit in each case pur-
16 suant to the procedure provided for in Section
17 19.90.080.

18 (E) Subject to the limitations contained in this Sub-
19 section, commercial storage units may be permitted
20 in the C-2 District subject to the securing of a
21 special use permit in each case pursuant to the
22 procedure provided for in Section 19.90.080. All
23 stored items must be located within an enclosed
24 building and there must be no wholesale storage or
25 sale of the stored items, nor any commercial repair
26 or sale of passenger cars, trucks, two-wheeled
27 vehicles, three-wheeled vehicles, trailers, boats
28 or other like vehicles. "Commercial repair" means
29 any repair work except work done by the owner on
30 his own personal property.

31 (F) Liquefied petroleum gas installations for which a
32 special use permit is required by Section

1 19.55.010, subject to the limitations set forth in
2 Sections 19.55.010 and 19.55.020.

3 (G) Gaming establishments (hotel), when not located
4 [outside the areas specified in Subsection (A) of
5 Section 6.40.175,] on property that fronts on Fre-
6 mont Street, Main Street or Las Vegas Boulevard or
7 on property to which Section 19.46.10(K)(2) applies,
8 may be permitted in the C-2 District subject to the
9 securing of a special use permit in each case pur-
10 suant to the procedure provided for in Section
11 19.90.080.

12 (H) General business related gaming establishments may
13 be permitted in the C-2 District, subject to the
14 securing of a special use permit in each case pur-
15 suant to the procedure provided for in Section
16 19.90.080.

17 (I) Plasma donor centers and rescue missions may be
18 permitted in the C-2 district subject to the
19 securing of a special use permit in each case pur-
20 suant to the procedure provided for in Section
21 19.90.080. However, no such use may be permitted
22 within the Downtown Las Vegas Redevelopment Area
23 unless the special use permit application has first
24 been referred to and approved by the staff of the
25 City of Las Vegas Downtown Redevelopment Agency.

26 [(I)](J) Exception: If an application for a reclassifica-
27 tion to a C-2 District under Chapter 19.92 includes
28 any of the uses hereinabove enumerated, the appro-
29 val of the application shall constitute approval of
30 the use or uses and no special use permit shall be
31 required; provided, however, that the notice of
32 public hearing for reclassification shall specifi-

1 cally list the use or uses.

2 SECTION 20: Title 19, Chapter 47, Section 30, of the
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
4 hereby amended to read as follows:

5 19.47.030: The following uses may be permitted by the City
6 Council, upon recommendation of the Planning Commission
7 if, in each case, the City Council finds that the use is
8 designed to serve the business park district and is
9 complementary to a permitted principal use:

- 10 (A) Retail and commercial service uses, including, but
11 not limited to, restaurants, cocktail lounges,
12 financial institutions, convenience retail uses,
13 day care center and service stations;
- 14 (B) Outdoor storage and/or mechanical equipment which
15 comprises ten percent or more of the total lot area
16 and is ancillary to and necessary for the operation
17 of a permitted use;
- 18 (C) Other uses, not otherwise permitted, which are
19 incidental to and necessary for a permitted use,
20 such as a residence for security purposes[.];
- 21 (D) General business related gaming establishments,
22 subject to the securing of a special use permit in
23 each case pursuant to the procedure provided for in
24 Section 19.90.080.

25 SECTION 21: Title 19, Chapter 48, Section 20, of the
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
27 hereby amended to read as follows:

28 19.48.020: (A) The following uses may be permitted in the C-M
29 District subject to the securing of a special use
30 permit as provided in Chapter 19.90, except that
31 the uses enumerated in this Subsection may be per-
32 mitted as a matter of right when in accordance with

1 the exception shown in Subsection (B) of this Sec-
2 tion:

3 (1) Cemeteries, as provided for in Section
4 19.10.080;

5 (2) Pawnshops, subject to the securing of a spe-
6 cial use permit in each case pursuant to the
7 procedure provided for in Section 19.90.080;

8 (3) Custodial institutions and detention facili-
9 ties, subject to the securing of a special use
10 permit in each case pursuant to the procedure
11 provided for in Section 19.90.080;

12 (4) Commercial storage units, subject to the limi-
13 tations contained in this Subsection and sub-
14 ject to the securing of a special use permit
15 in each case pursuant to the procedure pro-
16 vided for in Section 19.90.080. All stored
17 items must be located within an enclosed
18 building and there must be no wholesale
19 storage or sale of the stored items, nor any
20 commercial repair or sale of passenger cars,
21 trucks, two-wheeled vehicles, three-wheeled
22 vehicles, trailers, boats or other like
23 vehicles. "Commercial repair" means any
24 repair work except work done by the owner on
25 his own personal property;

26 (5) Transient sales lots and open sales lots, sub-
27 ject to the securing of a special use permit
28 in each case pursuant to the procedure pro-
29 vided for in Section 19.90.080;

30 (6) Off-premises signs, subject to the securing of
31 a special use permit in each case pursuant to
32 the procedure provided for in Section

1 19.90.080;

2 (7) Liquefied petroleum gas installations for
3 which a special use permit is required by Sec-
4 tion 19.55.010, subject to the limitations set
5 forth in Sections 19.55.010 and 19.55.020;

6 (8) Gaming establishments (hotel), when not
7 located [outside the areas specified in Sub-
8 section (A) of Section 6.40.175,] on property
9 that fronts on Fremont Street, Main Street or
10 Las Vegas Boulevard or on property to which
11 Section 19.46.010(K)(2) applies, subject to
12 the securing of a special use permit in each
13 case pursuant to the procedure provided for in
14 Section 19.90.080;

15 (9) General business related gaming establish-
16 ments, subject to the securing of a special
17 use permit in each case pursuant to the proce-
18 dure provided for in Section 19.90.080;

19 (10) Special care facilities;

20 [(10)](11) Plasma donor centers and rescue missions, sub-
21 ject to the securing of a special use permit
22 in each case pursuant to the procedure pro-
23 vided for in Section 19.90.080. However, no
24 such use may be permitted within the Downtown
25 Las Vegas Redevelopment Area unless the spe-
26 cial use permit application has first been
27 referred to and approved by the staff of the
28 City of Las Vegas Downtown Redevelopment
29 Agency.

30 (B) Exception: If an application for reclassification
31 to a C-M District under Chapter 19.92 includes any
32 of the uses hereinabove enumerated, the approval of

1 the application shall constitute approval of the
2 use or uses and no special use permit shall be
3 required; provided, however, that the notice of
4 public hearing for reclassification shall specifi-
5 cally list the use or uses.

6 SECTION 22: Title 19, Chapter 49, Section 30, of the
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
8 hereby amended to read as follows:

9 19.49.030: Uses in the T-C District should be office, light
10 commercial or tourist-oriented uses that can be com-
11 patible with the surrounding area[.], including without
12 limitation general business related gaming establish-
13 ments, subject to the securing of a special use permit
14 in each case pursuant to the procedure provided for in
15 Section 19.90.080. However, no use is permitted in the
16 T-C District unless it is specifically approved by the
17 City Council, upon recommendation of the Planning Com-
18 mission. Such approval must include an approved devel-
19 opment plan. The City Council may impose in connection
20 with its approval whatever requirements, conditions or
21 limitations it deems are necessary to ensure that devel-
22 opment is consistent with the intent of this Chapter
23 and compatible with surrounding uses.

24 SECTION 23: Title 19, Chapter 49A, Section 30, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 19.49A.030: Uses in the R-C District should be residential,
28 light commercial or office uses, including without limi-
29 tation general business related gaming establishments,
30 subject to the securing of a special use permit in each
31 case pursuant to the procedure provided for in Section
32 19.90.080, that can be compatible with the surrounding

1 area. However, no use is permitted in the R-C district
2 unless it is specifically approved by the City Council,
3 upon recommendation of the Planning Commission. Such
4 approval must include an approved development plan. The
5 City Council may impose in connection with its approval
6 whatever requirements, conditions or limitations it deems
7 are necessary to ensure that development is consistent
8 with the intent of this Chapter and compatible with
9 surrounding uses.

10 SECTION 24: Title 19, Chapter 50, Section 20, of the
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
12 hereby amended to read as follows:

13 19.50.020: (A) The following uses may be permitted in the M
14 District upon securing a special use permit as pro-
15 vided in Chapter 19.90, except that the uses enu-
16 merated in this Subsection may be permitted as of
17 right when in accordance with the exception set
18 forth in Subsection (B) of this Section:

19 (1) Any manufacturing, processing or assembling
20 use which is unable to meet the letter of the
21 standards designated in Section 19.50.040.

22 Such use permit may be properly granted pro-
23 vided the applicant can provide evidence to
24 document a favorable conclusion on all of the
25 following factors:

26 (a) The proposed use can be operated substan-
27 tially in conformity with the require-
28 ments of the standards listed under Sec-
29 tion 19.50.040;

30 (b) The use, as proposed, will not be
31 materially detrimental to the uses of
32 surrounding property;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

- (c) The public interest will best be served by the granting of the permit;
- (2) Cemeteries, as provided for in Section 19.10.080;
- (3) Pawnshops, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (4) Custodial institutions and detention facilities, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (5) Junk yards, wrecking yards and salvage yards;
- (6) Commercial storage units, subject to the limitations contained in this Subsection and subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080. All stored items must be located within an enclosed building and there must be no wholesale storage or sale of the stored items, nor any commercial repair or sale of passenger cars, trucks, two-wheeled vehicles, three-wheeled vehicles, trailers, boats or other like vehicles. "Commercial repair" means any repair work except work done by the owner on his own personal property;
- (7) Transient sales lots and open sales lots, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (8) Off-premises signs, subject to the securing of a special use permit in each case pursuant to

1 the procedure provided for in Section
2 19.90.080;

3 (9) Liquefied petroleum gas installations for
4 which a special use permit is required by Sec-
5 tion 19.55.010, subject to the limitations set
6 forth in Sections 19.55.010 and 19.55.020;

7 (10) Gaming establishments (hotel), when not
8 located [outside the areas specified in Sub-
9 section (A) of Section 6.40.175,] on property
10 that fronts on Fremont Street, Main Street or
11 Las Vegas Boulevard or on property to which
12 Section 19.46.020(K)(1) applies, subject to
13 the securing of a special use permit in each
14 case pursuant to the procedure provided for in
15 Section 19.90.080;

16 (11) General business related gaming establish-
17 ments, subject to the securing of a special
18 use permit in each case pursuant to the pro-
19 cedure provided for in Section 19.90.080;

20 (12) Special care facilities;

21 [(12)] (13) Plasma donor centers and rescue missions, sub-
22 ject to the securing of a special use permit
23 in each case pursuant to the procedure pro-
24 vided for in Section 19.90.080. However, no
25 such use may be permitted within the Downtown
26 Las Vegas Redevelopment Area unless the spe-
27 cial use permit application has first been
28 referred to and approved by the staff of the
29 City of Las Vegas Downtown Redevelopment Agency.

30 (B) Exception: If an application for a reclassifica-
31 tion to an M District under Chapter 19.92 includes
32 any of the uses hereinabove enumerated, the appro-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

val of the application shall constitute approval of the use or uses, and no special use permit shall be required; provided, however, that the notice of public hearing for reclassification shall specifically list the use or uses.

SECTION 25: Title 19, Chapter 52, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.52.030: The following uses are permitted in the C-V District, subject to the securing of a special use permit in each case, as provided in Chapter 19.90:

- (A) Cemeteries, as provided for in Section 19.10.080;
- (B) Custodial institutions and detention facilities;
- (C) Publicly-operated convention and stadium facilities; [and]
- (D) Off-premises signs; [and]
- (E) Liquefied petroleum gas installations for which a special use permit is required by Section 19.55.010, subject to the limitations set forth in Sections 19.55.010 and 19.55.020[.] ; and
- (F) General business related gaming establishments, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080.

SECTION 26: Title 19, Chapter 90, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.90.080: Following the conduct of a public hearing on any application for a special use permit to allow a pawnshop; a retail demonstration merchandise sales store; a Class III or other secondhand dealer, except for an antique store or used car lot; a transient sales

1 lot; an open sales lot; a custodial institution or a
2 detention facility; a publicly-operated convention and
3 stadium facility; mini-storage facilities; off-premises
4 signs; a liquefied petroleum gas installation; a gaming
5 establishment (hotel); a general business related gaming
6 establishment; a plasma donor center or a rescue mission,
7 the Board of Zoning Adjustment shall report its recom-
8 mendation on said application to the City Council.
9 Prior to the next subsequent meeting of the City Coun-
10 cil, the Secretary of the Board of Zoning Adjustment
11 shall transmit a copy of said recommendation to the City
12 Clerk. Within not to exceed thirty days from the date
13 of the Board of Zoning Adjustment's recommendation, the
14 City Council shall set the date for a public hearing,
15 and public notice shall be given by the City Clerk not
16 less than ten days prior to the public hearing to all
17 property owners who received notice of the public
18 hearing conducted by the Board of Zoning Adjustment.
19 The City Council shall consider the application for said
20 special use permit and the recommendation of the Board
21 of Zoning Adjustment at the public hearing. Action by
22 the City Council on such application, following a public
23 hearing, shall be by majority vote of the entire Council
24 and shall be final and conclusive.

25 SECTION 27: Title 6, Chapter 40, Sections 80, 160 and
26 175, are hereby repealed in their entirety.

27 SECTION 28: If any section, subsection, subdivision
28 paragraph, sentence, clause or phrase in this ordinance or any
29 part thereof, is for any reason held to be unconstitutional or
30 invalid or ineffective by any court of competent jurisdiction,
31 such decision shall not affect the validity or effectiveness of
32 the remaining portions of this ordinance or any part thereof.

1 The City Council of the City of Las Vegas, Nevada, hereby
2 declares that it would have passed each section, subsection, sub-
3 division, paragraph, sentence, clause or phrase thereof,
4 irrespective of the fact that any one or more sections, subsec-
5 tions, subdivisions, paragraphs, sentences, clauses or phrases be
6 declared unconstitutional, invalid or ineffective.

7 SECTION 29: Whenever in this ordinance any act is pro-
8 hibited or is made or declared to be unlawful or an offense or a
9 misdemeanor, or whenever in this ordinance the doing of any act
10 is required or the failure to do any act is made or declared to
11 be unlawful or an offense or a misdemeanor, the doing of any such
12 prohibited act or the failure to do any such required act shall
13 constitute a misdemeanor and upon conviction thereof, shall be
14 punished by a fine of not more than \$1,000.00 or by imprisonment
15 for a term of not more than six months, or by any combination of
16 such fine and imprisonment. Any day of any violation of this
17 ordinance shall constitute a separate offense.

18 SECTION 30: All ordinances or parts of ordinances, sec-
19 tions, subsections, phrases, sentences, clauses or paragraphs
20
21
22
23
24
25
26
27
28
29
30
31
32

1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of
4 _____, 1989.

5 APPROVED:

6
7 _____
8 RON LURIE, Mayor

9 ATTEST:

10
11
12 _____
13 KATHLEEN M. TIGHE, City Clerk
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

THIRD AMENDMENT

BILL NO. 88-55

Ordinance No. _____

1
2
3
4
5
6
7 AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 6,
8 CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS
9 VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE
10 TERMS "NONRESTRICTED LICENSE" AND "FACEBOOK INFORMATION SERVICE"
11 TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING
12 THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE;" AMENDING
13 SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR
14 OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE
15 THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO
16 CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING
17 SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE
18 REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS
19 POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING
20 SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME
21 FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED;
22 AMENDING SECTION 110 OF SAID TITLE AND CHAPTER TO ELIMINATE THE
23 DISPARITY BETWEEN THE PER SLOT MACHINE LICENSE FEE FOR SLOT
24 MACHINES LOCATED IN ESTABLISHMENTS WITH FIVE OR LESS SLOT
25 MACHINES AND THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES
26 LOCATED IN ESTABLISHMENTS WITH MORE THAN FIVE SLOT MACHINES;
27 AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT
28 RESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT
29 IS LICENSED FOR RESTRICTED GAMING ON APRIL 1, 1989, IN AN
30 ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC
31 BEVERAGES OR IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE
32 SALE OF ALCOHOLIC BEVERAGES WITH RESPECT TO WHICH A SPECIAL USE
PERMIT THEREFOR IS OBTAINED IN ACCORDANCE WITH THE ZONING
ORDINANCE, SUBJECT TO A LIMITATION ON THE NUMBER OF SLOT MACHINES
IN SUCH ESTABLISHMENT, OTHER THAN A RETAIL OUTLET THAT CONTAINS
AT LEAST 5,000 SQUARE FEET, OF FOUR; AMENDING SECTION 150 OF SAID
TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE
CONDUCTED ONLY IN AN ESTABLISHMENT THAT, ON NOVEMBER 1, 1988, IS
LICENSED FOR NONRESTRICTED GAMING, IN AN ESTABLISHMENT WHICH
CONSISTS, OR WHEN THE SAME IS CONSTRUCTED WILL CONSIST, OF A
RESTAURANT WHICH HAS FULL KITCHEN FACILITIES AND IS LOCATED
WITHIN A FREESTANDING BUILDING THAT CONTAINS IN EXCESS OF THREE
THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO
WHICH, ON APRIL 1, 1989, A TAVERN LICENSE HAS BEEN ISSUED IN
ACCORDANCE WITH LVMC 6.50.050 OR PRELIMINARY APPROVAL FOR A
TAVERN LICENSE HAS BEEN GRANTED IN ACCORDANCE WITH LVMC 6.06.050
AND AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH
THE STATE OR IN AN ESTABLISHMENT WHICH CONSISTS OF A LICENSED
BUSINESS PREMISES THAT CONTAINS IN EXCESS OF NINE THOUSAND SQUARE
FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO WHICH, ON APRIL 1,
1989, AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH
THE STATE, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERA-
TION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED THIRTY-FIVE
IN ANY SUCH ESTABLISHMENT THAT, ON APRIL 1, 1989, IS LICENSED FOR
SLOT MACHINES ONLY, OR IN A HOTEL WITH RESPECT TO WHICH A SPECIAL
USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE;
FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW

1 SECTION, DESIGNATED AS SECTION 165, TO PROVIDE THAT ANY ESTAB-
2 LISHMENT IN WHICH RESTRICTED OR NONRESTRICTED GAMING IS CONDUCTED
3 BY VIRTUE OF SUCH ESTABLISHMENT'S HAVING BEEN LICENSED FOR SUCH
4 GAMING ON APRIL 1, 1989, SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH
5 GAMING IF GAMING OPERATIONS THEREIN ARE DISCONTINUED FOR TWENTY-
6 FOUR CONSECUTIVE MONTHS; AMENDING TITLE 19, CHAPTER 4, SECTION
7 412, OF SAID CODE TO PROVIDE THAT NONRESTRICTED GAMING, OTHER
8 THAN AS PERMITTED BY LVMC 6.40.150(A), MAY BE CONDUCTED ONLY IN A
9 HOTEL WITH AT LEAST TWO HUNDRED GUESTROOMS OR IN A HOTEL WITH
10 RESPECT TO WHICH, ON FEBRUARY 1, 1989, THE GUESTROOM REQUIREMENT
11 HAD BEEN WAIVED; FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING
12 THERETO A NEW SECTION, DESIGNATED AS SECTION 417, TO DEFINE THE
13 TERM "GENERAL BUSINESS RELATED GAMING ESTABLISHMENT"; AMENDING
14 CHAPTER 40, SECTION 10, CHAPTER 42, SECTION 20, CHAPTER 44,
15 SECTION 20, CHAPTER 46, SECTION 20, CHAPTER 47, SECTION 30,
16 CHAPTER 48, SECTION 20, CHAPTER 49, SECTION 30, CHAPTER 49A,
17 SECTION 30, CHAPTER 50, SECTION 20, AND CHAPTER 52, SECTION 20,
18 OF SAID TITLE TO PROVIDE THAT GENERAL BUSINESS RELATED GAMING
19 ESTABLISHMENTS MAY BE PERMITTED IN THE ZONING DISTRICTS TO WHICH
20 SAID SECTIONS RELATE BY WAY OF SPECIAL USE PERMITS THAT ARE
21 APPROVED BY THE CITY COUNCIL; AMENDING CHAPTER 46, SECTION 10,
22 AND FURTHER AMENDING CHAPTER 48, SECTION 20, AND CHAPTER 50,
23 SECTION 20, OF SAID TITLE TO PROVIDE THAT THE PROPERTIES THAT
24 FRONT ON FREMONT STREET, MAIN STREET AND LAS VEGAS BOULEVARD ARE
25 EXEMPT FROM THE USE PERMIT REQUIREMENTS FOR NONRESTRICTED GAMING
26 THAT ARE PROVIDED IN SAID SECTIONS; AMENDING CHAPTER 90, SECTION
27 80, OF SAID TITLE TO INCLUDE WITHIN THE SPECIAL USE PERMITS THAT
28 ARE REQUIRED THEREBY TO BE APPROVED BY THE CITY COUNCIL SPECIAL
29 USE PERMITS FOR GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS;
30 REPEALING TITLE 6, CHAPTER 40, SECTIONS 80, 160 AND 175, OF SAID
31 CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO;
32 PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

19 Sponsored by:

Summary: Makes various changes in
gaming control ordinance

20 Mayor Ron Lurie

21
22 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
23 ORDAIN AS FOLLOWS:

24 SECTION 1: Title 6, Chapter 40, Section 20, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 6.40.020: As used in this Chapter, unless the context otherwise
28 requires, the following words shall have the meaning
29 ascribed:

30 (A) "Game" or "gambling game" means any banking or per-
31 centage game played with cards, dice or any mecha-
32 nical, electromechanical or electronic device or

1 machine for money, property, checks, credit or any
2 representative of value, including, without limit-
3 ing the generality of the foregoing, faro, monte,
4 roulette, keno, bingo, fan-tan, twenty-one, black-
5 jack, seven-and-a-half, big injun, klondike, craps,
6 poker chuck-a-luck, Chinese chuck-a-luck (dai shu),
7 wheel of fortune, chemin de fer, baccarat, pai gow,
8 beat the banker, panguingui, slot machine, or any
9 other game or device approved by the [State] Nevada
10 Gaming Commission, but does not include social
11 games played solely for drinks, or cigars or
12 cigarettes served individually, or games played in
13 private homes or residences for prizes or games
14 operated by charitable or educational organizations
15 which have been approved by the State Gaming
16 Control Board.

17 (B) "Gaming" or "gambling" means to deal, operate,
18 carry on, conduct, maintain or expose for play any
19 game, sports book, parimutuel or any other form of
20 wagering.

21 (C) "Hotel" means a building or a complex of buildings
22 which are designed and integrated to clearly demon-
23 strate the appearance of one facility wherein:

24 (1) Sleeping accommodations are provided in
25 guestrooms at daily rates to tourists or tran-
26 sient guests;

27 (2) No provision is made for cooking food in any
28 guestroom; and

29 (3) There is integrated into the facility near the
30 area where licensed games are provided at
31 least one restaurant and a lobby for the
32 guests to check in and out and receive messages.

1 (D) "Nonrestricted license" and "nonrestricted gaming"
2 means a gaming license [which permits any game or
3 sports pool other than a license which is restricted
4 to fifteen or less] for, or an operation consisting
5 of, sixteen or more slot machines[.] or a license
6 for, or an operation consisting of, any number of
7 slot machines together with any other game, gaming
8 device, race book or sports pool at one establish-
9 ment.

10 (E) "Race book information service" means [the dissemi-
11 nation of information concerning horseracing, when
12 such information is to be used by the receiver for
13 the purpose of maintaining and operating any
14 gambling game or race book.] any person, other than
15 one who provides a televised broadcast without
16 charge to any person who receives such broadcast,
17 who furnishes an operator of a race book, sports
18 pool or gambling game who is licensed in the State
19 with information that relates to horse racing or
20 other racing which is used to determine the winners
21 of, or payoffs on, wagers that are accepted by such
22 operator.

23 (F) "Racehorse book" or "race book" means a sports pool
24 on horseraces.

25 (G) "Restricted license" and "restricted gaming" means
26 a gaming license for, or an operation consisting
27 of, not more than fifteen slot machines, incidental
28 to the primary business at the establishment, and no
29 other game or gaming device at the establishment.

30 (H) "Slot machine" means any mechanical, electrical or
31 other device, contrivance or machine which, upon
32 insertion of a coin, token or similar object

1 therein, or upon payment of any consideration what-
2 soever, is available to play or operate, the play
3 or operation of which, whether by reason of the
4 skill of the operator or application of the element
5 of chance, or both, may deliver or entitle the per-
6 son playing or operating the machine to receive
7 cash, premiums, merchandise, tokens or anything of
8 value whatsoever, whether the payoff is made auto-
9 matically from the machine or in any other manner
10 whatsoever.

11 If a machine has multiple capacities the Director
12 of Business Activity shall make a determination,
13 consistent with the determination made by the State
14 Gaming Control Board, whether the machine consti-
15 tutes two or more slot machines for the purpose of
16 this Chapter based on the number of payout devices,
17 coin receptacles or slots, handles or other devices
18 for multiple players, or means of determining win-
19 nings.

20 [(H)](I) "Slot operator" means a licensee engaged in the
21 business of placing slot machines upon the business
22 premises of another under any agreement whereby
23 consideration is paid or is payable for the place-
24 ment of such slot machines, whether the considera-
25 tion is measured by a percentage of revenue derived
26 from such machines or by a fixed fee or otherwise.

27 [(I)](J) "Sports pool" means the business of accepting
28 wagers on sporting events by any system or method
29 of wagering other than the system known as the
30 parimutuel method of wagering.

31 SECTION 2: Title 6, Chapter 40, Section 50, of the
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

1 hereby amended to read as follows:

2 6.40.050: (A) Any person who furnishes services or property to a
3 gaming licensee under any arrangement pursuant to
4 which the person receives payments based on earn-
5 ings, profits or receipts from gaming may be
6 required by the Director of Business Activity to
7 apply for a gaming license or apply for an approval
8 of suitability to be associated with the gaming
9 licensee.

10 (B) If such person fails to apply within twenty days of
11 the Director's request the [Board of Commissioners]
12 City Council may require the licensee to terminate
13 the arrangement.

14 (C) Failure to so terminate the arrangement is grounds
15 for disciplinary action to be taken against the
16 licensee.

17 SECTION 3: Title 6, Chapter 40, Section 60, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 6.40.060: The [Board of Commissioners] Director may in [its] his
21 discretion approve any charitable or educational organi-
22 zation which has obtained a charitable solicitations
23 permit[, and without the necessity of having a gaming
24 license as provided in Section 6.40.030,] to conduct and
25 maintain any games or sports pool, [at any location
26 deemed suitable and appropriate by the Board,] provided
27 such charitable or educational organization has first
28 obtained the approval of the State Gaming Control Board
29 as required by NRS 463.409.

30 SECTION 4: Title 6, Chapter 40, Section 65, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
32 hereby amended to read as follows:

1 6.40.065: (A) Any licensee who [as] has acquired a "holiday or
2 special event" permit from the State to add addi-
3 tional games to the licensed premises during an
4 anticipated temporary period of increased tourist
5 activity may apply to the Director for a holiday or
6 special event permit from the City. The application
7 must be made on a form acceptable to the Director
8 and filed at least three days prior to the date the
9 games are to be added.

10 (B) If the permit is approved by the Director he shall
11 specify on the permit the number and type of games
12 approved and the time period for which they are
13 permitted. The number of games and the time per-
14 mitted shall not exceed that which has been
15 approved by the State, [and in no case shall the
16 time period exceed seven days.] The licensee shall
17 not exceed or deviate from the number and types of
18 games allowed under the permit or allow the games
19 to remain on the premises beyond the time permitted.

20 (C) The licensee must pay in advance a permit fee equal
21 to one-sixth of the regular semiannual license fee
22 for each game permitted for a holiday or special
23 event. The licensee must also pay the regular quar-
24 terly convention authority tax imposed by Chapter
25 4.20.

26 SECTION 5: Title 6, Chapter 40, Section 70, of the Muni-
27 cipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
28 hereby amended to read as follows:

29 6.40.070: The [Board of Commissioners,] City Council, in the
30 exercise of its discretion, may limit the number of
31 licenses provided for in this Chapter.

32 SECTION 6: Title 6, Chapter 40, Section 90, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 6.40.090: Except as provided in Section 6.40.100, an applicant
4 for a gaming license, other than an applicant for a
5 restricted license [for thirty-five or fewer slot ma-
6 chines and no other game or gambling device, and each
7 principal of the applicant], shall not be required to
8 submit to a background investigation and the [Board of
9 Commissioners] City Council shall determine that the
10 applicant and its principals are suitable if the Nevada
11 Gaming Commission has granted a license to the applicant
12 or found the applicant and its principals suitable.

13 SECTION 7: Title 6, Chapter 40, Section 100, of the
14 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
15 hereby amended to read as follows:

16 6.40.100: The [Board of Commissioners] City Council may, at any
17 time before a City gaming license is finally approved,
18 determine that the public health, safety, morals or
19 welfare of the City require that a background investiga-
20 tion be conducted of the applicant or a principal
21 thereof notwithstanding the fact that the applicant or
22 principal is being, or has been, investigated by or
23 approved by the Nevada Gaming Commission.

24 SECTION 8: Title 6, Chapter 40, Section 110, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 6.40.110: Each licensee shall pay to the Department of Business
28 Activity, in advance semiannually, the following license
29 fees:

- 30 (A) Each bridge, whist and solo. \$ 30.00;
31 (B) Chemin de fer (baccarat) 500.00;
32 (C) Crap table:

- 1 (1) For one table 300.00;
- 2 (2) For each table over one 500.00;
- 3 (D) Sports pool (not including
- 4 race books) 200.00;
- 5 (E) Bingo. 150.00; plus \$3.00
- 6 for each chair pro-
- 7 vided for players;
- 8 (F) [Panguingue] Panguingui. 60.00;
- 9 (G) Race book. 800.00;
- 10 (H) Racehorse information service. 500.00;
- 11 (I) Keno 600.00;
- 12 (J) Each roulette, "21," hazard, faro bank,
- 13 wheel of fortune and big six wheel, . . 300.00;
- 14 (K) [Slot machines:
- 15 (1) Establishment with five or less,
- 16 each machine 50.00;
- 17 (2) Establishment with more than
- 18 five, each machine] Each slot
- 19 machine. 60.00;
- 20 (L) Stud poker and draw poker. 100.00;
- 21 (M) Slot machine operator. 300.00;
- 22 (N) Any other game 100.00.

23 SECTION 9: Title 6, Chapter 40, Section 140, of the
 24 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
 25 hereby amended to read as follows:

26 6.40.140: No restricted gaming shall be conducted, maintained
 27 or operated in the [city] City except [as allowed within
 28 the following specified districts;

- 29 (A) The area bounded by the east side of Main Street,
- 30 the south side of Stewart Avenue, the west side of
- 31 3rd Street and the north side of Carson Avenue;
- 32 (B) The frontage on both sides of West Jackson Avenue

1 between North "D" Street and North "G" Street and
2 the frontage on both sides of Owens Avenue between
3 "H" Street and Highland Avenue.]

4 at a location which:

- 5 (A) On April 1, 1989, was licensed to operate not more
6 than fifteen slot machines;
7 (B) Is licensed for the sale of alcoholic beverages; or
8 (C) Is not licensed for the sale of alcoholic bever-
9 ages but with respect to which location a special
10 use permit for a general business related gaming
11 establishment, as that term is defined in LVMC
12 19.04.417, is obtained in accordance with LVMC
13 Title 19; provided, however, that, except in
14 retail outlets that contain at least 5,000 square
15 feet, such gaming shall be limited to the opera-
16 tion of not more than four slot machines.

17 SECTION 10: Title 6, Chapter 40, Section 150, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 6.40.150: [Notwithstanding Section 6.40.140, the following] No
21 nonrestricted gaming [may be permitted by the City Coun-
22 cil outside said districts:

- 23 (A) At those locations which, prior to November 1,
24 1986, have been approved by the Council for a non-
25 restricted license and either had at least one
26 hundred guestrooms available or with respect to
27 which building plans for a hotel which will have at
28 least one hundred guestrooms were on file with the
29 City;
- 30 (B) In hotels having at least two hundred guestrooms
31 available to the public, subject to the provisions
32 contained in Section 6.40.175.

1 (C) In hotels having less than two hundred guestrooms
2 available to the public, for which the City Council
3 has waived the guestroom requirement contained in
4 Subsection (B) of this Section. At the request of,
5 and upon the payment of an application fee in the
6 amount of fifty dollars by, the applicant, the Coun-
7 cil, in its discretion, may grant such a waiver,
8 based on a consideration of the nature and char-
9 acter of the surrounding neighborhood. Notice of
10 the time and place of the Council's consideration
11 of the request for waiver shall be given by a
12 published announcement in a newspaper of general
13 circulation in the City not less than five days or
14 more than ten days before the date of the hearing.]
15 shall be conducted, maintained or operated in the
16 City except:

17 (A) At a location which:

- 18 (1) On November 1, 1988, was licensed for non-
19 restricted gaming;
- 20 (2) Consists, or when the same is constructed will
21 consist, of a restaurant which has full kitchen
22 facilities and is located within a freestand-
23 ing building that contains in excess of three
24 thousand square feet of usable floor space
25 under one roof and is separated on all sides
26 from any other commercial establishment by an
27 unobstructed open area at least ten feet in
28 width and with respect to which, on April 1,
29 1989, a tavern license had been issued pur-
30 suant to LVMC 6.50.050 or preliminary approval
31 for a tavern license had been granted pursuant
32 to LVMC 6.06.050, as the case may be, and an

1 application for nonrestricted gaming had been
2 filed with the State; or

3 (3) Consists of a licensed business premises that
4 contains in excess of nine thousand square
5 feet of usable floor space under one roof
6 within which the gaming is, at all times,
7 under the supervision of an attendant whose
8 duties shall be limited solely to the making
9 of change and supervising such gaming and
10 with respect to which, on April 1, 1989, an
11 application for nonrestricted gaming had been
12 filed with the State;

13 provided, however, that such gaming shall be
14 limited to the operation of not more than thirty-
15 five slot machines at any such location that, on
16 April 1, 1989 was licensed for slot machines only;
17 or

18 (B) In a gaming establishment (hotel), as that term is
19 defined in LVMC 19.04.412, subject to compliance
20 with the special use permit provisions that are
21 contained in LVMC Title 19.

22 SECTION 11: Title 6, Chapter 40, of the Municipal Code
23 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
24 by adding thereto a new section, to be designated as Section 165,
25 reading as follows:

26 6.40.165: If gaming operations at any location at which
27 restricted gaming may be conducted by virtue of LVMC
28 6.40.140(A) or at any location at which nonrestricted
29 gaming may be conducted by virtue of LVMC 6.40.150(A)
30 are discontinued for twenty-four consecutive months, the
31 right to conduct gaming at such establishment by virtue
32 of LVMC 6.40.140(A) or 6.40.150(A), as the case may be,

1 shall, upon the expiration of such twenty-four month
2 period, automatically terminate, and no gaming may be
3 conducted at such location unless or until such location
4 is licensed for restricted gaming pursuant to some other
5 provision of LVMC 6.40.140 or for nonrestricted gaming
6 pursuant to some other provision of LVMC 6.40.150.

7 SECTION 12: Title 6, Chapter 40, Section 170, of the
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
9 hereby amended to read as follows:

10 6.40.170: Nothing contained in Section 6.40.140[,] and 6.40.150[,]
11 6.40.160 and 6.40.175] shall be construed to require
12 the issuance of a gaming license to any applicant
13 because of any zoning approval, location, structure
14 involved or nature of any allied business.

15 SECTION 13: Title 19, Chapter 4, Section 412, of the
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
17 hereby amended to read as follows:

18 19.04.412: "Gaming establishment (hotel)" means a part of a
19 hotel which:

20 (A) Has at least two hundred guestrooms; or

21 (B) On February 1, 1989, had at least one hundred
22 guestrooms, and the requirement for the other one
23 hundred guestrooms had been waived

24 [which] that is used or intended to be used for gaming
25 activities for which a nonrestricted gaming license is
26 required pursuant to Chapter 6.40.

27 SECTION 14: Title 19, Chapter 4, of the Municipal Code
28 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
29 by adding thereto a new section, to be designated as Section 417,
30 reading as follows:

31 19.04.417: "General business related gaming establishment" means
32 a building or structure which is primarily used or

1 intended to be used for some business other than gaming
2 but in which restricted gaming is permitted pursuant to
3 Chapter 6.40 of this Code as a use that is incidental to
4 such other business.

5 SECTION 15: Title 19, Chapter 40, Section 10, of the
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
7 hereby amended to read as follows:

8 19.40.010: Uses permitted in the C-C District include:

- 9 (A) Any uses permitted in the C-1 District;
10 (B) Uses customarily incidental, or similar to any of
11 the above uses, provided that such uses or opera-
12 tions are not objectionable due to dust, odor,
13 smoke, noise, vibrations or other similar
14 causes[.];

- 15 (C) General business related gaming establishments,
16 subject to the securing of a special use permit in
17 each case pursuant to the procedure provided for in
18 Section 19.90.080.

19 SECTION 16: Title 19, Chapter 42, Section 20, of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
21 hereby amended to read as follows:

22 19.42.020: Only those uses specifically approved by the [Board
23 of Commissioners] City Council upon recommendation of
24 the Planning Commission and of the general category
25 listed below are permitted in the C-D District; however,
26 no use shall be permitted until a development approval
27 is issued by the Planning Commission in accord with an
28 approved development plan which satisfies the conditions
29 contemplated in Section 19.42.030:

- 30 (A) Retail shops and stores for the dispensing of goods
31 and services;
32 (B) General business and professional offices;

1 (C) Banks and financial institutions[.];

2 (D) General business related gaming establishments,
3 subject to the securing of a special use permit in
4 each case pursuant to the procedure provided for in
5 Section 19.90.080.

6 SECTION 17: Title 19, Chapter 44, Section 20, of the
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
8 hereby amended to read as follows:

9 19.44.020: (A) The following uses may be permitted in the C-1
10 District upon securing a special use permit as pro-
11 vided in LVMC 19.90, except that the uses enu-
12 merated in this Subsection may be permitted as a
13 matter of right when in accordance with the excep-
14 tion shown in Subsection (C) of this Section:

- 15 (1) Automobile service stations for the sale of
16 gasoline, oil and minor accessories only,
17 where no repair work is done, except minor
18 repairs made by the attendant and provided all
19 lubrications, washing, repairing and storage
20 are conducted within an enclosed permanent
21 building;
- 22 (2) Apartment houses;
- 23 (3) Customer-operated car washes;
- 24 (4) Lodginghouses, boardinghouses or rooming-
25 houses, hotels, motels and other like
26 tourist accommodations;
- 27 (5) Emergency ground ambulance facilities;
- 28 (6) Special care facilities.

29 (B) The following uses may be permitted upon securing a
30 special use permit in each case pursuant to the
31 procedure provided for in LVMC 19.90.080, except
32 that the uses enumerated in this Subsection may be

1 permitted as a matter of right when in accordance
2 with the exception shown in Subsection (C) of this
3 Section:

4 (1) Class III secondhand dealers as defined in
5 LVMC 19.04.250, except that these uses shall
6 not be allowed on Fremont Street or Las Vegas
7 Boulevard South between Charleston Boulevard
8 and Sahara Avenue as prescribed by LVMC
9 6.74.050;

10 (2) Retail demonstration merchandise sales stores
11 as defined in LVMC 6.72.010;

12 (3) Mini-storage facilities, subject to the
13 following limitations:

14 (a) No more than one manager's or security
15 residence is permitted.

16 (b) All storage of items must be within an
17 enclosed building except for the storage
18 of recreational vehicles, which shall be
19 completely screened from view from
20 surrounding properties and abutting
21 streets.

22 (c) No business may be conducted within or
23 from a mini-storage facility.

24 (d) Wholesale storage and the on-premise sale
25 of stored items are prohibited.

26 (e) The commercial repair of motor vehicles,
27 boats, trailers and other like vehicles
28 is prohibited. "Commercial repair" means
29 any repair work except work performed on
30 a vehicle by the owner thereof.

31 (f) The operation of spray painting equip-
32 ment, power tools, welding equipment or

1 other similar equipment is prohibited.

2 (g) The production, fabrication or assembly
3 of products is prohibited.

4 (4) Off-premises signs;

5 (5) Liquefied petroleum gas installations for
6 which a special use permit is required by LVMC
7 19.55.110, subject to the limitations set
8 forth in LVMC 19.55.010 and 19.55.020;

9 (6) Gaming establishments (hotel)[.];

10 (7) General business related gaming establishments.

11 (C) Exception: If an application for reclassification
12 to a C-1 District under LVMC 19.92 includes any of
13 the uses hereinabove enumerated, the approval of
14 the application shall constitute approval of the
15 use or uses and no special use permit shall be
16 required; provided, however, that the notice of
17 public hearing for reclassification shall specifi-
18 cally list the use or uses.

19 SECTION 18: Title 19, Chapter 46, Section 10, of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
21 hereby amended to read as follows:

22 19.46.010: Uses permitted in the C-2 District include:

23 (A) Any use permitted in a C-C or C-1 District;

24 (B) Automobile sales and service facilities, excluding
25 body and fender shops. Subject use may include an
26 outdoor used car sales lot, when operated by a
27 franchised new car dealer and located directly
28 adjacent to the new car sales and service facility
29 and operated as an incidental use to the conduct of
30 the new car sales and service facility;

31 (C) Wedding chapels;

32 (D) Public parking areas, when located and developed as

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

required in Chapter 19.64;

- (E) Restaurants;
- (F) Mortuaries and mausoleums, which may include cemeteries when the cemeteries are developed in conjunction with a mortuary and/or a mausoleum;
- (G) Customer-operated car washes;
- (H) R-5-density and R-6-density residential developments, when located within the Central Business District, as defined in Section 19.64.030;
- (I) Hotels, motels, and other like tourist accommodations;
- (J) Gaming establishments (non-hotel).
- (K) Gaming establishments (hotel), when located [within the areas specified in subsection (A) of Section 6.40.175;] on property that fronts on Fremont Street, Main Street or Las Vegas Boulevard;
- (L) Other similar enterprises or businesses of the same general class which, in the opinion of the Planning Commission, as evidenced by resolution of record, are not more detrimental to the welfare and safety of the residents within the particular district than other classifications enumerated in this Section;
- (M) Uses customarily incidental to any of the above, when located on the same premises.

SECTION 19: Title 19, Chapter 46, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.46.020: (A) The following uses may be permitted in the C-2 District upon securing a special use permit as provided in Chapter 19.90, except that the uses enumerated in this Subsection may be permitted as a

1 matter of right when in accordance with the excep-
2 tion shown in Subsection [(H)] (J) of this Section:

- 3 (1) Used car lots;
4 (2) Trailer sales lots;
5 (3) Boat sales and service facilities, including
6 all floating craft;
7 (4) Automotive parts exchanges. This shall not
8 include public garages or salvage operations,
9 but shall be limited to the sale and installa-
10 tion of new or rebuilt major automotive parts;
11 (5) Drive-in theaters, miniature golf courses and
12 other outdoor amusement centers;
13 (6) Automobile laundry;
14 (7) Body and fender repair operations when con-
15 ducted by a franchised new car agency;
16 (8) Cemeteries as provided for in Section
17 19.10.080;
18 (9) Apartment houses, when located outside the
19 Central Business District, as defined in Sec-
20 tion 19.64.030;
21 (10) Special care facilities.

22 (B) Pawnshops may be permitted in the C-2 District sub-
23 ject to the securing of a special use permit in
24 each case pursuant to the procedure provided for in
25 Section 19.90.080, except that no pawnshop may be
26 located on either side of Fremont Street or Las
27 Vegas Boulevard South between Charleston Boulevard
28 and Sahara Avenue. Those pawnshops which were
29 located on Fremont Street or Las Vegas Boulevard
30 South between Charleston Boulevard and Sahara Ave-
31 nue at the time of enactment of the 1974 amendatory
32 ordinance which is codified, in part, in this Sec-

1 tion shall be allowed to remain only as long as
2 their present leases do not expire. No such lease
3 may be modified to extend its term or otherwise
4 prevent it from expiring. Those pawnshops which
5 are located in a C-2 Zone, other than on Fremont
6 Street or Las Vegas Boulevard South between
7 Charleston Boulevard and Sahara Avenue, at the time
8 of enactment of the 1974 amendatory ordinance which
9 is codified, in part, in this Section shall be
10 allowed to remain at their locations without the
11 necessity of securing a special use permit.

12 (C) Class III secondhand dealers, retail demonstration
13 merchandise sales stores, transient sales lots,
14 open sales lots and off-premises signs may be per-
15 mitted in the C-2 District subject to the securing
16 of a special use permit in each case pursuant to
17 the procedure provided for in Section 19.90.080 of
18 this Chapter, except that Class III secondhand
19 dealers shall not be allowed on Fremont Street and
20 Las Vegas Boulevard South between Charleston Boule-
21 vard or Sahara Avenue as prescribed by Section
22 6.74.050.

23 (D) Custodial institutions and detention facilities may
24 be permitted in the C-2 District subject to the
25 securing of a special use permit in each case pur-
26 suant to the procedure provided for in Section
27 19.90.080.

28 (E) Subject to the limitations contained in this Sub-
29 section, commercial storage units may be permitted
30 in the C-2 District subject to the securing of a
31 special use permit in each case pursuant to the
32 procedure provided for in Section 19.90.080. All

1 stored items must be located within an enclosed
2 building and there must be no wholesale storage or
3 sale of the stored items, nor any commercial repair
4 or sale of passenger cars, trucks, two-wheeled
5 vehicles, three-wheeled vehicles, trailers, boats
6 or other like vehicles. "Commercial repair" means
7 any repair work except work done by the owner on
8 his own personal property.

9 (F) Liquefied petroleum gas installations for which a
10 special use permit is required by Section
11 19.55.010, subject to the limitations set forth in
12 Sections 19.55.010 and 19.55.020.

13 (G) Gaming establishments (hotel), when not located
14 [outside the areas specified in Subsection (A) of
15 Section 6.40.175,] on property that fronts on Fre-
16 mont Street, Main Street or Las Vegas Boulevard,
17 may be permitted in the C-2 District subject to the
18 securing of a special use permit in each case pur-
19 suant to the procedure provided for in Section
20 19.90.080.

21 (H) General business related gaming establishments may
22 be permitted in the C-2 District, subject to the
23 securing of a special use permit in each case pur-
24 suant to the procedure provided for in Section
25 19.90.080.

26 (I) Plasma donor centers and rescue missions may be
27 permitted in the C-2 district subject to the
28 securing of a special use permit in each case pur-
29 suant to the procedure provided for in Section
30 19.90.080. However, no such use may be permitted
31 within the Downtown Las Vegas Redevelopment Area
32 unless the special use permit application has first

1 been referred to and approved by the staff of the
2 City of Las Vegas Downtown Redevelopment Agency.

3 [(I)](J) Exception: If an application for a reclassifica-
4 tion to a C-2 District under Chapter 19.92 includes
5 any of the uses hereinabove enumerated, the appro-
6 val of the application shall constitute approval of
7 the use or uses and no special use permit shall be
8 required; provided, however, that the notice of
9 public hearing for reclassification shall specifi-
10 cally list the use or uses.

11 SECTION 20: Title 19, Chapter 47, Section 30, of the
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
13 hereby amended to read as follows:

14 19.47.030: The following uses may be permitted by the City

15 Council, upon recommendation of the Planning Commission
16 if, in each case, the City Council finds that the use is
17 designed to serve the business park district and is
18 complementary to a permitted principal use:

19 (A) Retail and commercial service uses, including, but
20 not limited to, restaurants, cocktail lounges,
21 financial institutions, convenience retail uses,
22 day care center and service stations;

23 (B) Outdoor storage and/or mechanical equipment which
24 comprises ten percent or more of the total lot area
25 and is ancillary to and necessary for the operation
26 of a permitted use;

27 (C) Other uses, not otherwise permitted, which are
28 incidental to and necessary for a permitted use,
29 such as a residence for security purposes[.];

30 (D) General business related gaming establishments,
31 subject to the securing of a special use permit in
32 each case pursuant to the procedure provided for in

1 Section 19.90.080.

2 SECTION 21: Title 19, Chapter 48, Section 20, of the
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
4 hereby amended to read as follows:

5 19.48.020: (A) The following uses may be permitted in the C-M
6 District subject to the securing of a special use
7 permit as provided in Chapter 19.90, except that
8 the uses enumerated in this Subsection may be per-
9 mitted as a matter of right when in accordance with
10 the exception shown in Subsection (B) of this Sec-
11 tion:

- 12 (1) Cemeteries, as provided for in Section
13 19.10.080;
- 14 (2) Pawnshops, subject to the securing of a spe-
15 cial use permit in each case pursuant to the
16 procedure provided for in Section 19.90.080;
- 17 (3) Custodial institutions and detention facili-
18 ties, subject to the securing of a special use
19 permit in each case pursuant to the procedure
20 provided for in Section 19.90.080;
- 21 (4) Commercial storage units, subject to the limi-
22 tations contained in this Subsection and sub-
23 ject to the securing of a special use permit
24 in each case pursuant to the procedure pro-
25 vided for in Section 19.90.080. All stored
26 items must be located within an enclosed
27 building and there must be no wholesale
28 storage or sale of the stored items, nor any
29 commercial repair or sale of passenger cars,
30 trucks, two-wheeled vehicles, three-wheeled
31 vehicles, trailers, boats or other like
32 vehicles. "Commercial repair" means any

1 repair work except work done by the owner on
2 his own personal property;

3 (5) Transient sales lots and open sales lots, sub-
4 ject to the securing of a special use permit
5 in each case pursuant to the procedure pro-
6 vided for in Section 19.90.080;

7 (6) Off-premises signs, subject to the securing of
8 a special use permit in each case pursuant to
9 the procedure provided for in Section
10 19.90.080;

11 (7) Liquefied petroleum gas installations for
12 which a special use permit is required by Sec-
13 tion 19.55.010, subject to the limitations set
14 forth in Sections 19.55.010 and 19.55.020;

15 (8) Gaming establishments (hotel), when not
16 located [outside the areas specified in Sub-
17 section (A) of Section 6.40.175,] on property
18 that fronts on Fremont Street, Main Street or
19 Las Vegas Boulevard, subject to the securing
20 of a special use permit in each case pursuant
21 to the procedure provided for in Section
22 19.90.080;

23 (9) General business related gaming establish-
24 ments, subject to the securing of a special
25 use permit in each case pursuant to the proce-
26 dure provided for in Section 19.90.080;

27 (10) Special care facilities;

28 [(10)](11) Plasma donor centers and rescue missions, sub-
29 ject to the securing of a special use permit
30 in each case pursuant to the procedure pro-
31 vided for in Section 19.90.080. However, no
32 such use may be permitted within the Downtown

1 Las Vegas Redevelopment Area unless the spe-
2 cial use permit application has first been
3 referred to and approved by the staff of the
4 City of Las Vegas Downtown Redevelopment
5 Agency.

6 (B) Exception: If an application for reclassification
7 to a C-M District under Chapter 19.92 includes any
8 of the uses hereinabove enumerated, the approval of
9 the application shall constitute approval of the
10 use or uses and no special use permit shall be
11 required; provided, however, that the notice of
12 public hearing for reclassification shall specifi-
13 cally list the use or uses.

14 SECTION 22: Title 19, Chapter 49, Section 30, of the
15 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
16 hereby amended to read as follows:

17 19.49.030: Uses in the T-C District should be office, light
18 commercial or tourist-oriented uses that can be com-
19 patible with the surrounding area[.], including without
20 limitation general business related gaming establish-
21 ments, subject to the securing of a special use permit
22 in each case pursuant to the procedure provided for in
23 Section 19.90.080. However, no use is permitted in the
24 T-C District unless it is specifically approved by the
25 City Council, upon recommendation of the Planning Com-
26 mission. Such approval must include an approved devel-
27 opment plan. The City Council may impose in connection
28 with its approval whatever requirements, conditions or
29 limitations it deems are necessary to ensure that devel-
30 opment is consistent with the intent of this Chapter
31 and compatible with surrounding uses.

32 SECTION 23: Title 19, Chapter 49A, Section 30, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 19.49A.030: Uses in the R-C District should be residential,
4 light commercial or office uses, including without limitation
5 general business related gaming establishments,
6 subject to the securing of a special use permit in each
7 case pursuant to the procedure provided for in Section
8 19.90.080, that can be compatible with the surrounding
9 area. However, no use is permitted in the R-C district
10 unless it is specifically approved by the City Council,
11 upon recommendation of the Planning Commission. Such
12 approval must include an approved development plan. The
13 City Council may impose in connection with its approval
14 whatever requirements, conditions or limitations it deems
15 are necessary to ensure that development is consistent
16 with the intent of this Chapter and compatible with
17 surrounding uses.

18 SECTION 24: Title 19, Chapter 50, Section 20, of the
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
20 hereby amended to read as follows:

21 19.50.020: (A) The following uses may be permitted in the M
22 District upon securing a special use permit as pro-
23 vided in Chapter 19.90, except that the uses enu-
24 merated in this Subsection may be permitted as of
25 right when in accordance with the exception set
26 forth in Subsection (B) of this Section:

- 27 (1) Any manufacturing, processing or assembling
28 use which is unable to meet the letter of the
29 standards designated in Section 19.50.040.
30 Such use permit may be properly granted pro-
31 vided the applicant can provide evidence to
32 document a favorable conclusion on all of the

1 following factors:

2 (a) The proposed use can be operated substan-
3 tially in conformity with the require-
4 ments of the standards listed under Sec-
5 tion 19.50.040;

6 (b) The use, as proposed, will not be
7 materially detrimental to the uses of
8 surrounding property;

9 (c) The public interest will best be served
10 by the granting of the permit;

11 (2) Cemeteries, as provided for in Section
12 19.10.080;

13 (3) Pawnshops, subject to the securing of a spe-
14 cial use permit in each case pursuant to the
15 procedure provided for in Section 19.90.080;

16 (4) Custodial institutions and detention facili-
17 ties, subject to the securing of a special use
18 permit in each case pursuant to the procedure
19 provided for in Section 19.90.080;

20 (5) Junk yards, wrecking yards and salvage yards;

21 (6) Commercial storage units, subject to the limi-
22 tations contained in this Subsection and sub-
23 ject to the securing of a special use permit
24 in each case pursuant to the procedure pro-
25 vided for in Section 19.90.080. All stored
26 items must be located within an enclosed
27 building and there must be no wholesale
28 storage or sale of the stored items, nor any
29 commercial repair or sale of passenger cars,
30 trucks, two-wheeled vehicles, three-wheeled
31 vehicles, trailers, boats or other like
32 vehicles. "Commercial repair" means any

1 repair work except work done by the owner on
2 his own personal property;

3 (7) Transient sales lots and open sales lots, sub-
4 ject to the securing of a special use permit
5 in each case pursuant to the procedure pro-
6 vided for in Section 19.90.080;

7 (8) Off-premises signs, subject to the securing of
8 a special use permit in each case pursuant to
9 the procedure provided for in Section
10 19.90.080;

11 (9) Liquefied petroleum gas installations for
12 which a special use permit is required by Sec-
13 tion 19.55.010, subject to the limitations set
14 forth in Sections 19.55.010 and 19.55.020;

15 (10) Gaming establishments (hotel), when not
16 located [outside the areas specified in Sub-
17 section (A) of Section 6.40.175,] on property
18 that fronts on Fremont Street, Main Street or
19 Las Vegas Boulevard, subject to the securing
20 of a special use permit in each case pursuant
21 to the procedure provided for in Section
22 19.90.080;

23 (11) General business related gaming establish-
24 ments, subject to the securing of a special
25 use permit in each case pursuant to the pro-
26 cedure provided for in Section 19.90.080;

27 (12) Special care facilities;

28 [(12)] (13) Plasma donor centers and rescue missions, sub-
29 ject to the securing of a special use permit
30 in each case pursuant to the procedure pro-
31 vided for in Section 19.90.080. However, no
32 such use may be permitted within the Downtown

1 Las Vegas Redevelopment Area unless the spe-
2 cial use permit application has first been
3 referred to and approved by the staff of the
4 City of Las Vegas Downtown Redevelopment Agency.

5 (B) Exception: If an application for a reclassifica-
6 tion to an M District under Chapter 19.92 includes
7 any of the uses hereinabove enumerated, the appro-
8 val of the application shall constitute approval of
9 the use or uses, and no special use permit shall be
10 required; provided, however, that the notice of
11 public hearing for reclassification shall specifi-
12 cally list the use or uses.

13 SECTION 25: Title 19, Chapter 52, Section 30, of the
14 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
15 hereby amended to read as follows:

16 19.52.030: The following uses are permitted in the C-V District,
17 subject to the securing of a special use permit in each
18 case, as provided in Chapter 19.90:

- 19 (A) Cemeteries, as provided for in Section 19.10.080;
20 (B) Custodial institutions and detention facilities;
21 (C) Publicly-operated convention and stadium facili-
22 ties; [and]
23 (D) Off-premises signs; [and]
24 (E) Liquefied petroleum gas installations for which a
25 special use permit is required by Section
26 19.55.010, subject to the limitations set forth in
27 Sections 19.55.010 and 19.55.020[.] ; and
28 (F) General business related gaming establishments,
29 subject to the securing of a special use permit in
30 each case pursuant to the procedure provided for in
31 Section 19.90.080.

32 SECTION 26: Title 19, Chapter 90, Section 80, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 19.90.080: Following the conduct of a public hearing on any
4 application for a special use permit to allow a
5 pawnshop; a retail demonstration merchandise sales
6 store; a Class III or other secondhand dealer, except
7 for an antique store or used car lot; a transient sales
8 lot; an open sales lot; a custodial institution or a
9 detention facility; a publicly-operated convention and
10 stadium facility; mini-storage facilities; off-premises
11 signs; a liquefied petroleum gas installation; a gaming
12 establishment (hotel); a general business related gaming
13 establishment; a plasma donor center or a rescue mission,
14 the Board of Zoning Adjustment shall report its recom-
15 mendation on said application to the City Council.
16 Prior to the next subsequent meeting of the City Coun-
17 cil, the Secretary of the Board of Zoning Adjustment
18 shall transmit a copy of said recommendation to the City
19 Clerk. Within not to exceed thirty days from the date
20 of the Board of Zoning Adjustment's recommendation, the
21 City Council shall set the date for a public hearing,
22 and public notice shall be given by the City Clerk not
23 less than ten days prior to the public hearing to all
24 property owners who received notice of the public
25 hearing conducted by the Board of Zoning Adjustment.
26 The City Council shall consider the application for said
27 special use permit and the recommendation of the Board
28 of Zoning Adjustment at the public hearing. Action by
29 the City Council on such application, following a public
30 hearing, shall be by majority vote of the entire Council
31 and shall be final and conclusive.

32 SECTION 27: Title 6, Chapter 40, Sections 80, 160 and

1 175, are hereby repealed in their entirety.

2 SECTION 28: If any section, subsection, subdivision
3 paragraph, sentence, clause or phrase in this ordinance or any
4 part thereof, is for any reason held to be unconstitutional or
5 invalid or ineffective by any court of competent jurisdiction,
6 such decision shall not affect the validity or effectiveness of
7 the remaining portions of this ordinance or any part thereof.
8 The City Council of the City of Las Vegas, Nevada, hereby
9 declares that it would have passed each section, subsection, sub-
10 division, paragraph, sentence, clause or phrase thereof,
11 irrespective of the fact that any one or more sections, subsec-
12 tions, subdivisions, paragraphs, sentences, clauses or phrases be
13 declared unconstitutional, invalid or ineffective.

14 SECTION 29: Whenever in this ordinance any act is pro-
15 hibited or is made or declared to be unlawful or an offense or a
16 misdemeanor, or whenever in this ordinance the doing of any act
17 is required or the failure to do any act is made or declared to
18 be unlawful or an offense or a misdemeanor, the doing of any such
19 prohibited act or the failure to do any such required act shall
20 constitute a misdemeanor and upon conviction thereof, shall be
21 punished by a fine of not more than \$1,000.00 or by imprisonment
22 for a term of not more than six months, or by any combination of

23
24
25
26
27
28
29
30
31
32

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

3 SECTION 30: 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 ____ day of
8 _____, 1989.

9 APPROVED:

10
11 _____
12 RON LURIE, Mayor

13 ATTEST:

14
15
16 _____
17 KATHLEEN M. TIGHE, City Clerk
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 198__, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 198__, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" : _____
VOTING "NAY" : _____
ABSENT: _____

APPROVED:

By _____
RON LURIE, MAYOR

ATTEST:

Kathleen M. Tighe, City Clerk

SECOND AMENDMENT

BILL NO. 88-55

Ordinance No. _____

1
2
3
4
5
6
7 AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 6,
8 CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS
9 VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE
10 TERMS "NONRESTRICTED LICENSE" AND "RACEBOOK INFORMATION SERVICE"
11 TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING
12 THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE;" AMENDING
13 SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR
14 OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE
15 THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO
16 CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING
17 SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE
18 REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS
19 POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING
20 SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME
21 FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED;
22 AMENDING SECTION 110 OF SAID TITLE AND CHAPTER TO ELIMINATE THE
23 DISPARITY BETWEEN THE PER SLOT MACHINE LICENSE FEE FOR SLOT
24 MACHINES LOCATED IN ESTABLISHMENTS WITH FIVE OR LESS SLOT
25 MACHINES AND THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES
26 LOCATED IN ESTABLISHMENTS WITH MORE THAN FIVE SLOT MACHINES;
27 AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT
28 RESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT
29 IS LICENSED FOR RESTRICTED GAMING ON APRIL 1, 1989, IN AN
30 ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC
31 BEVERAGES OR IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE
32 SALE OF ALCOHOLIC BEVERAGES WITH RESPECT TO WHICH A SPECIAL USE
PERMIT THEREFOR IS OBTAINED IN ACCORDANCE WITH THE ZONING
ORDINANCE, SUBJECT TO A LIMITATION ON THE NUMBER OF SLOT MACHINES
IN SUCH ESTABLISHMENT, OTHER THAN A RETAIL OUTLET THAT CONTAINS
AT LEAST 5,000 SQUARE FEET, OF FOUR; AMENDING SECTION 150 OF SAID
TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE
CONDUCTED ONLY IN AN ESTABLISHMENT THAT, ON APRIL 1, 1989, IS
LICENSED FOR NONRESTRICTED GAMING, IN AN ESTABLISHMENT WHICH
CONSISTS OF A RESTAURANT WHICH HAS FULL KITCHEN FACILITIES AND IS
LOCATED WITHIN A FREESTANDING BUILDING THAT CONTAINS IN EXCESS OF
THREE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT
TO WHICH, ON APRIL 1, 1989, A TAVERN LICENSE HAS BEEN ISSUED IN
ACCORDANCE WITH THE LIQUOR CONTROL ORDINANCE AND AN APPLICATION
FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE OR IN AN
ESTABLISHMENT WHICH CONSISTS OF A LICENSED BUSINESS PREMISES THAT
CONTAINS IN EXCESS OF NINE THOUSAND SQUARE FEET OF USABLE FLOOR
SPACE AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, AN APPLICATION
FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE, SUBJECT
TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES
ONLY OF A NUMBER NOT TO EXCEED THIRTY-FIVE IN ANY SUCH ESTABLISH-
MENT THAT, ON APRIL 1, 1989, IS LICENSED FOR SLOT MACHINES ONLY,
OR IN A HOTEL WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS
OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE; FURTHER
AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION,
DESIGNATED AS SECTION 165, TO PROVIDE THAT ANY ESTABLISHMENT IN
WHICH RESTRICTED OR NONRESTRICTED GAMING IS CONDUCTED BY VIRTUE

1 OF SUCH ESTABLISHMENT'S HAVING BEEN LICENSED FOR SUCH GAMING ON
2 APRIL 1, 1989, SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH GAMING IF
3 GAMING OPERATIONS THEREIN ARE DISCONTINUED FOR TWENTY-FOUR CON-
4 SECUTIVE MONTHS; AMENDING TITLE 19, CHAPTER 4, SECTION 412, OF
5 SAID CODE TO PROVIDE THAT NONRESTRICTED GAMING, OTHER THAN AS
6 PERMITTED BY LVMC 6.40.150(A), MAY BE CONDUCTED ONLY IN A HOTEL
7 WITH AT LEAST TWO HUNDRED GUEST ROOMS; FURTHER AMENDING SAID
8 TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION, DESIGNATED AS
9 SECTION 417, TO DEFINE THE TERM "GENERAL BUSINESS RELATED GAMING
10 ESTABLISHMENT"; AMENDING CHAPTER 40, SECTION 10, CHAPTER 42,
11 SECTION 20, CHAPTER 44, SECTION 20, CHAPTER 46, SECTION 20,
12 CHAPTER 47, SECTION 30, CHAPTER 48, SECTION 20, CHAPTER 49,
13 SECTION 30, CHAPTER 49A, SECTION 30, CHAPTER 50, SECTION 20, AND
14 CHAPTER 52, SECTION 20, OF SAID TITLE TO PROVIDE THAT GENERAL
15 BUSINESS RELATED GAMING ESTABLISHMENTS MAY BE PERMITTED IN THE
16 ZONING DISTRICTS TO WHICH SAID SECTIONS RELATE BY WAY OF SPECIAL
17 USE PERMITS THAT ARE APPROVED BY THE CITY COUNCIL; AMENDING
18 CHAPTER 46, SECTION 10, AND FURTHER AMENDING CHAPTER 48, SECTION
19 20, AND CHAPTER 50, SECTION 20, OF SAID TITLE TO PROVIDE THAT THE
20 PROPERTIES THAT FRONT ON FREMONT STREET, MAIN STREET AND LAS
21 VEGAS BOULEVARD ARE EXEMPT FROM THE USE PERMIT REQUIREMENTS FOR
22 NONRESTRICTED GAMING THAT ARE PROVIDED IN SAID SECTIONS; AMENDING
23 CHAPTER 90, SECTION 80, OF SAID TITLE TO INCLUDE WITHIN THE
24 SPECIAL USE PERMITS THAT ARE REQUIRED THEREBY TO BE APPROVED BY
25 THE CITY COUNCIL SPECIAL USE PERMITS FOR GENERAL BUSINESS RELATED
26 GAMING ESTABLISHMENTS; REPEALING TITLE 6, CHAPTER 40, SECTIONS
27 80, 160 AND 175, OF SAID CODE; PROVIDING FOR OTHER MATTERS
28 PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION
29 HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
30 CONFLICT HEREWITH.
31
32

18 Sponsored by:
19 Mayor Ron Lurie

Summary: Makes various changes in
gaming control ordinance

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

23 SECTION 1: Title 6, Chapter 40, Section 20, of the
24 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
25 hereby amended to read as follows:

26 6.40.020: As used in this Chapter, unless the context otherwise
27 requires, the following words shall have the meaning
28 ascribed:

29 (A) "Game" or "gambling game" means any banking or per-
30 centage game played with cards, dice or any mecha-
31 nical, electromechanical or electronic device or
32 machine for money, property, checks, credit or any

1 representative of value, including, without limit-
2 ing the generality of the foregoing, faro, monte,
3 roulette, keno, bingo, fan-tan, twenty-one, black-
4 jack, seven-and-a-half, big injun, klondike, craps,
5 poker chuck-a-luck, Chinese chuck-a-luck (dai shu),
6 wheel of fortune, chemin de fer, baccarat, pai gow,
7 beat the banker, panguingui, slot machine, or any
8 other game or device approved by the [State] Nevada
9 Gaming Commission, but does not include social
10 games played solely for drinks, or cigars or
11 cigarettes served individually, or games played in
12 private homes or residences for prizes or games
13 operated by charitable or educational organizations
14 which have been approved by the State Gaming
15 Control Board.

16 (B) "Gaming" or "gambling" means to deal, operate,
17 carry on, conduct, maintain or expose for play any
18 game, sports book, parimutuel or any other form of
19 wagering.

20 (C) "Hotel" means a building or a complex of buildings
21 which are designed and integrated to clearly demon-
22 strate the appearance of one facility wherein:

23 (1) Sleeping accommodations are provided in
24 guestrooms at daily rates to tourists or tran-
25 sient guests;

26 (2) No provision is made for cooking food in any
27 guestroom; and

28 (3) There is integrated into the facility near the
29 area where licensed games are provided at
30 least one restaurant and a lobby for the
31 guests to check in and out and receive messages.

32 (D) "Nonrestricted license" and "nonrestricted gaming"

1 means a gaming license [which permits any game or
2 sports pool other than a license which is restricted
3 to fifteen or less] for, or an operation consisting
4 of, sixteen or more slot machines[.] or a license
5 for, or an operation consisting of, any number of
6 slot machines together with any other game, gaming
7 device, race book or sports pool at one establish-
8 ment.

9 (E) "Race book information service" means [the dissemi-
10 nation of information concerning horseracing, when
11 such information is to be used by the receiver for
12 the purpose of maintaining and operating any
13 gambling game or race book.] any person, other than
14 one who provides a televised broadcast without
15 charge to any person who receives such broadcast,
16 who furnishes an operator of a race book, sports
17 pool or gambling game who is licensed in the State
18 with information that relates to horse racing or
19 other racing which is used to determine the winners
20 of, or payoffs on, wagers that are accepted by such
21 operator.

22 (F) "Racehorse book" or "race book" means a sports pool
23 on horseraces.

24 (G) "Restricted license" and "restricted gaming" means
25 a gaming license for, or an operation consisting
26 of, not more than fifteen slot machines, incidental
27 to the primary business at the establishment, and no
28 other game or gaming device at the establishment.

29 (H) "Slot machine" means any mechanical, electrical or
30 other device, contrivance or machine which, upon
31 insertion of a coin, token or similar object
32 therein, or upon payment of any consideration what-

1 soever, is available to play or operate, the play
2 or operation of which, whether by reason of the
3 skill of the operator or application of the element
4 of chance, or both, may deliver or entitle the per-
5 son playing or operating the machine to receive
6 cash, premiums, merchandise, tokens or anything of
7 value whatsoever, whether the payoff is made auto-
8 matically from the machine or in any other manner
9 whatsoever.

10 If a machine has multiple capacities the Director
11 of Business Activity shall make a determination,
12 consistent with the determination made by the State
13 Gaming Control Board, whether the machine consti-
14 tutes two or more slot machines for the purpose of
15 this Chapter based on the number of payout devices,
16 coin receptacles or slots, handles or other devices
17 for multiple players, or means of determining win-
18 nings.

19 [(H)](I) "Slot operator" means a licensee engaged in the
20 business of placing slot machines upon the business
21 premises of another under any agreement whereby
22 consideration is paid or is payable for the place-
23 ment of such slot machines, whether the considera-
24 tion is measured by a percentage of revenue derived
25 from such machines or by a fixed fee or otherwise.

26 [(I)](J) "Sports pool" means the business of accepting
27 wagers on sporting events by any system or method
28 of wagering other than the system known as the
29 parimutuel method of wagering.

30 SECTION 2: Title 6, Chapter 40, Section 50, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
32 hereby amended to read as follows:

1 6.40.050: (A) Any person who furnishes services or property to a
2 gaming licensee under any arrangement pursuant to
3 which the person receives payments based on earn-
4 ings, profits or receipts from gaming may be
5 required by the Director of Business Activity to
6 apply for a gaming license or apply for an approval
7 of suitability to be associated with the gaming
8 licensee.

9 (B) If such person fails to apply within twenty days of
10 the Director's request the [Board of Commissioners]
11 City Council may require the licensee to terminate
12 the arrangement.

13 (C) Failure to so terminate the arrangement is grounds
14 for disciplinary action to be taken against the
15 licensee.

16 SECTION 3: Title 6, Chapter 40, Section 60, of the
17 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
18 hereby amended to read as follows:

19 6.40.060: The [Board of Commissioners] Director may in [its] his
20 discretion approve any charitable or educational organi-
21 zation which has obtained a charitable solicitations
22 permit[, and without the necessity of having a gaming
23 license as provided in Section 6.40.030,] to conduct and
24 maintain any games or sports pool, [at any location
25 deemed suitable and appropriate by the Board,] provided
26 such charitable or educational organization has first
27 obtained the approval of the State Gaming Control Board
28 as required by NRS 463.409.

29 SECTION 4: Title 6, Chapter 40, Section 65, of the
30 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
31 hereby amended to read as follows:

32 6.40.065: (A) Any licensee who [as] has acquired a "holiday or

1 special event" permit from the State to add addi-
2 tional games to the licensed premises during an
3 anticipated temporary period of increased tourist
4 activity may apply to the Director for a holiday or
5 special event permit from the City. The application
6 must be made on a form acceptable to the Director
7 and filed at least three days prior to the date the
8 games are to be added.

9 (B) If the permit is approved by the Director he shall
10 specify on the permit the number and type of games
11 approved and the time period for which they are
12 permitted. The number of games and the time per-
13 mitted shall not exceed that which has been
14 approved by the State, [and in no case shall the
15 time period exceed seven days.] The licensee shall
16 not exceed or deviate from the number and types of
17 games allowed under the permit or allow the games
18 to remain on the premises beyond the time permitted.

19 (C) The licensee must pay in advance a permit fee equal
20 to one-sixth of the regular semiannual license fee
21 for each game permitted for a holiday or special
22 event. The licensee must also pay the regular quar-
23 terly convention authority tax imposed by Chapter
24 4.20.

25 SECTION 5: Title 6, Chapter 40, Section 70, of the Muni-
26 cipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
27 hereby amended to read as follows:

28 6.40.070: The [Board of Commissioners,] City Council, in the
29 exercise of its discretion, may limit the number of
30 licenses provided for in this Chapter.

31 SECTION 6: Title 6, Chapter 40, Section 90, of the
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

1 hereby amended to read as follows:

2 6.40.090: Except as provided in Section 6.40.100, an applicant
3 for a gaming license, other than an applicant for a
4 restricted license [for thirty-five or fewer slot ma-
5 chines and no other game or gambling device, and each
6 principal of the applicant], shall not be required to
7 submit to a background investigation and the [Board of
8 Commissioners] City Council shall determine that the
9 applicant and its principals are suitable if the Nevada
10 Gaming Commission has granted a license to the applicant
11 or found the applicant and its principals suitable.

12 SECTION 7: Title 6, Chapter 40, Section 100, of the
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
14 hereby amended to read as follows:

15 6.40.100: The [Board of Commissioners] City Council may, at any
16 time before a City gaming license is finally approved,
17 determine that the public health, safety, morals or
18 welfare of the City require that a background investiga-
19 tion be conducted of the applicant or a principal
20 thereof notwithstanding the fact that the applicant or
21 principal is being, or has been, investigated by or
22 approved by the Nevada Gaming Commission.

23 SECTION 8: Title 6, Chapter 40, Section 110, of the
24 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
25 hereby amended to read as follows:

26 6.40.110: Each licensee shall pay to the Department of Business
27 Activity, in advance semiannually, the following license
28 fees:

- 29 (A) Each bridge, whist and solo. \$ 30.00;
- 30 (B) Chemin de fer (baccarat) 500.00;
- 31 (C) Crap table:
 - 32 (1) For one table 300.00;

1 the frontage on both sides of Owens Avenue between
2 "H" Street and Highland Avenue.]

3 at a location which:

- 4 (A) On April 1, 1989, was licensed to operate not more
5 than fifteen slot machines;
6 (B) Is licensed for the sale of alcoholic beverages; or
7 (C) Is not licensed for the sale of alcoholic bever-
8 ages but with respect to which location a special
9 use permit for a general business related gaming
10 establishment, as that term is defined in LVMC
11 19.04.417, is obtained in accordance with LVMC
12 Title 19; provided, however, that, except in
13 retail outlets that contain at least 5,000 square
14 feet, such gaming shall be limited to the opera-
15 tion of not more than four slot machines.

16 SECTION 10: Title 6, Chapter 40, Section 150, of the
17 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
18 hereby amended to read as follows:

19 6.40.150: [Notwithstanding Section 6.40.140, the following] No
20 nonrestricted gaming [may be permitted by the City Coun-
21 cil outside said districts:

- 22 (A) At those locations which, prior to November 1,
23 1986, have been approved by the Council for a non-
24 restricted license and either had at least one
25 hundred guestrooms available or with respect to
26 which building plans for a hotel which will have at
27 least one hundred guestrooms were on file with the
28 City;
- 29 (B) In hotels having at least two hundred guestrooms
30 available to the public, subject to the provisions
31 contained in Section 6.40.175.
- 32 (C) In hotels having less than two hundred guestrooms

1 available to the public, for which the City Council
2 has waived the guestroom requirement contained in
3 Subsection (B) of this Section. At the request of,
4 and upon the payment of an application fee in the
5 amount of fifty dollars by, the applicant, the Coun-
6 cil, in its discretion, may grant such a waiver,
7 based on a consideration of the nature and char-
8 acter of the surrounding neighborhood. Notice of
9 the time and place of the Council's consideration
10 of the request for waiver shall be given by a
11 published announcement in a newspaper of general
12 circulation in the City not less than five days or
13 more than ten days before the date of the hearing.]
14 shall be conducted, maintained or operated in the
15 City except:

16 (A) At a location which:

17 (1) On April 1, 1989, was licensed for non-
18 restricted gaming;

19 (2) Consists of a restaurant which has full
20 kitchen facilities and is located within a
21 freestanding building that contains in excess
22 of three thousand square feet of usable floor
23 space under one roof and is separated on all
24 sides from any other commercial establishment
25 by an unobstructed open area at least ten
26 feet in width and with respect to which, on
27 April 1, 1989, a tavern license had been
28 issued pursuant to LVMC 6.50.050 and an
29 application for nonrestricted gaming had been
30 filed with the State; or

31 (3) Consists of a licensed business premises that
32 contains in excess of nine thousand square

1 feet of usable floor space under one roof
2 within which the gaming is, at all times,
3 under the supervision of an attendant whose
4 duties shall be limited solely to the making
5 of change and supervising such gaming and
6 with respect to which, on April 1, 1989, an
7 application for nonrestricted gaming had been
8 filed with the State;

9 provided, however, that such gaming shall be
10 limited to the operation of not more than thirty-
11 five slot machines at any such location that, on
12 April 1, 1989 was licensed for slot machines only;
13 or

14 (B) In a gaming establishment (hotel), as that term is
15 defined in LVMC 19.04.412, subject to compliance
16 with the special use permit provisions that are
17 contained in LVMC Title 19.

18 SECTION 11: Title 6, Chapter 40, of the Municipal Code
19 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
20 by adding thereto a new section, to be designated as Section 165,
21 reading as follows:

22 6.40.165: If gaming operations at any location at which
23 restricted gaming may be conducted by virtue of LVMC
24 6.40.140(A) or at any location at which nonrestricted
25 gaming may be conducted by virtue of LVMC 6.40.150(A)
26 are discontinued for twenty-four consecutive months, the
27 right to conduct gaming at such establishment by virtue
28 of LVMC 6.40.140(A) or 6.40.150(A), as the case may be,
29 shall, upon the expiration of such twenty-four month
30 period, automatically terminate, and no gaming may be
31 conducted at such location unless or until such location
32 is licensed for restricted gaming pursuant to some other

1 provision of LVMC 6.40.140 or for nonrestricted gaming
2 pursuant to some other provision of LVMC 6.40.150.

3 SECTION 12: Title 6, Chapter 40, Section 170, of the
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
5 hereby amended to read as follows:

6 6.40.170: Nothing contained in Section 6.40.140[,] and 6.40.150[,]
7 6.40.160 and 6.40.175] shall be construed to require
8 the issuance of a gaming license to any applicant
9 because of any zoning approval, location, structure
10 involved or nature of any allied business.

11 SECTION 13: Title 19, Chapter 4, Section 412, of the
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
13 hereby amended to read as follows:

14 19.04.412: . "Gaming establishment (hotel)" means a part of a
15 hotel with at least two hundred guestrooms which is used
16 or intended to be used for gaming activities for which a
17 nonrestricted gaming license is required pursuant to
18 Chapter 6.40.

19 SECTION 14: Title 19, Chapter 4, of the Municipal Code
20 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
21 by adding thereto a new section, to be designated as Section 417,
22 reading as follows:

23 19.04.417: "General business related gaming establishment" means
24 a building or structure which is primarily used or
25 intended to be used for some business other than gaming
26 but in which restricted gaming is permitted pursuant to
27 Chapter 6.40 of this Code as a use that is incidental to
28 such other business.

29 SECTION 15: Title 19, Chapter 40, Section 10, of the
30 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
31 hereby amended to read as follows:

32 19.40.010: Uses permitted in the C-C District include:

- 1 (A) Any uses permitted in the C-1 District;
- 2 (B) Uses customarily incidental, or similar to any of
- 3 the above uses, provided that such uses or opera-
- 4 tions are not objectionable due to dust, odor,
- 5 smoke, noise, vibrations or other similar
- 6 causes[.];
- 7 (C) General business related gaming establishments,
- 8 subject to the securing of a special use permit in
- 9 each case pursuant to the procedure provided for in
- 10 Section 19.90.080.

11 SECTION 16: Title 19, Chapter 42, Section 20, of the

12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

13 hereby amended to read as follows:

14 19.42.020: Only those uses specifically approved by the [Board

15 of Commissioners] City Council upon recommendation of

16 the Planning Commission and of the general category

17 listed below are permitted in the C-D District; however,

18 no use shall be permitted until a development approval

19 is issued by the Planning Commission in accord with an

20 approved development plan which satisfies the conditions

21 contemplated in Section 19.42.030:

- 22 (A) Retail shops and stores for the dispensing of goods
- 23 and services;
- 24 (B) General business and professional offices;
- 25 (C) Banks and financial institutions[.];
- 26 (D) General business related gaming establishments,
- 27 subject to the securing of a special use permit in
- 28 each case pursuant to the procedure provided for in
- 29 Section 19.90.080.

30 SECTION 17: Title 19, Chapter 44, Section 20, of the

31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

32 hereby amended to read as follows:

1 19.44.020: (A) The following uses may be permitted in the C-1
2 District upon securing a special use permit as pro-
3 vided in LVMC 19.90, except that the uses enu-
4 merated in this Subsection may be permitted as a
5 matter of right when in accordance with the excep-
6 tion shown in Subsection (C) of this Section:

- 7 (1) Automobile service stations for the sale of
8 gasoline, oil and minor accessories only,
9 where no repair work is done, except minor
10 repairs made by the attendant and provided all
11 lubrications, washing, repairing and storage
12 are conducted within an enclosed permanent
13 building;
- 14 (2) Apartment houses;
- 15 (3) Customer-operated car washes;
- 16 (4) Lodginghouses, boardinghouses or rooming-
17 houses, hotels, motels and other like
18 tourist accommodations;
- 19 (5) Emergency ground ambulance facilities;
- 20 (6) Special care facilities.

21 (B) The following uses may be permitted upon securing a
22 special use permit in each case pursuant to the
23 procedure provided for in LVMC 19.90.080, except
24 that the uses enumerated in this Subsection may be
25 permitted as a matter of right when in accordance
26 with the exception shown in Subsection (C) of this
27 Section:

- 28 (1) Class III secondhand dealers as defined in
29 LVMC 19.04.250, except that these uses shall
30 not be allowed on Fremont Street or Las Vegas
31 Boulevard South between Charleston Boulevard
32 and Sahara Avenue as prescribed by LVMC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

6.74.050;

(2) Retail demonstration merchandise sales stores as defined in LVMC 6.72.010;

(3) Mini-storage facilities, subject to the following limitations:

(a) No more than one manager's or security residence is permitted.

(b) All storage of items must be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.

(c) No business may be conducted within or from a mini-storage facility.

(d) Wholesale storage and the on-premise sale of stored items are prohibited.

(e) The commercial repair of motor vehicles, boats, trailers and other like vehicles is prohibited. "Commercial repair" means any repair work except work performed on a vehicle by the owner thereof.

(f) The operation of spray painting equipment, power tools, welding equipment or other similar equipment is prohibited.

(g) The production, fabrication or assembly of products is prohibited.

(4) Off-premises signs;

(5) Liquefied petroleum gas installations for which a special use permit is required by LVMC 19.55.110, subject to the limitations set forth in LVMC 19.55.010 and 19.55.020;

- 1 (6) Gaming establishments (hotel)[.];
- 2 (7) General business related gaming establishments.

3 (C) Exception: If an application for reclassification
4 to a C-1 District under LVMC 19.92 includes any of
5 the uses hereinabove enumerated, the approval of
6 the application shall constitute approval of the
7 use or uses and no special use permit shall be
8 required; provided, however, that the notice of
9 public hearing for reclassification shall specifi-
10 cally list the use or uses.

11 SECTION 18: Title 19, Chapter 46, Section 10, of the
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
13 hereby amended to read as follows:

14 19.46.010: Uses permitted in the C-2 District include:

- 15 (A) Any use permitted in a C-C or C-1 District;
- 16 (B) Automobile sales and service facilities, excluding
17 body and fender shops. Subject use may include an
18 outdoor used car sales lot, when operated by a
19 franchised new car dealer and located directly
20 adjacent to the new car sales and service facility
21 and operated as an incidental use to the conduct of
22 the new car sales and service facility;
- 23 (C) Wedding chapels;
- 24 (D) Public parking areas, when located and developed as
25 required in Chapter 19.64;
- 26 (E) Restaurants;
- 27 (F) Mortuaries and mausoleums, which may include ceme-
28 teries when the cemeteries are developed in con-
29 junction with a mortuary and/or a mausoleum;
- 30 (G) Customer-operated car washes;
- 31 (H) R-5-density and R-6-density residential develop-
32 ments, when located within the Central Business

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

District, as defined in Section 19.64.030;

- (I) Hotels, motels, and other like tourist accommodations;
- (J) Gaming establishments (non-hotel).
- (K) Gaming establishments (hotel), when located [within the areas specified in subsection (A) of Section 6.40.175;] on property that fronts on Fremont Street, Main Street or Las Vegas Boulevard;
- (L) Other similar enterprises or businesses of the same general class which, in the opinion of the Planning Commission, as evidenced by resolution of record, are not more detrimental to the welfare and safety of the residents within the particular district than other classifications enumerated in this Section;
- (M) Uses customarily incidental to any of the above, when located on the same premises.

SECTION 19: Title 19, Chapter 46, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.46.020: (A) The following uses may be permitted in the C-2 District upon securing a special use permit as provided in Chapter 19.90, except that the uses enumerated in this Subsection may be permitted as a matter of right when in accordance with the exception shown in Subsection [(H)] (J) of this Section:

- (1) Used car lots;
- (2) Trailer sales lots;
- (3) Boat sales and service facilities, including all floating craft;
- (4) Automotive parts exchanges. This shall not include public garages or salvage operations,

- 1 but shall be limited to the sale and installa-
2 tion of new or rebuilt major automotive parts;
3 (5) Drive-in theaters, miniature golf courses and
4 other outdoor amusement centers;
5 (6) Automobile laundry;
6 (7) Body and fender repair operations when con-
7 ducted by a franchised new car agency;
8 (8) Cemeteries as provided for in Section
9 19.10.080;
10 (9) Apartment houses, when located outside the
11 Central Business District, as defined in Sec-
12 tion 19.64.030;
13 (10) Special care facilities.

14 (B) Pawnshops may be permitted in the C-2 District sub-
15 ject to the securing of a special use permit in
16 each case pursuant to the procedure provided for in
17 Section 19.90.080, except that no pawnshop may be
18 located on either side of Fremont Street or Las
19 Vegas Boulevard South between Charleston Boulevard
20 and Sahara Avenue. Those pawnshops which were
21 located on Fremont Street or Las Vegas Boulevard
22 South between Charleston Boulevard and Sahara Ave-
23 nue at the time of enactment of the 1974 amendatory
24 ordinance which is codified, in part, in this Sec-
25 tion shall be allowed to remain only as long as
26 their present leases do not expire. No such lease
27 may be modified to extend its term or otherwise
28 prevent it from expiring. Those pawnshops which
29 are located in a C-2 Zone, other than on Fremont
30 Street or Las Vegas Boulevard South between
31 Charleston Boulevard and Sahara Avenue, at the time
32 of enactment of the 1974 amendatory ordinance which

1 is codified, in part, in this Section shall be
2 allowed to remain at their locations without the
3 necessity of securing a special use permit.

4 (C) Class III secondhand dealers, retail demonstration
5 merchandise sales stores, transient sales lots,
6 open sales lots and off-premises signs may be per-
7 mitted in the C-2 District subject to the securing
8 of a special use permit in each case pursuant to
9 the procedure provided for in Section 19.90.080 of
10 this Chapter, except that Class III secondhand
11 dealers shall not be allowed on Fremont Street and
12 Las Vegas Boulevard South between Charleston Boule-
13 vard or Sahara Avenue as prescribed by Section
14 6.74.050.

15 (D) Custodial institutions and detention facilities may
16 be permitted in the C-2 District subject to the
17 securing of a special use permit in each case pur-
18 suant to the procedure provided for in Section
19 19.90.080.

20 (E) Subject to the limitations contained in this Sub-
21 section, commercial storage units may be permitted
22 in the C-2 District subject to the securing of a
23 special use permit in each case pursuant to the
24 procedure provided for in Section 19.90.080. All
25 stored items must be located within an enclosed
26 building and there must be no wholesale storage or
27 sale of the stored items, nor any commercial repair
28 or sale of passenger cars, trucks, two-wheeled
29 vehicles, three-wheeled vehicles, trailers, boats
30 or other like vehicles. "Commercial repair" means
31 any repair work except work done by the owner on
32 his own personal property.

1 (F) Liquefied petroleum gas installations for which a
2 special use permit is required by Section
3 19.55.010, subject to the limitations set forth in
4 Sections 19.55.010 and 19.55.020.

5 (G) Gaming establishments (hotel), when not located
6 [outside the areas specified in Subsection (A) of
7 Section 6.40.175,] on property that fronts on Fre-
8 mont Street, Main Street or Las Vegas Boulevard,
9 may be permitted in the C-2 District subject to the
10 securing of a special use permit in each case pur-
11 suant to the procedure provided for in Section
12 19.90.080.

13 (H) General business related gaming establishments may
14 be permitted in the C-2 District, subject to the
15 securing of a special use permit in each case pur-
16 suant to the procedure provided for in Section
17 19.90.080.

18 (I) Plasma donor centers and rescue missions may be
19 permitted in the C-2 district subject to the
20 securing of a special use permit in each case pur-
21 suant to the procedure provided for in Section
22 19.90.080. However, no such use may be permitted
23 within the Downtown Las Vegas Redevelopment Area
24 unless the special use permit application has first
25 been referred to and approved by the staff of the
26 City of Las Vegas Downtown Redevelopment Agency.

27 [(I)](J) Exception: If an application for a reclassifica-
28 tion to a C-2 District under Chapter 19.92 includes
29 any of the uses hereinabove enumerated, the appro-
30 val of the application shall constitute approval of
31 the use or uses and no special use permit shall be
32 required; provided, however, that the notice of

1 public hearing for reclassification shall specifi-
2 cally list the use or uses.

3 SECTION 20: Title 19, Chapter 47, Section 30, of the
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
5 hereby amended to read as follows:

6 19.47.030: The following uses may be permitted by the City
7 Council, upon recommendation of the Planning Commission
8 if, in each case, the City Council finds that the use is
9 designed to serve the business park district and is
10 complementary to a permitted principal use:

- 11 (A) Retail and commercial service uses, including, but
12 not limited to, restaurants, cocktail lounges,
13 financial institutions, convenience retail uses,
14 day care center and service stations;
- 15 (B) Outdoor storage and/or mechanical equipment which
16 comprises ten percent or more of the total lot area
17 and is ancillary to and necessary for the operation
18 of a permitted use;
- 19 (C) Other uses, not otherwise permitted, which are
20 incidental to and necessary for a permitted use,
21 such as a residence for security purposes[.];
- 22 (D) General business related gaming establishments,
23 subject to the securing of a special use permit in
24 each case pursuant to the procedure provided for in
25 Section 19.90.080.

26 SECTION 21: Title 19, Chapter 48, Section 20, of the
27 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
28 hereby amended to read as follows:

29 19.48.020: (A) The following uses may be permitted in the C-M
30 District subject to the securing of a special use
31 permit as provided in Chapter 19.90, except that
32 the uses enumerated in this Subsection may be per-

1 mitted as a matter of right when in accordance with
2 the exception shown in Subsection (B) of this Sec-
3 tion:

- 4 (1) Cemeteries, as provided for in Section
5 19.10.080;
- 6 (2) Pawnshops, subject to the securing of a spe-
7 cial use permit in each case pursuant to the
8 procedure provided for in Section 19.90.080;
- 9 (3) Custodial institutions and detention facili-
10 ties, subject to the securing of a special use
11 permit in each case pursuant to the procedure
12 provided for in Section 19.90.080;
- 13 (4) Commercial storage units, subject to the limi-
14 tations contained in this Subsection and sub-
15 ject to the securing of a special use permit
16 in each case pursuant to the procedure pro-
17 vided for in Section 19.90.080. All stored
18 items must be located within an enclosed
19 building and there must be no wholesale
20 storage or sale of the stored items, nor any
21 commercial repair or sale of passenger cars,
22 trucks, two-wheeled vehicles, three-wheeled
23 vehicles, trailers, boats or other like
24 vehicles. "Commercial repair" means any
25 repair work except work done by the owner on
26 his own personal property;
- 27 (5) Transient sales lots and open sales lots, sub-
28 ject to the securing of a special use permit
29 in each case pursuant to the procedure pro-
30 vided for in Section 19.90.080;
- 31 (6) Off-premises signs, subject to the securing of
32 a special use permit in each case pursuant to

1 the procedure provided for in Section
2 19.90.080;

3 (7) Liquefied petroleum gas installations for
4 which a special use permit is required by Sec-
5 tion 19.55.010, subject to the limitations set
6 forth in Sections 19.55.010 and 19.55.020;

7 (8) Gaming establishments (hotel), when not
8 located [outside the areas specified in Sub-
9 section (A) of Section 6.40.175,] on property
10 that fronts on Fremont Street, Main Street or
11 Las Vegas Boulevard, subject to the securing
12 of a special use permit in each case pursuant
13 to the procedure provided for in Section
14 19.90.080;

15 (9) General business related gaming establish-
16 ments, subject to the securing of a special
17 use permit in each case pursuant to the proce-
18 dure provided for in Section 19.90.080;

19 (10) Special care facilities;

20 ~~[(10)]~~ (11) Plasma donor centers and rescue missions, sub-
21 ject to the securing of a special use permit
22 in each case pursuant to the procedure pro-
23 vided for in Section 19.90.080. However, no
24 such use may be permitted within the Downtown
25 Las Vegas Redevelopment Area unless the spe-
26 cial use permit application has first been
27 referred to and approved by the staff of the
28 City of Las Vegas Downtown Redevelopment
29 Agency.

30 (B) Exception: If an application for reclassification
31 to a C-M District under Chapter 19.92 includes any
32 of the uses hereinabove enumerated, the approval of

1 the application shall constitute approval of the
2 use or uses and no special use permit shall be
3 required; provided, however, that the notice of
4 public hearing for reclassification shall specifi-
5 cally list the use or uses.

6 SECTION 22: Title 19, Chapter 49, Section 30, of the
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
8 hereby amended to read as follows:

9 19.49.030: Uses in the T-C District should be office, light
10 commercial or tourist-oriented uses that can be com-
11 patible with the surrounding area[.], including without
12 limitation general business related gaming establish-
13 ments, subject to the securing of a special use permit
14 in each case pursuant to the procedure provided for in
15 Section 19.90.080. However, no use is permitted in the
16 T-C District unless it is specifically approved by the
17 City Council, upon recommendation of the Planning Com-
18 mission. Such approval must include an approved devel-
19 opment plan. The City Council may impose in connection
20 with its approval whatever requirements, conditions or
21 limitations it deems are necessary to ensure that devel-
22 opment is consistent with the intent of this Chapter
23 and compatible with surrounding uses.

24 SECTION 23: Title 19, Chapter 49A, Section 30, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 19.49A.030: Uses in the R-C District should be residential,
28 light commercial or office uses, including without limi-
29 tation general business related gaming establishments,
30 subject to the securing of a special use permit in each
31 case pursuant to the procedure provided for in Section
32 19.90.080, that can be compatible with the surrounding

1 area. However, no use is permitted in the R-C district
2 unless it is specifically approved by the City Council,
3 upon recommendation of the Planning Commission. Such
4 approval must include an approved development plan. The
5 City Council may impose in connection with its approval
6 whatever requirements, conditions or limitations it deems
7 are necessary to ensure that development is consistent
8 with the intent of this Chapter and compatible with
9 surrounding uses.

10 SECTION 24: Title 19, Chapter 50, Section 20, of the
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
12 hereby amended to read as follows:

13 19.50.020: (A) The following uses may be permitted in the M
14 District upon securing a special use permit as pro-
15 vided in Chapter 19.90, except that the uses enu-
16 merated in this Subsection may be permitted as of
17 right when in accordance with the exception set
18 forth in Subsection (B) of this Section:

19 (1) Any manufacturing, processing or assembling
20 use which is unable to meet the letter of the
21 standards designated in Section 19.50.040.
22 Such use permit may be properly granted pro-
23 vided the applicant can provide evidence to
24 document a favorable conclusion on all of the
25 following factors:

26 (a) The proposed use can be operated substan-
27 tially in conformity with the require-
28 ments of the standards listed under Sec-
29 tion 19.50.040;

30 (b) The use, as proposed, will not be
31 materially detrimental to the uses of
32 surrounding property;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

- (c) The public interest will best be served by the granting of the permit;
- (2) Cemeteries, as provided for in Section 19.10.080;
- (3) Pawnshops, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (4) Custodial institutions and detention facilities, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (5) Junk yards, wrecking yards and salvage yards;
- (6) Commercial storage units, subject to the limitations contained in this Subsection and subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080. All stored items must be located within an enclosed building and there must be no wholesale storage or sale of the stored items, nor any commercial repair or sale of passenger cars, trucks, two-wheeled vehicles, three-wheeled vehicles, trailers, boats or other like vehicles. "Commercial repair" means any repair work except work done by the owner on his own personal property;
- (7) Transient sales lots and open sales lots, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (8) Off-premises signs, subject to the securing of a special use permit in each case pursuant to

1 the procedure provided for in Section
2 19.90.080;

3 (9) Liquefied petroleum gas installations for
4 which a special use permit is required by Sec-
5 tion 19.55.010, subject to the limitations set
6 forth in Sections 19.55.010 and 19.55.020;

7 (10) Gaming establishments (hotel), when not
8 located [outside the areas specified in Sub-
9 section (A) of Section 6.40.175,] on property
10 that fronts on Fremont Street, Main Street or
11 Las Vegas Boulevard, subject to the securing
12 of a special use permit in each case pursuant
13 to the procedure provided for in Section
14 19.90.080;

15 (11) General business related gaming establish-
16 ments, subject to the securing of a special
17 use permit in each case pursuant to the pro-
18 cedure provided for in Section 19.90.080;

19 (12) Special care facilities;

20 [(12)] (13) Plasma donor centers and rescue missions, sub-
21 ject to the securing of a special use permit
22 in each case pursuant to the procedure pro-
23 vided for in Section 19.90.080. However, no
24 such use may be permitted within the Downtown
25 Las Vegas Redevelopment Area unless the spe-
26 cial use permit application has first been
27 referred to and approved by the staff of the
28 City of Las Vegas Downtown Redevelopment Agency.

29 (B) Exception: If an application for a reclassifica-
30 tion to an M District under Chapter 19.92 includes
31 any of the uses hereinabove enumerated, the appro-
32 val of the application shall constitute approval of

1 the use or uses, and no special use permit shall be
2 required; provided, however, that the notice of
3 public hearing for reclassification shall specifi-
4 cally list the use or uses.

5 SECTION 25: Title 19, Chapter 52, Section 30, of the
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
7 hereby amended to read as follows:

8 19.52.030: The following uses are permitted in the C-V District,
9 subject to the securing of a special use permit in each
10 case, as provided in Chapter 19.90:

- 11 (A) Cemeteries, as provided for in Section 19.10.080;
- 12 (B) Custodial institutions and detention facilities;
- 13 (C) Publicly-operated convention and stadium facili-
14 ties; [and]
- 15 (D) Off-premises signs; [and]
- 16 (E) Liquefied petroleum gas installations for which a
17 special use permit is required by Section
18 19.55.010, subject to the limitations set forth in
19 Sections 19.55.010 and 19.55.020[.] ; and
- 20 (F) General business related gaming establishments,
21 subject to the securing of a special use permit in
22 each case pursuant to the procedure provided for in
23 Section 19.90.080.

24 SECTION 26: Title 19, Chapter 90, Section 80, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 19.90.080: Following the conduct of a public hearing on any
28 application for a special use permit to allow a
29 pawnshop; a retail demonstration merchandise sales
30 store; a Class III or other secondhand dealer, except
31 for an antique store or used car lot; a transient sales
32 lot; an open sales lot; a custodial institution or a

1 detention facility; a publicly-operated convention and
2 stadium facility; mini-storage facilities; off-premises
3 signs; a liquefied petroleum gas installation; a gaming
4 establishment (hotel); a general business related gaming
5 establishment; a plasma donor center or a rescue mission,
6 the Board of Zoning Adjustment shall report its recom-
7 mendation on said application to the City Council.

8 Prior to the next subsequent meeting of the City Coun-
9 cil, the Secretary of the Board of Zoning Adjustment
10 shall transmit a copy of said recommendation to the City
11 Clerk. Within not to exceed thirty days from the date
12 of the Board of Zoning Adjustment's recommendation, the
13 City Council shall set the date for a public hearing,
14 and public notice shall be given by the City Clerk not
15 less than ten days prior to the public hearing to all
16 property owners who received notice of the public
17 hearing conducted by the Board of Zoning Adjustment.
18 The City Council shall consider the application for said
19 special use permit and the recommendation of the Board
20 of Zoning Adjustment at the public hearing. Action by
21 the City Council on such application, following a public
22 hearing, shall be by majority vote of the entire Council
23 and shall be final and conclusive.

24 SECTION 27: Title 6, Chapter 40, Sections 80, 160 and
25 175, are hereby repealed in their entirety.

26 SECTION 28: If any section, subsection, subdivision
27 paragraph, sentence, clause or phrase in this ordinance or any
28 part thereof, is for any reason held to be unconstitutional or
29 invalid or ineffective by any court of competent jurisdiction,
30 such decision shall not affect the validity or effectiveness of
31 the remaining portions of this ordinance or any part thereof.

32 The City Council of the City of Las Vegas, Nevada, hereby

1 declares that it would have passed each section, subsection, sub-
2 division, paragraph, sentence, clause or phrase thereof,
3 irrespective of the fact that any one or more sections, subsec-
4 tions, subdivisions, paragraphs, sentences, clauses or phrases be
5 declared unconstitutional, invalid or ineffective.

6 SECTION 29: Whenever in this ordinance any act is pro-
7 hibited or is made or declared to be unlawful or an offense or a
8 misdemeanor, or whenever in this ordinance the doing of any act
9 is required or the failure to do any act is made or declared to
10 be unlawful or an offense or a misdemeanor, the doing of any such
11 prohibited act or the failure to do any such required act shall
12 constitute a misdemeanor and upon conviction thereof, shall be
13 punished by a fine of not more than \$1,000.00 or by imprisonment
14 for a term of not more than six months, or by any combination of

- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32

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

3 SECTION 30: 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 ____ day of
8 _____, 1989.

9 APPROVED:

10
11 _____
12 RON LURIE, Mayor

13 ATTEST:

14
15
16 _____
17 KATHLEEN M. TIGHE, City Clerk
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

FIRST AMENDMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

BILL NO. 88-55

Ordinance No. _____

AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE TERMS "NONRESTRICTED LICENSE" AND "FACEBOOK INFORMATION SERVICE" TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE;" AMENDING SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED; AMENDING SECTION 110 OF SAID TITLE AND CHAPTER TO ELIMINATE THE DISPARITY BETWEEN THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH FIVE OR LESS SLOT MACHINES AND THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH MORE THAN FIVE SLOT MACHINES; AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT RESTRICTED GAMING MAY BE CONDUCTED OUTSIDE THE SO-CALLED "RED-LINED" DISTRICTS ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR RESTRICTED GAMING ON JANUARY 1, 1989, IN AN ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES OR IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES WITH RESPECT TO WHICH A SPECIAL USE PERMIT THEREFOR IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, SUBJECT TO A LIMITATION ON THE NUMBER OF SLOT MACHINES IN SUCH ESTABLISHMENT, OTHER THAN A RETAIL OUTLET THAT CONTAINS AT LEAST 5,000 SQUARE FEET, OF FOUR; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED OUTSIDE THE SO-CALLED "RED-LINED" DISTRICTS ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR NONRESTRICTED GAMING ON JANUARY 1, 1989, IN A HOTEL WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE OR IN AN ESTABLISHMENT WITH RESPECT TO WHICH A TAVERN LICENSE IS ISSUED IN ACCORDANCE WITH THE LIQUOR CONTROL ORDINANCES, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY IN A NUMBER NOT TO EXCEED TWENTY-FIVE; FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 165, TO PROVIDE THAT ANY ESTABLISHMENT IN WHICH RESTRICTED OR NON-RESTRICTED GAMING IS CONDUCTED BY VIRTUE OF SUCH ESTABLISHMENT'S HAVING BEEN LICENSED FOR SUCH GAMING ON JANUARY 1, 1989, SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH GAMING IF GAMING OPERATIONS THEREIN ARE DISCONTINUED FOR TWENTY-FOUR CONSECUTIVE MONTHS; AMENDING TITLE 19, CHAPTER 4, SECTION 412, OF SAID CODE TO PROVIDE THAT NONRESTRICTED GAMING, OTHER THAN AS PERMITTED IN AN ESTABLISHMENT WITH RESPECT TO WHICH A TAVERN LICENSE IS ISSUED IN ACCORDANCE WITH THE LIQUOR CONTROL ORDINANCE, MAY BE CONDUCTED OUTSIDE THE SO-CALLED "RED-LINED" DISTRICTS ONLY IN A HOTEL WITH

1 AT LEAST TWO HUNDRED GUEST ROOMS; FURTHER AMENDING SAID TITLE AND
2 CHAPTER BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION
3 417, TO DEFINE THE TERM "GENERAL BUSINESS RELATED GAMING
4 ESTABLISHMENT"; AMENDING CHAPTER 40, SECTION 10, CHAPTER 42,
5 SECTION 20, CHAPTER 44, SECTION 20, CHAPTER 46, SECTION 20,
6 CHAPTER 47, SECTION 30, CHAPTER 48, SECTION 20, CHAPTER 49,
7 SECTION 30, CHAPTER 49A, SECTION 30, CHAPTER 50, SECTION 20, AND
8 CHAPTER 52, SECTION 20, OF SAID TITLE TO PROVIDE THAT GENERAL
9 BUSINESS RELATED GAMING ESTABLISHMENTS MAY BE PERMITTED IN THE
10 ZONING DISTRICTS TO WHICH SAID SECTIONS RELATE BY WAY OF SPECIAL
11 USE PERMITS THAT ARE APPROVED BY THE CITY COUNCIL; AMENDING
12 CHAPTER 46, SECTION 10, AND FURTHER AMENDING CHAPTER 48, SECTION
13 20, AND CHAPTER 50, SECTION 20, OF SAID TITLE TO PROVIDE THAT THE
14 PROPERTIES THAT FRONT ON FREMONT STREET, MAIN STREET AND LAS
15 VEGAS BOULEVARD ARE EXEMPT FROM THE USE PERMIT REQUIREMENTS FOR
16 NONRESTRICTED GAMING THAT ARE PROVIDED IN SAID SECTIONS; AMENDING
17 CHAPTER 90, SECTION 80 OF SAID TITLE TO INCLUDE WITHIN THE
18 SPECIAL USE PERMITS THAT ARE REQUIRED THEREBY TO BE APPROVED BY
19 THE CITY COUNCIL SPECIAL USE PERMITS FOR GENERAL BUSINESS RELATED
20 GAMING ESTABLISHMENTS; REPEALING TITLE 6, CHAPTER 40, SECTIONS
21 80, 160 AND 175, OF SAID CODE; PROVIDING FOR OTHER MATTERS
22 PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION
23 HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
24 CONFLICT HEREWITH.

13 Sponsored by:
14 Mayor Ron Lurie

Summary: Makes various changes in
gaming control ordinance

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

18 SECTION 1: Title 6, Chapter 40, Section 20, of the
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
20 hereby amended to read as follows:

21 6.40.020: As used in this Chapter, unless the context otherwise
22 requires, the following words shall have the meaning
23 ascribed:

24 (A) "Game" or "gambling game" means any banking or per-
25 centage game played with cards, dice or any mecha-
26 nical, electromechanical or electronic device or
27 machine for money, property, checks, credit or any
28 representative of value, including, without limit-
29 ing the generality of the foregoing, faro, monte,
30 roulette, keno, bingo, fan-tan, twenty-one, black-
31 jack, seven-and-a-half, big injun, klondike, craps,
32 poker chuck-a-luck, Chinese chuck-a-luck (dai shu),

1 wheel of fortune, chemin de fer, baccarat, pai gow,
2 beat the banker, panguingui, slot machine, or any
3 other game or device approved by the [State] Nevada
4 Gaming Commission, but does not include social
5 games played solely for drinks, or cigars or
6 cigarettes served individually, or games played in
7 private homes or residences for prizes or games
8 operated by charitable or educational organizations
9 which have been approved by the State Gaming
10 Control Board.

11 (B) "Gaming" or "gambling" means to deal, operate,
12 carry on, conduct, maintain or expose for play any
13 game, sports book, parimutuel or any other form of
14 wagering.

15 (C) "Hotel" means a building or a complex of buildings
16 which are designed and integrated to clearly demon-
17 strate the appearance of one facility wherein:
18 (1) Sleeping accommodations are provided in
19 guestrooms at daily rates to tourists or tran-
20 sient guests;
21 (2) No provision is made for cooking food in any
22 guestroom; and
23 (3) There is integrated into the facility near the
24 area where licensed games are provided at
25 least one restaurant and a lobby for the
26 guests to check in and out and receive messages.

27 (D) "Nonrestricted license" and "nonrestricted gaming"
28 means a gaming license [which permits any game or
29 sports pool other than a license which is restricted
30 to fifteen or less] for, or an operation consisting
31 of, sixteen or more slot machines[.] or a license
32 for, or an operation consisting of, any number of

1 slot machines together with any other game, gaming
2 device, race book or sports pool at one establish-
3 ment.

4 (E) "Race book information service" means [the dissemi-
5 nation of information concerning horseracing, when
6 such information is to be used by the receiver for
7 the purpose of maintaining and operating any
8 gambling game or race book.] any person, other than
9 one who provides a televised broadcast without
10 charge to any person who receives such broadcast,
11 who furnishes an operator of a race book, sports
12 pool or gambling game who is licensed in the State
13 with information that relates to horse racing or
14 other racing which is used to determine the winners
15 of, or payoffs on, wagers that are accepted by such
16 operator.

17 (F) "Racehorse book" or "race book" means a sports pool
18 on horseraces.

19 (G) "Restricted license" and "restricted gaming" means
20 a gaming license for, or an operation consisting
21 of, not more than fifteen slot machines, incidental
22 to the primary business at the establishment, and no
23 other game or gaming device at the establishment.

24 (H) "Slot machine" means any mechanical, electrical or
25 other device, contrivance or machine which, upon
26 insertion of a coin, token or similar object
27 therein, or upon payment of any consideration what-
28 soever, is available to play or operate, the play
29 or operation of which, whether by reason of the
30 skill of the operator or application of the element
31 of chance, or both, may deliver or entitle the per-
32 son playing or operating the machine to receive

1 cash, premiums, merchandise, tokens or anything of
2 value whatsoever, whether the payoff is made auto-
3 matically from the machine or in any other manner
4 whatsoever.

5 If a machine has multiple capacities the Director
6 of Business Activity shall make a determination,
7 consistent with the determination made by the State
8 Gaming Control Board, whether the machine consti-
9 tutes two or more slot machines for the purpose of
10 this Chapter based on the number of payout devices,
11 coin receptacles or slots, handles or other devices
12 for multiple players, or means of determining win-
13 nings.

14 [(H)](I) "Slot operator" means a licensee engaged in the
15 business of placing slot machines upon the business
16 premises of another under any agreement whereby
17 consideration is paid or is payable for the place-
18 ment of such slot machines, whether the considera-
19 tion is measured by a percentage of revenue derived
20 from such machines or by a fixed fee or otherwise.

21 [(I)](J) "Sports pool" means the business of accepting
22 wagers on sporting events by any system or method
23 of wagering other than the system known as the
24 parimutuel method of wagering.

25 SECTION 2: Title 6, Chapter 40, Section 50, of the
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
27 hereby amended to read as follows:

28 6.40.050: (A) Any person who furnishes services or property to a
29 gaming licensee under any arrangement pursuant to
30 which the person receives payments based on earn-
31 ings, profits or receipts from gaming may be
32 required by the Director of Business Activity to

1 apply for a gaming license or apply for an approval
2 of suitability to be associated with the gaming
3 licensee.

4 (B) If such person fails to apply within twenty days of
5 the Director's request the [Board of Commissioners]
6 City Council may require the licensee to terminate
7 the arrangement.

8 (C) Failure to so terminate the arrangement is grounds
9 for disciplinary action to be taken against the
10 licensee.

11 SECTION 3: Title 6, Chapter 40, Section 60, of the
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
13 hereby amended to read as follows:

14 6.40.060: The [Board of Commissioners] Director may in [its] his
15 discretion approve any charitable or educational organi-
16 zation which has obtained a charitable solicitations
17 permit[, and without the necessity of having a gaming
18 license as provided in Section 6.40.030,] to conduct and
19 maintain any games or sports pool, [at any location
20 deemed suitable and appropriate by the Board,] provided
21 such charitable or educational organization has first
22 obtained the approval of the State Gaming Control Board
23 as required by NRS 463.409.

24 SECTION 4: Title 6, Chapter 40, Section 65, of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
26 hereby amended to read as follows:

27 6.40.065: (A) Any licensee who [as] has acquired a "holiday or
28 special event" permit from the State to add addi-
29 tional games to the licensed premises during an
30 anticipated temporary period of increased tourist
31 activity may apply to the Director for a holiday or
32 special event permit from the City. The application

1 must be made on a form acceptable to the Director
2 and filed at least three days prior to the date the
3 games are to be added.

4 (B) If the permit is approved by the Director he shall
5 specify on the permit the number and type of games
6 approved and the time period for which they are
7 permitted. The number of games and the time per-
8 mitted shall not exceed that which has been
9 approved by the State, [and in no case shall the
10 time period exceed seven days.] The licensee shall
11 not exceed or deviate from the number and types of
12 games allowed under the permit or allow the games
13 to remain on the premises beyond the time permitted.

14 (C) The licensee must pay in advance a permit fee equal
15 to one-sixth of the regular semiannual license fee
16 for each game permitted for a holiday or special
17 event. The licensee must also pay the regular quar-
18 terly convention authority tax imposed by Chapter
19 4.20.

20 SECTION 5: Title 6, Chapter 40, Section 70, of the Muni-
21 cipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
22 hereby amended to read as follows:

23 6.40.070: The [Board of Commissioners,] City Council, in the
24 exercise of its discretion, may limit the number of
25 licenses provided for in this Chapter.

26 SECTION 6: Title 6, Chapter 40, Section 90, of the
27 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
28 hereby amended to read as follows:

29 6.40.090: Except as provided in Section 6.40.100, an applicant
30 for a gaming license, other than an applicant for a
31 license for thirty-five or fewer slot machines and no
32 other game or gambling device, and each principal of the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

applicant, shall not be required to submit to a back-ground investigation and the [Board of Commissioners] City Council shall determine that the applicant and its principals are suitable if the Nevada Gaming Commission has granted a license to the applicant or found the applicant and its principals suitable.

SECTION 7: Title 6, Chapter 40, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.100: The [Board of Commissioners] City Council may, at any time before a City gaming license is finally approved, determine that the public health, safety, morals or welfare of the City require that a background investigation be conducted of the applicant or a principal thereof notwithstanding the fact that the applicant or principal is being, or has been, investigated by or approved by the Nevada Gaming Commission.

SECTION 8: Title 6, Chapter 40, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.110: Each licensee shall pay to the Department of Business Activity, in advance semiannually, the following license fees:

- (A) Each bridge, whist and solo. \$ 30.00;
- (B) Chemin de fer (baccarat) 500.00;
- (C) Crap table:
 - (1) For one table 300.00;
 - (2) For each table over one 500.00;
- (D) Sports pool (not including race books) 200.00;

- 1 (E) Bingo.150.00; plus \$3.00
- 2 for each chair pro-
- 3 vided for players;
- 4 (F) [Panguingue] Panguingui. 60.00;
- 5 (G) Race book. 800.00;
- 6 (H) Racehorse information service. 500.00;
- 7 (I) Keno 600.00;
- 8 (J) Each roulette, "21," hazard, faro bank,
- 9 wheel of fortune and big six wheel, . . 300.00;
- 10 (K) [Slot machines:
- 11 (1) Establishment with five or less,
- 12 each machine 50.00;
- 13 (2) Establishment with more than
- 14 five, each machine] Each slot
- 15 machine. 60.00;
- 16 (L) Stud poker and draw poker. 100.00;
- 17 (M) Slot machine operator. 300.00;
- 18 (N) Any other game 100.00.

19 SECTION 9: Title 6, Chapter 40, Section 140, of the
 20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
 21 hereby amended to read as follows:

22 6.40.140: (A) No nonrestricted gaming shall be conducted, main-
 23 tained or operated in the [city] City except as
 24 allowed within the following specified districts[;]:

25 [(A)] (1) The area bounded by the east side of Main
 26 Street, the south side of Stewart Avenue, the
 27 west side of 3rd Street and the north side of
 28 Carson Avenue;

29 [(B)] (2) The frontage on both sides of West Jackson
 30 Avenue between North "D" Street and North "G"
 31 Street and the frontage on both sides of Owens
 32 Avenue between "H" Street and Highland Avenue.

1 (B) Restricted gaming may be conducted outside said
2 districts at a location which:

- 3 (1) On January 1, 1989, was licensed to operate
4 not more than fifteen slot machines;
5 (2) Is licensed for the sale of alcoholic
6 beverages; or
7 (3) Is not licensed for the sale of alcoholic
8 beverages but with respect to which location a
9 special use permit for a general business
10 related gaming establishment, as that term is
11 defined in LVMC 19.04.417, is obtained in
12 accordance with LVMC Title 19; provided,
13 however, that, except in retail outlets that
14 contain at least 5,000 square feet, such
15 gaming shall be limited to the operation of
16 not more than four slot machines.

17 SECTION 10: Title 6, Chapter 40, Section 150, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 6.40.150: Notwithstanding Section 6.40.140, [the following]

21 nonrestricted gaming may be [permitted by the City Coun-
22 cill] conducted outside said districts:

23 [(A) At those locations which, prior to November 1,
24 1986, have been approved by the Council for a non-
25 restricted license and either had at least one
26 hundred guestrooms available or with respect to
27 which building plans for a hotel which will have at
28 least one hundred guestrooms were on file with the
29 City;

30 (B) In hotels having at least two hundred guestrooms
31 available to the public, subject to the provisions
32 contained in Section 6.40.175.

1 (C) In hotels having less than two hundred guestrooms
2 available to the public, for which the City Council
3 has waived the guestroom requirement contained in
4 Subsection (B) of this Section. At the request of,
5 and upon the payment of an application fee in the
6 amount of fifty dollars by, the applicant, the Coun-
7 cil, in its discretion, may grant such a waiver,
8 based on a consideration of the nature and char-
9 acter of the surrounding neighborhood. Notice of
10 the time and place of the Council's consideration
11 of the request for waiver shall be given by a
12 published announcement in a newspaper of general
13 circulation in the City not less than five days or
14 more than ten days before the date of the hearing.]
15 shall be conducted, maintained or operated in the
16 City except:

17 (A) At a location which:

- 18 (1) On November 1, 1988, was licensed for non-
19 restricted gaming;
- 20 (2) Consists, or when the same is constructed will
21 consist, of a restaurant which has full kitchen
22 facilities and is located within a freestand-
23 ing building that contains in excess of three
24 thousand square feet of usable floor space
25 under one roof and is separated on all sides
26 from any other commercial establishment by an
27 unobstructed open area at least ten feet in
28 width and with respect to which, on April 1,
29 1989, a tavern license had been issued pur-
30 suant to LVMC 6.50.050 or preliminary approval
31 for a tavern license had been granted pursuant
32 to LVMC 6.06.050, as the case may be, and an

1 are discontinued for twenty-four consecutive months, the
2 right to conduct gaming at such establishment by virtue
3 of LVMC 6.40.140(B)(1) or 6.40.150(A), as the case may
4 be, shall, upon the expiration of such twenty-four month
5 period, automatically terminate, and no gaming may be
6 conducted at such location unless or until such location
7 is licensed for restricted gaming pursuant to some other
8 provision of LVMC 6.40.140 or for nonrestricted gaming
9 pursuant to some other provision of LVMC 6.40.150.

10 SECTION 12: Title 6, Chapter 40, Section 170, of the
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
12 hereby amended to read as follows:

13 6.40.170: Nothing contained in Section 6.40.140, 6.40.150[,] and
14 6.40.160 [and 6.40.175] shall be construed to require
15 the issuance of a gaming license to any applicant
16 because of any zoning approval, location, structure
17 involved or nature of any allied business.

18 SECTION 13: Title 19, Chapter 4, Section 412, of the
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
20 hereby amended to read as follows:

21 19.04.412: "Gaming establishment (hotel)" means a part of a
22 hotel with at least two hundred guestrooms which is used
23 or intended to be used for gaming activities for which a
24 nonrestricted gaming license is required pursuant to
25 Chapter 6.40.

26 SECTION 14: Title 19, Chapter 4, of the Municipal Code
27 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended
28 by adding thereto a new section, to be designated as Section 417,
29 reading as follows:

30 6.04.417: "General business related gaming establishment" means
31 a building or structure which is primarily used or
32 intended to be used for some business other than gaming

1 but in which restricted gaming is permitted pursuant to
2 Chapter 6.40 of this Code as a use that is incidental to
3 such other business.

4 SECTION 15: Title 19, Chapter 40, Section 10, of the
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
6 hereby amended to read as follows:

7 19.40.010: Uses permitted in the C-C District include:

- 8 (A) Any uses permitted in the C-1 District;
9 (B) Uses customarily incidental, or similar to any of
10 the above uses, provided that such uses or opera-
11 tions are not objectionable due to dust, odor,
12 smoke, noise, vibrations or other similar
13 causes[.];

- 14 (C) General business related gaming establishments,
15 subject to the securing of a special use permit in
16 each case pursuant to the procedure provided for in
17 Section 19.90.080.

18 SECTION 16: Title 19, Chapter 42, Section 20, of the
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
20 hereby amended to read as follows:

21 19.42.020: Only those uses specifically approved by the [Board
22 of Commissioners] City Council upon recommendation of
23 the Planning Commission and of the general category
24 listed below are permitted in the C-D District; however,
25 no use shall be permitted until a development approval
26 is issued by the Planning Commission in accord with an
27 approved development plan which satisfies the conditions
28 contemplated in Section 19.42.030:

- 29 (A) Retail shops and stores for the dispensing of goods
30 and services;
31 (B) General business and professional offices;
32 (C) Banks and financial institutions[.];

1 (D) General business related gaming establishments,
2 subject to the securing of a special use permit in
3 each case pursuant to the procedure provided for in
4 Section 19.90.080.

5 SECTION 17: Title 19, Chapter 44, Section 20, of the
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
7 hereby amended to read as follows:

8 19.44.020: (A) The following uses may be permitted in the C-1
9 District upon securing a special use permit as pro-
10 vided in LVMC 19.90, except that the uses enu-
11 merated in this Subsection may be permitted as a
12 matter of right when in accordance with the excep-
13 tion shown in Subsection (C) of this Section:

- 14 (1) Automobile service stations for the sale of
15 gasoline, oil and minor accessories only,
16 where no repair work is done, except minor
17 repairs made by the attendant and provided all
18 lubrications, washing, repairing and storage
19 are conducted within an enclosed permanent
20 building;
- 21 (2) Apartment houses;
- 22 (3) Customer-operated car washes;
- 23 (4) Lodginghouses, boardinghouses or rooming-
24 houses, hotels, motels and other like
25 tourist accommodations;
- 26 (5) Emergency ground ambulance facilities;
- 27 (6) Special care facilities.

28 (B) The following uses may be permitted upon securing a
29 special use permit in each case pursuant to the
30 procedure provided for in LVMC 19.90.080, except
31 that the uses enumerated in this Subsection may be
32 permitted as a matter of right when in accordance

1 with the exception shown in Subsection (C) of this
2 Section:

- 3 (1) Class III secondhand dealers as defined in
4 LVMC 19.04.250, except that these uses shall
5 not be allowed on Fremont Street or Las Vegas
6 Boulevard South between Charleston Boulevard
7 and Sahara Avenue as prescribed by LVMC
8 6.74.050;
- 9 (2) Retail demonstration merchandise sales stores
10 as defined in LVMC 6.72.010;
- 11 (3) Mini-storage facilities, subject to the
12 following limitations:
- 13 (a) No more than one manager's or security
14 residence is permitted.
- 15 (b) All storage of items must be within an
16 enclosed building except for the storage
17 of recreational vehicles, which shall be
18 completely screened from view from
19 surrounding properties and abutting
20 streets.
- 21 (c) No business may be conducted within or
22 from a mini-storage facility.
- 23 (d) Wholesale storage and the on-premise sale
24 of stored items are prohibited.
- 25 (e) The commercial repair of motor vehicles,
26 boats, trailers and other like vehicles
27 is prohibited. "Commercial repair" means
28 any repair work except work performed on
29 a vehicle by the owner thereof.
- 30 (f) The operation of spray painting equip-
31 ment, power tools, welding equipment or
32 other similar equipment is prohibited.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(g) The production, fabrication or assembly of products is prohibited.

(4) Off-premises signs;

(5) Liquefied petroleum gas installations for which a special use permit is required by LVMC 19.55.110, subject to the limitations set forth in LVMC 19.55.010 and 19.55.020;

(6) Gaming establishments (hotel)[.];

(7) General business related gaming establishments.

(C) Exception: If an application for reclassification to a C-1 District under LVMC 19.92 includes any of the uses hereinabove enumerated, the approval of the application shall constitute approval of the use or uses and no special use permit shall be required; provided, however, that the notice of public hearing for reclassification shall specifically list the use or uses.

SECTION 18: Title 19, Chapter 46, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.46.010: Uses permitted in the C-2 District include:

(A) Any use permitted in a C-C or C-1 District;

(B) Automobile sales and service facilities, excluding body and fender shops. Subject use may include an outdoor used car sales lot, when operated by a franchised new car dealer and located directly adjacent to the new car sales and service facility and operated as an incidental use to the conduct of the new car sales and service facility;

(C) Wedding chapels;

(D) Public parking areas, when located and developed as required in Chapter 19.64;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

- (E) Restaurants;
- (F) Mortuaries and mausoleums, which may include cemeteries when the cemeteries are developed in conjunction with a mortuary and/or a mausoleum;
- (G) Customer-operated car washes;
- (H) R-5-density and R-6-density residential developments, when located within the Central Business District, as defined in Section 19.64.030;
- (I) Hotels, motels, and other like tourist accommodations;
- (J) Gaming establishments (non-hotel).
- (K) Gaming establishments (hotel), when located [within the areas specified in subsection (A) of Section 6.40.175;] on property that fronts on Fremont Street, Main Street or Las Vegas Boulevard;
- (L) Other similar enterprises or businesses of the same general class which, in the opinion of the Planning Commission, as evidenced by resolution of record, are not more detrimental to the welfare and safety of the residents within the particular district than other classifications enumerated in this Section;
- (M) Uses customarily incidental to any of the above, when located on the same premises.

SECTION 19: Title 19, Chapter 46, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.46.020: (A) The following uses may be permitted in the C-2 District upon securing a special use permit as provided in Chapter 19.90, except that the uses enumerated in this Subsection may be permitted as a matter of right when in accordance with the excep-

1 tion shown in Subsection [(H)] (J) of this Section:

- 2 (1) Used car lots;
- 3 (2) Trailer sales lots;
- 4 (3) Boat sales and service facilities, including
- 5 all floating craft;
- 6 (4) Automotive parts exchanges. This shall not
- 7 include public garages or salvage operations,
- 8 but shall be limited to the sale and installa-
- 9 tion of new or rebuilt major automotive parts;
- 10 (5) Drive-in theaters, miniature golf courses and
- 11 other outdoor amusement centers;
- 12 (6) Automobile laundry;
- 13 (7) Body and fender repair operations when con-
- 14 ducted by a franchised new car agency;
- 15 (8) Cemeteries as provided for in Section
- 16 19.10.080;
- 17 (9) Apartment houses, when located outside the
- 18 Central Business District, as defined in Sec-
- 19 tion 19.64.030;
- 20 (10) Special care facilities.

21 (B) Pawnshops may be permitted in the C-2 District sub-

22 ject to the securing of a special use permit in

23 each case pursuant to the procedure provided for in

24 Section 19.90.080, except that no pawnshop may be

25 located on either side of Fremont Street or Las

26 Vegas Boulevard South between Charleston Boulevard

27 and Sahara Avenue. Those pawnshops which were

28 located on Fremont Street or Las Vegas Boulevard

29 South between Charleston Boulevard and Sahara Ave-

30 nue at the time of enactment of the 1974 amendatory

31 ordinance which is codified, in part, in this Sec-

32 tion shall be allowed to remain only as long as

1 their present leases do not expire. No such lease
2 may be modified to extend its term or otherwise
3 prevent it from expiring. Those pawnshops which
4 are located in a C-2 Zone, other than on Fremont
5 Street or Las Vegas Boulevard South between
6 Charleston Boulevard and Sahara Avenue, at the time
7 of enactment of the 1974 amendatory ordinance which
8 is codified, in part, in this Section shall be
9 allowed to remain at their locations without the
10 necessity of securing a special use permit.

11 (C) Class III secondhand dealers, retail demonstration
12 merchandise sales stores, transient sales lots,
13 open sales lots and off-premises signs may be per-
14 mitted in the C-2 District subject to the securing
15 of a special use permit in each case pursuant to
16 the procedure provided for in Section 19.90.080 of
17 this Chapter, except that Class III secondhand
18 dealers shall not be allowed on Fremont Street and
19 Las Vegas Boulevard South between Charleston Boule-
20 vard or Sahara Avenue as prescribed by Section
21 6.74.050.

22 (D) Custodial institutions and detention facilities may
23 be permitted in the C-2 District subject to the
24 securing of a special use permit in each case pur-
25 suant to the procedure provided for in Section
26 19.90.080.

27 (E) Subject to the limitations contained in this Sub-
28 section, commercial storage units may be permitted
29 in the C-2 District subject to the securing of a
30 special use permit in each case pursuant to the
31 procedure provided for in Section 19.90.080. All
32 stored items must be located within an enclosed

1 building and there must be no wholesale storage or
2 sale of the stored items, nor any commercial repair
3 or sale of passenger cars, trucks, two-wheeled
4 vehicles, three-wheeled vehicles, trailers, boats
5 or other like vehicles. "Commercial repair" means
6 any repair work except work done by the owner on
7 his own personal property.

8 (F) Liquefied petroleum gas installations for which a
9 special use permit is required by Section
10 19.55.010, subject to the limitations set forth in
11 Sections 19.55.010 and 19.55.020.

12 (G) Gaming establishments (hotel), when not located
13 [outside the areas specified in Subsection (A) of
14 Section 6.40.175,] on property that fronts on Fre-
15 mont Street, Main Street or Las Vegas Boulevard,
16 may be permitted in the C-2 District subject to the
17 securing of a special use permit in each case pur-
18 suant to the procedure provided for in Section
19 19.90.080.

20 (H) General business related gaming establishments may
21 be permitted in the C-2 District, subject to the
22 securing of a special use permit in each case pur-
23 suant to the procedure provided for in Section
24 19.90.080.

25 (I) Plasma donor centers and rescue missions may be
26 permitted in the C-2 district subject to the
27 securing of a special use permit in each case pur-
28 suant to the procedure provided for in Section
29 19.90.080. However, no such use may be permitted
30 within the Downtown Las Vegas Redevelopment Area
31 unless the special use permit application has first
32 been referred to and approved by the staff of the

1 City of Las Vegas Downtown Redevelopment Agency.

2 [(I)](J) Exception: If an application for a reclassifica-
3 tion to a C-2 District under Chapter 19.92 includes
4 any of the uses hereinabove enumerated, the appro-
5 val of the application shall constitute approval of
6 the use or uses and no special use permit shall be
7 required; provided, however, that the notice of
8 public hearing for reclassification shall specifi-
9 cally list the use or uses.

10 SECTION 20: Title 19, Chapter 47, Section 30, of the
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
12 hereby amended to read as follows:

13 19.47.030: The following uses may be permitted by the City

14 Council, upon recommendation of the Planning Commission
15 if, in each case, the City Council finds that the use is
16 designed to serve the business park district and is
17 complementary to a permitted principal use:

18 (A) Retail and commercial service uses, including, but
19 not limited to, restaurants, cocktail lounges,
20 financial institutions, convenience retail uses,
21 day care center and service stations;

22 (B) Outdoor storage and/or mechanical equipment which
23 comprises ten percent or more of the total lot area
24 and is ancillary to and necessary for the operation
25 of a permitted use;

26 (C) Other uses, not otherwise permitted, which are
27 incidental to and necessary for a permitted use,
28 such as a residence for security purposes[.];

29 (D) General business related gaming establishments,
30 subject to the securing of a special use permit in
31 each case pursuant to the procedure provided for in
32 Section 19.90.080.

1 SECTION 21: Title 19, Chapter 48, Section 20, of the
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
3 hereby amended to read as follows:

4 19.48.020: (A) The following uses may be permitted in the C-M
5 District subject to the securing of a special use
6 permit as provided in Chapter 19.90, except that
7 the uses enumerated in this Subsection may be per-
8 mitted as a matter of right when in accordance with
9 the exception shown in Subsection (B) of this Sec-
10 tion:

- 11 (1) Cemeteries, as provided for in Section
12 19.10.080;
- 13 (2) Pawnshops, subject to the securing of a spe-
14 cial use permit in each case pursuant to the
15 procedure provided for in Section 19.90.080;
- 16 (3) Custodial institutions and detention facili-
17 ties, subject to the securing of a special use
18 permit in each case pursuant to the procedure
19 provided for in Section 19.90.080;
- 20 (4) Commercial storage units, subject to the limi-
21 tations contained in this Subsection and sub-
22 ject to the securing of a special use permit
23 in each case pursuant to the procedure pro-
24 vided for in Section 19.90.080. All stored
25 items must be located within an enclosed
26 building and there must be no wholesale
27 storage or sale of the stored items, nor any
28 commercial repair or sale of passenger cars,
29 trucks, two-wheeled vehicles, three-wheeled
30 vehicles, trailers, boats or other like
31 vehicles. "Commercial repair" means any
32 repair work except work done by the owner on
 his own personal property;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(5) Transient sales lots and open sales lots, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(6) Off-premises signs, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(7) Liquefied petroleum gas installations for which a special use permit is required by Section 19.55.010, subject to the limitations set forth in Sections 19.55.010 and 19.55.020;

(8) Gaming establishments (hotel), when not located [outside the areas specified in Subsection (A) of Section 6.40.175,] on property that fronts on Fremont Street, Main Street or Las Vegas Boulevard, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(9) General business related gaming establishments, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(10) Special care facilities;

[(10)](11) Plasma donor centers and rescue missions, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080. However, no such use may be permitted within the Downtown Las Vegas Redevelopment Area unless the special use permit application has first been

1 referred to and approved by the staff of the
2 City of Las Vegas Downtown Redevelopment
3 Agency.

4 (B) Exception: If an application for reclassification
5 to a C-M District under Chapter 19.92 includes any
6 of the uses hereinabove enumerated, the approval of
7 the application shall constitute approval of the
8 use or uses and no special use permit shall be
9 required; provided, however, that the notice of
10 public hearing for reclassification shall specifi-
11 cally list the use or uses.

12 SECTION 22: Title 19, Chapter 49, Section 30, of the
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
14 hereby amended to read as follows:

15 19.49.030: Uses in the T-C District should be office, light
16 commercial or tourist-oriented uses that can be com-
17 patible with the surrounding area[.], including without
18 limitation general business related gaming establish-
19 ments, subject to the securing of a special use permit
20 in each case pursuant to the procedure provided for in
21 Section 19.90.080. However, no use is permitted in the
22 T-C District unless it is specifically approved by the
23 City Council, upon recommendation of the Planning Com-
24 mission. Such approval must include an approved devel-
25 opment plan. The City Council may impose in connection
26 with its approval whatever requirements, conditions or
27 limitations it deems are necessary to ensure that devel-
28 opment is consistent with the intent of this Chapter
29 and compatible with surrounding uses.

30 SECTION 23: Title 19, Chapter 49A, Section 30, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
32 hereby amended to read as follows:

1 19.49A.030: Uses in the R-C District should be residential,
2 light commercial or office uses, including without limi-
3 tation general business related gaming establishments,
4 subject to the securing of a special use permit in each
5 case pursuant to the procedure provided for in Section
6 19.90.080, that can be compatible with the surrounding
7 area. However, no use is permitted in the R-C district
8 unless it is specifically approved by the City Council,
9 upon recommendation of the Planning Commission. Such
10 approval must include an approved development plan. The
11 City Council may impose in connection with its approval
12 whatever requirements, conditions or limitations it deems
13 are necessary to ensure that development is consistent
14 with the intent of this Chapter and compatible with
15 surrounding uses.

16 SECTION 24: Title 19, Chapter 50, Section 20, of the
17 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
18 hereby amended to read as follows:

19 19.50.020: (A) The following uses may be permitted in the M
20 District upon securing a special use permit as pro-
21 vided in Chapter 19.90, except that the uses enu-
22 merated in this Subsection may be permitted as of
23 right when in accordance with the exception set
24 forth in Subsection (B) of this Section:

25 (1) Any manufacturing, processing or assembling
26 use which is unable to meet the letter of the
27 standards designated in Section 19.50.040.
28 Such use permit may be properly granted pro-
29 vided the applicant can provide evidence to
30 document a favorable conclusion on all of the
31 following factors:

32 (a) The proposed use can be operated substan-

1 tially in conformity with the require-
2 ments of the standards listed under Sec-
3 tion 19.50.040;

4 (b) The use, as proposed, will not be
5 materially detrimental to the uses of
6 surrounding property;

7 (c) The public interest will best be served
8 by the granting of the permit;

9 (2) Cemeteries, as provided for in Section
10 19.10.080;

11 (3) Pawnshops, subject to the securing of a spe-
12 cial use permit in each case pursuant to the
13 procedure provided for in Section 19.90.080;

14 (4) Custodial institutions and detention facili-
15 ties, subject to the securing of a special use
16 permit in each case pursuant to the procedure
17 provided for in Section 19.90.080;

18 (5) Junk yards, wrecking yards and salvage yards;

19 (6) Commercial storage units, subject to the limi-
20 tations contained in this Subsection and sub-
21 ject to the securing of a special use permit
22 in each case pursuant to the procedure pro-
23 vided for in Section 19.90.080. All stored
24 items must be located within an enclosed
25 building and there must be no wholesale
26 storage or sale of the stored items, nor any
27 commercial repair or sale of passenger cars,
28 trucks, two-wheeled vehicles, three-wheeled
29 vehicles, trailers, boats or other like
30 vehicles. "Commercial repair" means any
31 repair work except work done by the owner on
32 his own personal property;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(7) Transient sales lots and open sales lots, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(8) Off-premises signs, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(9) Liquefied petroleum gas installations for which a special use permit is required by Section 19.55.010, subject to the limitations set forth in Sections 19.55.010 and 19.55.020;

(10) Gaming establishments (hotel), when not located [outside the areas specified in Subsection (A) of Section 6.40.175,] on property that fronts on Fremont Street, Main Street or Las Vegas Boulevard, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(11) General business related gaming establishments, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(12) Special care facilities;

[(12)] (13) Plasma donor centers and rescue missions, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080. However, no such use may be permitted within the Downtown Las Vegas Redevelopment Area unless the special use permit application has first been

1 referred to and approved by the staff of the
2 City of Las Vegas Downtown Redevelopment Agency.

3 (B) Exception: If an application for a reclassifica-
4 tion to an M District under Chapter 19.92 includes
5 any of the uses hereinabove enumerated, the appro-
6 val of the application shall constitute approval of
7 the use or uses, and no special use permit shall be
8 required; provided, however, that the notice of
9 public hearing for reclassification shall specifi-
10 cally list the use or uses.

11 SECTION 25: Title 19, Chapter 52, Section 30, of the
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
13 hereby amended to read as follows:

14 19.52.030: The following uses are permitted in the C-V District,
15 subject to the securing of a special use permit in each
16 case, as provided in Chapter 19.90:

17 (A) Cemeteries, as provided for in Section 19.10.080;

18 (B) Custodial institutions and detention facilities;

19 (C) Publicly-operated convention and stadium facili-
20 ties; [and]

21 (D) Off-premises signs; [and]

22 (E) Liquefied petroleum gas installations for which a
23 special use permit is required by Section
24 19.55.010, subject to the limitations set forth in
25 Sections 19.55.010 and 19.55.020[.] ; and

26 (F) General business related gaming establishments,
27 subject to the securing of a special use permit in
28 each case pursuant to the procedure provided for in
29 Section 19.90.080.

30 SECTION 26: Title 19, Chapter 90, Section 80, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
32 hereby amended to read as follows:

1 19.90.080: Following the conduct of a public hearing on any
2 application for a special use permit to allow a
3 pawnshop; a retail demonstration merchandise sales
4 store; a Class III or other secondhand dealer, except
5 for an antique store or used car lot; a transient sales
6 lot; an open sales lot; a custodial institution or a
7 detention facility; a publicly-operated convention and
8 stadium facility; mini-storage facilities; off-premises
9 signs; a liquefied petroleum gas installation; a gaming
10 establishment (hotel); a general business related gaming
11 establishment; a plasma donor center or a rescue mission,
12 the Board of Zoning Adjustment shall report its recom-
13 mendation on said application to the City Council.
14 Prior to the next subsequent meeting of the City Coun-
15 cil, the Secretary of the Board of Zoning Adjustment
16 shall transmit a copy of said recommendation to the City
17 Clerk. Within not to exceed thirty days from the date
18 of the Board of Zoning Adjustment's recommendation, the
19 City Council shall set the date for a public hearing,
20 and public notice shall be given by the City Clerk not
21 less than ten days prior to the public hearing to all
22 property owners who received notice of the public
23 hearing conducted by the Board of Zoning Adjustment.
24 The City Council shall consider the application for said
25 special use permit and the recommendation of the Board
26 of Zoning Adjustment at the public hearing. Action by
27 the City Council on such application, following a public
28 hearing, shall be by majority vote of the entire Council
29 and shall be final and conclusive.

30 SECTION 27: Title 6, Chapter 40, Sections 80, 160 and
31 175, are hereby repealed in their entirety.

32 SECTION 28: If any section, subsection, subdivision

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

12 SECTION 29: Whenever in this ordinance any act is pro-
13 hibited or is made or declared to be unlawful or an offense or a
14 misdemeanor, or whenever in this ordinance the doing of any act
15 is required or the failure to do any act is made or declared to
16 be unlawful or an offense or a misdemeanor, the doing of any such
17 prohibited act or the failure to do any such required act shall
18 constitute a misdemeanor and upon conviction thereof, shall be
19 punished by a fine of not more than \$1,000.00 or by imprisonment
20 for a term of not more than six months, or by any combination of
21 such fine and imprisonment. Any day of any violation of this
22 ordinance shall constitute a separate offense.

23 SECTION 30: All ordinances or parts of ordinances, sec-
24 tions, subsections, phrases, sentences, clauses or paragraphs
25
26
27
28
29
30
31
32

1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of
4 _____, 1989.

5 APPROVED:

6
7 _____
8 RON LURIE, Mayor

9 ATTEST:

10
11
12 _____
13 KATHLEEN M. TIGHE, City Clerk
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

BILL NO. 88-55

Ordinance No. _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE TERMS "NONRESTRICTED LICENSE" AND "FACEBOOK INFORMATION SERVICE" TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE;" AMENDING SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED; AMENDING SECTION 110 OF SAID TITLE AND CHAPTER TO ELIMINATE THE DISPARITY BETWEEN THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH FIVE OR LESS SLOT MACHINES AND THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH MORE THAN FIVE SLOT MACHINES; AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT RESTRICTED GAMING MAY BE CONDUCTED OUTSIDE THE SO-CALLED "RED-LINED" DISTRICTS ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR RESTRICTED GAMING ON NOVEMBER 1, 1988, OR IN AN ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED OUTSIDE THE SO-CALLED "RED-LINED" DISTRICTS ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR NONRESTRICTED GAMING ON NOVEMBER 1, 1988, OR IN A HOTEL WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE; AMENDING TITLE 19, CHAPTER 4, SECTION 412, OF SAID CODE TO PROVIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED OUTSIDE THE SO-CALLED "RED-LINED" DISTRICTS ONLY IN HOTELS WITH AT LEAST TWO HUNDRED GUEST ROOMS; AMENDING CHAPTER 46, SECTIONS 10 AND 20, CHAPTER 48, SECTION 20, AND CHAPTER 50, SECTION 20, OF SAID TITLE TO PROVIDE THAT PROPERTIES THAT FRONT ON FREMONT STREET, MAIN STREET AND LAS VEGAS BOULEVARD ARE EXEMPT FROM THE USE PERMIT REQUIREMENTS FOR NONRESTRICTED GAMING THAT ARE PROVIDED IN SAID SECTIONS; REPEALING TITLE 6, CHAPTER 40, SECTIONS 80, 160 AND 175, OF SAID CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by: Mayor Ron Lurie
Summary: Makes various changes in gaming control ordinance

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

SECTION 1: Title 6, Chapter 40, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

1 hereby amended to read as follows:

2 6.40.020: As used in this Chapter, unless the context otherwise
3 requires, the following words shall have the meaning
4 ascribed:

5 (A) "Game" or "gambling game" means any banking or per-
6 centage game played with cards, dice or any mecha-
7 nical, electromechanical or electronic device or
8 machine for money, property, checks, credit or any
9 representative of value, including, without limit-
10 ing the generality of the foregoing, faro, monte,
11 roulette, keno, bingo, fan-tan, twenty-one, black-
12 jack, seven-and-a-half, big injun, klondike, craps,
13 poker chuck-a-luck, Chinese chuck-a-luck (dai shu),
14 wheel of fortune, chemin de fer, baccarat, pai gow,
15 beat the banker, panguingui, slot machine, or any
16 other game or device approved by the [State] Nevada
17 Gaming Commission, but does not include social
18 games played solely for drinks, or cigars or
19 cigarettes served individually, or games played in
20 private homes or residences for prizes or games
21 operated by charitable or educational organizations
22 which have been approved by the State Gaming
23 Control Board.

24 (B) "Gaming" or "gambling" means to deal, operate,
25 carry on, conduct, maintain or expose for play any
26 game, sports book, parimutuel or any other form of
27 wagering.

28 (C) "Hotel" means a building or a complex of buildings
29 which are designed and integrated to clearly demon-
30 strate the appearance of one facility wherein:

31 (1) Sleeping accommodations are provided in
32 guestrooms at daily rates to tourists or tran-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

sient guests;

(2) No provision is made for cooking food in any
guestroom; and

(3) There is integrated into the facility near the
area where licensed games are provided at
least one restaurant and a lobby for the
guests to check in and out and receive messages.

(D) "Nonrestricted license" and "nonrestricted gaming"
means a gaming license [which permits any game or
sports pool other than a license which is restricted
to fifteen or less] for, or an operation consisting
of, sixteen or more slot machines[.] or a license
for, or an operation consisting of, any number of
slot machines together with any other game, gaming
device, race book or sports pool at one establish-
ment.

(E) "Race book information service" means [the dissemi-
nation of information concerning horseracing, when
such information is to be used by the receiver for
the purpose of maintaining and operating any
gambling game or race book.] any person, other than
one who provides a televised broadcast without
charge to any person who receives such broadcast,
who furnishes an operator of a race book, sports
pool or gambling game who is licensed in the State
with information that relates to horse racing or
other racing which is used to determine the winners
of, or payoffs on, wagers that are accepted by such
operator.

(F) "Racehorse book" or "race book" means a sports pool
on horseraces.

(G) "Restricted license" and "restricted gaming" means

1 a gaming license for, or an operation consisting
2 of, not more than fifteen slot machines and no
3 other game or gaming device at the establishment.

4 (H) "Slot machine" means any mechanical, electrical or
5 other device, contrivance or machine which, upon
6 insertion of a coin, token or similar object
7 therein, or upon payment of any consideration what-
8 soever, is available to play or operate, the play
9 or operation of which, whether by reason of the
10 skill of the operator or application of the element
11 of chance, or both, may deliver or entitle the per-
12 son playing or operating the machine to receive
13 cash, premiums, merchandise, tokens or anything of
14 value whatsoever, whether the payoff is made auto-
15 matically from the machine or in any other manner
16 whatsoever.

17 If a machine has multiple capacities the Director
18 of Business Activity shall make a determination,
19 consistent with the determination made by the State
20 Gaming Control Board, whether the machine consti-
21 tutes two or more slot machines for the purpose of
22 this Chapter based on the number of payout devices,
23 coin receptacles or slots, handles or other devices
24 for multiple players, or means of determining win-
25 nings.

26 [(H)](I) "Slot operator" means a licensee engaged in the
27 business of placing slot machines upon the business
28 premises of another under any agreement whereby
29 consideration is paid or is payable for the place-
30 ment of such slot machines, whether the considera-
31 tion is measured by a percentage of revenue derived
32 from such machines or by a fixed fee or otherwise.

1 such charitable or educational organization has first
2 obtained the approval of the State Gaming Control Board
3 as required by NRS 463.409.

4 SECTION 4: Title 6, Chapter 40, Section 65, of the
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
6 hereby amended to read as follows:

7 6.40.065: (A) Any licensee who [as] has acquired a "holiday or
8 special event" permit from the State to add addi-
9 tional games to the licensed premises during an
10 anticipated temporary period of increased tourist
11 activity may apply to the Director for a holiday or
12 special event permit from the City. The application
13 must be made on a form acceptable to the Director
14 and filed at least three days prior to the date the
15 games are to be added.

16 (B) If the permit is approved by the Director he shall
17 specify on the permit the number and type of games
18 approved and the time period for which they are
19 permitted. The number of games and the time per-
20 mitted shall not exceed that which has been
21 approved by the State, [and in no case shall the
22 time period exceed seven days.] The licensee shall
23 not exceed or deviate from the number and types of
24 games allowed under the permit or allow the games
25 to remain on the premises beyond the time permitted.

26 (C) The licensee must pay in advance a permit fee equal
27 to one-sixth of the regular semiannual license fee
28 for each game permitted for a holiday or special
29 event. The licensee must also pay the regular quar-
30 terly convention authority tax imposed by Chapter
31 4.20.

32 SECTION 5: Title 6, Chapter 40, Section 70, of the Muni-

1 cipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 6.40.070: The [Board of Commissioners,] City Council, in the
4 exercise of its discretion, may limit the number of
5 licenses provided for in this Chapter.

6 SECTION 6: Title 6, Chapter 40, Section 90, of the
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
8 hereby amended to read as follows:

9 6.40.090: Except as provided in Section 6.40.100, an applicant
10 for a gaming license, other than an applicant for a
11 license for thirty-five or fewer slot machines and no
12 other game or gambling device, and each principal of the
13 applicant, shall not be required to submit to a back-
14 ground investigation and the [Board of Commissioners]
15 City Council shall determine that the applicant and its
16 principals are suitable if the Nevada Gaming Commission
17 has granted a license to the applicant or found the
18 applicant and its principals suitable.

19 SECTION 7: Title 6, Chapter 40, Section 100, of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
21 hereby amended to read as follows:

22 6.40.100: The [Board of Commissioners] City Council may, at any
23 time before a City gaming license is finally approved,
24 determine that the public health, safety, morals or
25 welfare of the City require that a background investiga-
26 tion be conducted of the applicant or a principal
27 thereof notwithstanding the fact that the applicant or
28 principal is being, or has been, investigated by or
29 approved by the Nevada Gaming Commission.

30 SECTION 8: Title 6, Chapter 40, Section 110, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
32 hereby amended to read as follows:

1 6.40.110: Each licensee shall pay to the Department of Business
2 Activity, in advance semiannually, the following license
3 fees:

- 4 (A) Each bridge, whist and solo \$ 30.00;
- 5 (B) Chemin de fer (baccarat) 500.00;
- 6 (C) Crap table:
 - 7 (1) For one table 300.00;
 - 8 (2) For each table over one 500.00;
- 9 (D) Sports pool (not including
10 race books) 200.00;
- 11 (E) Bingo 150.00; plus \$3.00
12 for each chair pro-
13 vided for players;
- 14 (F) [Panguingue] Panguingui. 60.00;
- 15 (G) Race book. 800.00;
- 16 (H) Racehorse information service. 500.00;
- 17 (I) Keno 600.00;
- 18 (J) Each roulette, "21," hazard, faro bank,
19 wheel of fortune and big six wheel, . . 300.00;
- 20 (K) [Slot machines:
 - 21 (1) Establishment with five or less,
22 each machine 50.00;
 - 23 (2) Establishment with more than
24 five, each machine] Each slot
25 machine. 60.00;
 - 26 (L) Stud poker and draw poker. 100.00;
 - 27 (M) Slot machine operator. 300.00;
 - 28 (N) Any other game 100.00.

29 SECTION 9: Title 6, Chapter 40, Section 140, of the
30 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
31 hereby amended to read as follows:

32 6.40.140: (A) No nonrestricted gaming shall be conducted, main-

1 tained or operated in the [city] City except as
2 allowed within the following specified districts[;]

3 [(A)] (1) The area bounded by the east side of Main
4 Street, the south side of Stewart Avenue, the
5 west side of 3rd Street and the north side of
6 Carson Avenue;

7 [(B)] (2) The frontage on both sides of West Jackson
8 Avenue between North "D" Street and North "G"
9 Street and the frontage on both sides of Owens
10 Avenue between "H" Street and Highland Avenue.

11 (B) Restricted gaming may be conducted outside said
12 districts at a location which:

13 (1) On November 1, 1988, was licensed to operate
14 not more than fifteen slot machines; or

15 (2) Is licensed for the sale of alcoholic
16 beverages.

17 SECTION 10: Title 6, Chapter 40, Section 150, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 6.40.150: Notwithstanding Section 6.40.140, [the following]

21 nonrestricted gaming may be [permitted by the City Coun-
22 cill] conducted outside said districts:

23 [(A) At those locations which, prior to November 1,
24 1986, have been approved by the Council for a non-
25 restricted license and either had at least one
26 hundred guestrooms available or with respect to
27 which building plans for a hotel which will have at
28 least one hundred guestrooms were on file with the
29 City;

30 (B) In hotels having at least two hundred guestrooms
31 available to the public, subject to the provisions
32 contained in Section 6.40.175.

1 (C) In hotels having less than two hundred guestrooms
2 available to the public, for which the City Council
3 has waived the guestroom requirement contained in
4 Subsection (B) of this Section. At the request of,
5 and upon the payment of an application fee in the
6 amount of fifty dollars by, the applicant, the Coun-
7 cil, in its discretion, may grant such a waiver,
8 based on a consideration of the nature and char-
9 acter of the surrounding neighborhood. Notice of
10 the time and place of the Council's consideration
11 of the request for waiver shall be given by a
12 published announcement in a newspaper of general
13 circulation in the City not less than five days or
14 more than ten days before the date of the hearing.]

15 (A) At a location which, on November 1, 1988, was
16 licensed for non-restricted gaming; or

17 (B) In a hotel with respect to which a special use
18 permit is obtained in accordance with Title 19.

19 SECTION 11: Title 6, Chapter 40, Section 170, of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
21 hereby amended to read as follows:

22 6.40.170: Nothing contained in Section 6.40.140, 6.40.150[,] and
23 6.40.160 [and 6.40.175] shall be construed to require
24 the issuance of a gaming license to any applicant
25 because of any zoning approval, location, structure
26 involved or nature of any allied business.

27 SECTION 12: Title 19, Chapter 4, Section 412, of the
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
29 hereby amended to read as follows:

30 19.04.412: "Gaming establishment (hotel)" means a part of a
31 hotel with at least two hundred guestrooms which is used
32 or intended to be used for gaming activities for which a

1 nonrestricted gaming license is required pursuant to
2 Chapter 6.40.

3 SECTION 13: Title 19, Chapter 46, Section 10, of the
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
5 hereby amended to read as follows:

6 19.46.010: Uses permitted in the C-2 District include:

- 7 (A) Any use permitted in a C-C or C-1 District;
- 8 (B) Automobile sales and service facilities, excluding
9 body and fender shops. Subject use may include an
10 outdoor used car sales lot, when operated by a
11 franchised new car dealer and located directly
12 adjacent to the new car sales and service facility
13 and operated as an incidental use to the conduct of
14 the new car sales and service facility;
- 15 (C) Wedding chapels;
- 16 (D) Public parking areas, when located and developed as
17 required in Chapter 19.64;
- 18 (E) Restaurants;
- 19 (F) Mortuaries and mausoleums, which may include ceme-
20 teries when the cemeteries are developed in con-
21 junction with a mortuary and/or a mausoleum;
- 22 (G) Customer-operated car washes;
- 23 (H) R-5-density and R-6-density residential develop-
24 ments, when located within the Central Business
25 District, as defined in Section 19.64.030;
- 26 (I) Hotels, motels, and other like tourist accommoda-
27 tions;
- 28 (J) Gaming establishments (non-hotel).
- 29 (K) Gaming establishments (hotel), when located [within
30 the areas specified in subsection (A) of Section
31 6.40.175;] on property that fronts on Fremont
32 Street, Main Street or Las Vegas Boulevard;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(L) Other similar enterprises or businesses of the same general class which, in the opinion of the Planning Commission, as evidenced by resolution of record, are not more detrimental to the welfare and safety of the residents within the particular district than other classifications enumerated in this Section;

(M) Uses customarily incidental to any of the above, when located on the same premises.

SECTION 14: Title 19, Chapter 46, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.46.020: (A) The following uses may be permitted in the C-2 District upon securing a special use permit as provided in Chapter 19.90, except that the uses enumerated in this Subsection may be permitted as a matter of right when in accordance with the exception shown in Subsection (H) of this Section:

- (1) Used car lots;
- (2) Trailer sales lots;
- (3) Boat sales and service facilities, including all floating craft;
- (4) Automotive parts exchanges. This shall not include public garages or salvage operations, but shall be limited to the sale and installation of new or rebuilt major automotive parts;
- (5) Drive-in theaters, miniature golf courses and other outdoor amusement centers;
- (6) Automobile laundry;
- (7) Body and fender repair operations when conducted by a franchised new car agency;
- (8) Cemeteries as provided for in Section

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

19.10.080;

(9) Apartment houses, when located outside the Central Business District, as defined in Section 19.64.030;

(10) Special care facilities.

(B) Pawnshops may be permitted in the C-2 District subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080, except that no pawnshop may be located on either side of Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue. Those pawnshops which were located on Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue at the time of enactment of the 1974 amendatory ordinance which is codified, in part, in this Section shall be allowed to remain only as long as their present leases do not expire. No such lease may be modified to extend its term or otherwise prevent it from expiring. Those pawnshops which are located in a C-2 Zone, other than on Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue, at the time of enactment of the 1974 amendatory ordinance which is codified, in part, in this Section shall be allowed to remain at their locations without the necessity of securing a special use permit.

(C) Class III secondhand dealers, retail demonstration merchandise sales stores, transient sales lots, open sales lots and off-premises signs may be permitted in the C-2 District subject to the securing of a special use permit in each case pursuant to

1 the procedure provided for in Section 19.90.080 of
2 this Chapter, except that Class III secondhand
3 dealers shall not be allowed on Fremont Street and
4 Las Vegas Boulevard South between Charleston Boule-
5 vard or Sahara Avenue as prescribed by Section
6 6.74.050.

7 (D) Custodial institutions and detention facilities may
8 be permitted in the C-2 District subject to the
9 securing of a special use permit in each case pur-
10 suant to the procedure provided for in Section
11 19.90.080.

12 (E) Subject to the limitations contained in this Sub-
13 section, commercial storage units may be permitted
14 in the C-2 District subject to the securing of a
15 special use permit in each case pursuant to the
16 procedure provided for in Section 19.90.080. All
17 stored items must be located within an enclosed
18 building and there must be no wholesale storage or
19 sale of the stored items, nor any commercial repair
20 or sale of passenger cars, trucks, two-wheeled
21 vehicles, three-wheeled vehicles, trailers, boats
22 or other like vehicles. "Commercial repair" means
23 any repair work except work done by the owner on
24 his own personal property.

25 (F) Liquefied petroleum gas installations for which a
26 special use permit is required by Section
27 19.55.010, subject to the limitations set forth in
28 Sections 19.55.010 and 19.55.020.

29 (G) Gaming establishments (hotel), when not located
30 [outside the areas specified in Subsection (A) of
31 Section 6.40.175,] on property that fronts on Fre-
32 mont Street, Main Street or Las Vegas Boulevard,

1 may be permitted in the C-2 District subject to the
2 securing of a special use permit in each case pur-
3 suant to the procedure provided for in Section
4 19.90.080.

5 (H) Plasma donor centers and rescue missions may be
6 permitted in the C-2 district subject to the
7 securing of a special use permit in each case pur-
8 suant to the procedure provided for in Section
9 19.90.080. However, no such use may be permitted
10 within the Downtown Las Vegas Redevelopment Area
11 unless the special use permit application has first
12 been referred to and approved by the staff of the
13 City of Las Vegas Downtown Redevelopment Agency.

14 (I) Exception: If an application for a reclassifica-
15 tion to a C-2 District under Chapter 19.92 includes
16 any of the uses hereinabove enumerated, the appro-
17 val of the application shall constitute approval of
18 the use or uses and no special use permit shall be
19 required; provided, however, that the notice of
20 public hearing for reclassification shall specifi-
21 cally list the use or uses.

22 SECTION 15: Title 19, Chapter 48, Section 20, of the
23 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
24 hereby amended to read as follows:

25 19.48.020: (A) The following uses may be permitted in the C-M
26 District subject to the securing of a special use
27 permit as provided in Chapter 19.90, except that
28 the uses enumerated in this Subsection may be per-
29 mitted as a matter of right when in accordance with
30 the exception shown in Subsection (B) of this Sec-
31 tion:

32 (1) Cemeteries, as provided for in Section

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

- 19.10.080;
- (2) Pawnshops, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
 - (3) Custodial institutions and detention facilities, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
 - (4) Commercial storage units, subject to the limitations contained in this Subsection and subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080. All stored items must be located within an enclosed building and there must be no wholesale storage or sale of the stored items, nor any commercial repair or sale of passenger cars, trucks, two-wheeled vehicles, three-wheeled vehicles, trailers, boats or other like vehicles. "Commercial repair" means any repair work except work done by the owner on his own personal property;
 - (5) Transient sales lots and open sales lots, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
 - (6) Off-premises signs, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
 - (7) Liquefied petroleum gas installations for which a special use permit is required by Sec-

1 tion 19.55.010, subject to the limitations set
2 forth in Sections 19.55.010 and 19.55.020;

3 (8) Gaming establishments (hotel), when not
4 located [outside the areas specified in Sub-
5 section (A) of Section 6.40.175,] on property
6 that fronts on Fremont Street, Main Street or
7 Las Vegas Boulevard, subject to the securing
8 of a special use permit in each case pursuant
9 to the procedure provided for in Section
10 19.90.080;

11 (9) Special care facilities;

12 (10) Plasma donor centers and rescue missions, sub-
13 ject to the securing of a special use permit
14 in each case pursuant to the procedure pro-
15 vided for in Section 19.90.080. However, no
16 such use may be permitted within the Downtown
17 Las Vegas Redevelopment Area unless the spe-
18 cial use permit application has first been
19 referred to and approved by the staff of the
20 City of Las Vegas Downtown Redevelopment
21 Agency.

22 (B) Exception: If an application for reclassification
23 to a C-M District under Chapter 19.92 includes any
24 of the uses hereinabove enumerated, the approval of
25 the application shall constitute approval of the
26 use or uses and no special use permit shall be
27 required; provided, however, that the notice of
28 public hearing for reclassification shall specifi-
29 cally list the use or uses.

30 SECTION 16: Title 19, Chapter 50, Section 20, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
32 hereby amended to read as follows:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

19.50.020: (A) The following uses may be permitted in the M District upon securing a special use permit as provided in Chapter 19.90, except that the uses enumerated in this Subsection may be permitted as of right when in accordance with the exception set forth in Subsection (B) of this Section:

(1) Any manufacturing, processing or assembling use which is unable to meet the letter of the standards designated in Section 19.50.040. Such use permit may be properly granted provided the applicant can provide evidence to document a favorable conclusion on all of the following factors:

- (a) The proposed use can be operated substantially in conformity with the requirements of the standards listed under Section 19.50.040;
- (b) The use, as proposed, will not be materially detrimental to the uses of surrounding property;
- (c) The public interest will best be served by the granting of the permit;

- (2) Cemeteries, as provided for in Section 19.10.080;
- (3) Pawnshops, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (4) Custodial institutions and detention facilities, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (5) Junk yards, wrecking yards and salvage yards;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

- (6) Commercial storage units, subject to the limitations contained in this Subsection and subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080. All stored items must be located within an enclosed building and there must be no wholesale storage or sale of the stored items, nor any commercial repair or sale of passenger cars, trucks, two-wheeled vehicles, three-wheeled vehicles, trailers, boats or other like vehicles. "Commercial repair" means any repair work except work done by the owner on his own personal property;
- (7) Transient sales lots and open sales lots, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (8) Off-premises signs, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080;
- (9) Liquefied petroleum gas installations for which a special use permit is required by Section 19.55.010, subject to the limitations set forth in Sections 19.55.010 and 19.55.020;
- (10) Gaming establishments (hotel), when not located [outside the areas specified in Subsection (A) of Section 6.40.175,] on property that fronts on Fremont Street, Main Street or Las Vegas Boulevard, subject to the securing of a special use permit in each case pursuant

1 to the procedure provided for in Section
2 19.90.080;

3 (11) Special care facilities;

4 (12) Plasma donor centers and rescue missions, sub-
5 ject to the securing of a special use permit
6 in each case pursuant to the procedure pro-
7 vided for in Section 19.90.080. However, no
8 such use may be permitted within the Downtown
9 Las Vegas Redevelopment Area unless the spe-
10 cial use permit application has first been
11 referred to and approved by the staff of the
12 City of Las Vegas Downtown Redevelopment Agency.

13 (B) Exception: If an application for a reclassifica-
14 tion to an M District under Chapter 19.92 includes
15 any of the uses hereinabove enumerated, the appro-
16 val of the application shall constitute approval of
17 the use or uses, and no special use permit shall be
18 required; provided, however, that the notice of
19 public hearing for reclassification shall specifi-
20 cally list the use or uses.

21 SECTION 17: Title 6, Chapter 40, Sections 80, 160 and
22 175, are hereby repealed in their entirety.

23 SECTION 18: If any section, subsection, subdivision
24 paragraph, sentence, clause or phrase in this ordinance or any
25 part thereof, is for any reason held to be unconstitutional or
26 invalid or ineffective by any court of competent jurisdiction,
27 such decision shall not affect the validity or effectiveness of
28 the remaining portions of this ordinance or any part thereof.
29 The City Council of the City of Las Vegas, Nevada, hereby
30 declares that it would have passed each section, subsection, sub-
31 division, paragraph, sentence, clause or phrase thereof,
32 irrespective of the fact that any one or more sections, subsec-

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

3 SECTION 19: Whenever in this ordinance any act is pro-
4 hibited or is made or declared to be unlawful or an offense or a
5 misdemeanor, or whenever in this ordinance the doing of any act
6 is required or the failure to do any act is made or declared to
7 be unlawful or an offense or a misdemeanor, the doing of any such
8 prohibited act or the failure to do any such required act shall
9 constitute a misdemeanor and upon conviction thereof, shall be
10 punished by a fine of not more than \$1,000.00 or by imprisonment
11 for a term of not more than six months, or by any combination of
12 such fine and imprisonment. Any day of any violation of this
13 ordinance shall constitute a separate offense.

14 SECTION 20: All ordinances or parts of ordinances, sec-
15 tions, subsections, phrases, sentences, clauses or paragraphs
16 contained in the Municipal Code of the City of Las Vegas, Nevada,
17 1983 Edition, in conflict herewith are hereby repealed.

18 PASSED, ADOPTED and APPROVED this ____ day of
19 _____, 1988.

20 APPROVED:

21
22 _____
23 RON LURIE, Mayor

24 ATTEST:

25
26
27 _____
28 KATHLEEN M. TIGHE, City Clerk
29
30
31
32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 198__, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 198__, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" : _____
VOTING "NAY" : _____
ABSENT: _____

APPROVED:

By _____
RON LURIE, MAYOR

ATTEST:

Kathleen M. Tighe, 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 JANUARY 12, 1989 to JANUARY 12, 1989 inclusive, being the issue of said newspaper for the following dates,

JANUARY 12, 1989

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

FOURTH AMENDMENT
BILL NO. 88-55
AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 6, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE TERMS "NONRESTRICTED LICENSE" AND "FACEBOOK INFORMATION SERVICE" TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE;" AMENDING SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE THE AP-

PLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED; AMENDING SECTION 110 OF SAID TITLE AND CHAPTER TO ELIMINATE THE DISPARITY BETWEEN THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH FIVE OR LESS SLOT MACHINES AND THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH MORE THAN FIVE SLOT MACHINES; AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT RESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR RESTRICTED GAMING ON APRIL 1, 1989, IN AN ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES OR IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES WITH RESPECT TO WHICH A SPECIAL USE PERMIT THEREFOR IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, SUBJECT TO A LIMITATION ON THE NUMBER OF SLOT MACHINES IN SUCH ESTAB-

SIGNED *George J. Vasconi*
GEORGE J. VASCONI

Subscribed and sworn to before me
this 12 day of Jan., 1989

Carselettie Young
NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



Carselettie Young
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Sept. 1, 1993

CITY CLERK
JAN 17 3 31 PM '89
RECEIVED

RECEIVED

JAN 17 12 13 PM '89

FINANCE DEPT

945 1 89
12 13 PM '89
FINANCE DEPT

LISHMENT, OTHER THAN A RESTAURANT OUTLET THAT CONTAINS AT LEAST 5,000 SQUARE FEET, OF FOUR; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT, ON NOVEMBER 1, 1988, IS LICENSED FOR NONRESTRICTED GAMING, IN AN ESTABLISHMENT WHICH CONSISTS, OR WHEN THE SAME IS CONSTRUCTED WILL CONSIST, OF A RESTAURANT WHICH HAS FULL KITCHEN FACILITIES AND IS LOCATED WITHIN A FREESTANDING BUILDING THAT CONTAINS IN EXCESS OF THREE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, A TAVERN LICENSE HAS BEEN ISSUED IN ACCORDANCE WITH LVMC 6.50.050 OR PRELIMINARY APPROVAL FOR A TAVERN LICENSE HAS BEEN GRANTED IN ACCORDANCE WITH LVMC 6.06.050 AND AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE OR IN AN ESTABLISHMENT WHICH CONSISTS OF A LICENSED BUSINESS PREMISES THAT CONTAINS IN EXCESS OF NINE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED THIRTY-FIVE IN ANY SUCH ESTABLISHMENT THAT, ON APRIL 1, 1989, IS LICENSED FOR SLOT MACHINES ONLY, OR IN A HOTEL WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE; FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 165, TO PROVIDE THAT ANY ESTABLISHMENT IN WHICH RESTRICTED OR NONRESTRICTED GAMING IS CONDUCTED BY VIRTUE OF SUCH ESTABLISHMENT'S HAVING BEEN LICENSED FOR SUCH GAMING ON APRIL 1, 1989, SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH GAMING IF GAMING OPERATIONS THEREIN ARE DISCONTINUED FOR TWENTY-FOUR CONSECUTIVE MONTHS; AMENDING TITLE 19, CHAPTER 4, SECTION 412, OF SAID CODE TO PROVIDE THAT NONRESTRICTED GAMING, OTHER THAN AS PERMITTED BY LVMC 6.40.150(A), MAY BE CONDUCTED ONLY IN A HOTEL WITH AT LEAST TWO HUNDRED GUESTROOMS OR IN A HOTEL WITH RESPECT TO WHICH, ON FEBRUARY 1, 1989, THE GUESTROOM REQUIREMENT HAD BEEN WAIVED; FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 417, TO DEFINE THE TERM "GENERAL BUSINESS RELATED GAMING ESTABLISHMENT"; AMENDING CHAPTER 40, SECTION 10, CHAPTER 42, SECTION 20, CHAPTER 44, SECTION 20, CHAPTER 46, SECTION 20, CHAPTER 47, SECTION 30, CHAPTER 48, SECTION 20, CHAPTER 49, SECTION 30, CHAPTER 49A, SECTION 30, CHAPTER 50, SECTION 20, AND CHAPTER 52, SECTION 20, OF SAID TITLE TO PROVIDE THAT GENERAL BUSI-

NESS RELATED GAMING ESTABLISHMENTS MAY BE PERMITTED IN THE ZONING DISTRICTS TO WHICH SAID SECTIONS RELATE BY WAY OF SPECIAL USE PERMITS THAT ARE APPROVED BY THE CITY COUNCIL; AMENDING CHAPTER 46, SECTION 10, AND FURTHER AMENDING CHAPTER 48, SECTION 20, AND CHAPTER 50, SECTION 20, OF SAID TITLE TO PROVIDE THAT THE PROPERTIES THAT FRONT ON FREMONT STREET, MAIN STREET AND LAS VEGAS BOULEVARD ARE EXEMPT FROM THE USE PERMIT REQUIREMENTS FOR NONRESTRICTED GAMING THAT ARE PROVIDED IN SAID SECTIONS; AMENDING CHAPTER 90, SECTION 80, OF SAID TITLE TO INCLUDE WITHIN THE SPECIAL USE PERMITS THAT ARE REQUIRED THEREBY TO BE APPROVED BY THE CITY COUNCIL SPECIAL USE PERMITS FOR GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS REPEALING TITLE 6, CHAPTER 40, SECTIONS 80, 160 AND 175, OF SAID CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
SPONSORED BY:
MAYOR RON LURIE
SUMMARY:
Makes various changes in gaming control ordinance.
At a City Council meeting
September 21, 1988
BILL NO. 88-55 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Nolen and Adamsen.
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: January 12, 1989

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 FEBRUARY 11, 1989 to FEBRUARY 11, 1989 inclusive, being the issue of said newspaper for the following dates, to wit:

FEBRUARY 11, 1989

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

FIFTH AMENDMENT
BILL NO. 88-55
Ordinance No. 3411

AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 4, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE TERMS "NONRESTRICTED LICENSE" AND "FACEBOOK INFORMATION SERVICE" TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE;" AMENDING SECTION 40 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING SECTION 45 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED; AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT RESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR RESTRICTED GAMING ON APRIL 1, 1989, IN AN ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES OR IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES WITH RESPECT TO WHICH A SPECIAL USE PERMIT THEREFOR IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE SUBJECT TO A LIMITATION ON THE NUMBER OF SLOT MACHINES IN SUCH ESTABLISHMENT OF FOUR; AMENDING SECTION 190 OF SAID TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT, ON NOVEMBER 1 1988, WAS LICENSED FOR NON-RESTRICTED GAMING, IN AN ESTABLISHMENT WHICH CONSISTS, OR WHEN THE SAME IS CONSTRUCTED WILL CONSIST, OF A RESTAURANT WHICH HAS FULL KITCHEN FACILITIES AND IS LOCATED WITHIN A FREESTANDING BUILDING THAT CONTAINS IN EX-

CESS OF THREE THOUSAND REQUIREMENT HAD BEEN WAIVED, AND WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, IN AN ESTABLISHMENT WITH RESPECT TO WHICH A TAVERN LICENSE IS ISSUED IN ACCORDANCE WITH THE LIQUOR CONTROL ORDINANCE, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED TWENTY, OR IN A RETAIL OUTLET THAT CONTAINS AT LEAST FIVE THOUSAND SQUARE FEET OF USEABLE FLOOR SPACE AND WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED TWENTY; FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 165, TO PROVIDE THAT ANY ESTABLISHMENT IN WHICH RESTRICTED OR NON-RESTRICTED GAMING IS CONDUCTED BY VIRTUE OF SUCH ESTABLISHMENT'S HAVING BEEN LICENSED FOR SUCH GAMING ON NOVEMBER 1, 1988, OR APRIL 1, 1989, AS THE CASE MAY BE, OR BEING SITUATE WITHIN ONE OF THE SO-CALLED "RED-LINED" DISTRICTS SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH GAMING IF GAMING OPERATIONS THEREIN ARE DISCONTINUED FOR TWENTY-FOUR CONSECUTIVE MONTHS; AMENDING TITLE 19, CHAPTER 4, OF SAID CODE BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 417, TO DEFINE THE TERM "GENERAL BUSINESS RELATED GAMING ESTABLISHMENT"; AMENDING CHAPTER 40, SECTION 10, CHAPTER 42, SECTION 20, CHAPTER 44, SECTION 20, CHAPTER 46, SECTION 20, CHAPTER 47, SECTION 30, CHAPTER 48, SECTION 20, CHAPTER 49, SECTION 30, CHAPTER 50, SECTION 20, CHAPTER 52, SECTION 20, OF SAID TITLE TO PROVIDE THAT GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS MAY BE PERMITTED IN THE ZONING DISTRICTS TO WHICH SAID SECTIONS RELATE BY WAY OF SPECIAL USE PERMITS THAT ARE APPROVED BY THE CITY COUNCIL; AMENDING CHAPTER 46, SECTION 10, AND FURTHER AMENDING CHAPTER 46, SECTION 20, CHAPTER 48, SECTION 20, AND CHAPTER 50, SECTION 20, OF SAID TITLE TO PROVIDE THAT THE PROPERTIES THAT, ON OR BE-

hereafter the said committee reported favorably on said amended ordinance on the 8th day of February, 1989, which was a recessed meeting of said City Council; that at said recessed meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:
VOTING "AYE" Councilmen: Adamsen, Bunker and Nolen
VOTING "NAY" Councilmen: NONE
ABSTAINING: Mayor Lurie
ABSENT: Councilman Miller
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.
911R: February 11, 1989

SIGNED *George J. Vasconi*
GEORGE J. VASCONI

Subscribed and sworn to before me this 13 day of Feb, 1989

Carselettie Young
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



Carselettie Young
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Sept. 1, 1992

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 FEBRUARY 11, 1989 to FEBRUARY 11, 1989 inclusive, being the issue of said newspaper for the following dates, to wit:

FEBRUARY 11, 1989

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

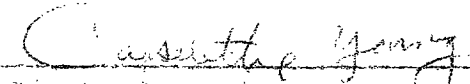
FIFTH AMENDMENT
BILL NO. 88-33
Ordinance No. 3411
AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 4, CHAPTER 40, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE TERMS "NONRESTRICTED LICENSE" AND "FACEBOOK INFORMATION SERVICE" TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING THERETO A DEFINITION OF THE TERM "RESTRICTED LICENSE"; AMENDING SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE AND TO DELETE THE REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME FOR WHICH A "HOLIDAY OR SPECIAL EVENT" PERMIT MAY BE GRANTED; AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT RESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR RESTRICTED GAMING ON APRIL 1, 1989, IN AN ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES OR IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES WITH RESPECT TO WHICH A SPECIAL USE PERMIT THEREFOR IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE SUBJECT TO A LIMITATION ON THE NUMBER OF SLOT MACHINES IN SUCH ESTABLISHMENT OF FOUR; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT, ON NOVEM-

SIGNED



GEORGE J. VASCONI

Subscribed and sworn to before me
this 13 day of Feb, 1989



NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



Carselettie Young
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Sept. 1, 1992

FEB 10 10 23 AM '89

1 of 2



ORD. 3411
BILL 88-55

BER 1 1988, WAS LICENSED FOR NON-RESTRICTED GAMING, IN AN ESTABLISHMENT WHICH CONSISTS, OR WHEN THE SAME IS CONSTRUCTED WILL CONSIST, OF A RESTAURANT WHICH HAS FULL KITCHEN FACILITIES AND IS LOCATED WITHIN A FREESTANDING BUILDING THAT CONTAINS IN EXCESS OF THREE THOUSAND SQUARE FEET OF USEABLE FLOOR SPACE AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, A TAVERN LICENSE HAS BEEN ISSUED IN ACCORDANCE WITH LVMC 6.50.050 OR PRELIMINARY APPROVAL FOR A TAVERN LICENSE HAS BEEN GRANTED IN ACCORDANCE WITH LVMC 6.06.050 AND AN APPLICATION FOR NON-RESTRICTED GAMING HAS BEEN FILED WITH THE STATE OR IN AN ESTABLISHMENT WHICH CONSISTS OF A LICENSED BUSINESS PREMISES THAT CONTAINS IN EXCESS OF NINE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, AN APPLICATION FOR NON-RESTRICTED GAMING HAS BEEN FILED WITH THE STATE, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED THIRTY-FIVE IN ANY SUCH ESTABLISHMENT THAT, ON APRIL 1, 1989, IS LICENSED FOR SLOT MACHINES ONLY, IN AN ESTABLISHMENT THAT IS SITUATE WITHIN ONE OF THE SO-CALLED "RED-LINED" DISTRICTS AND WITH RESPECT TO WHICH, ON APRIL 1, 1989, AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE, IN A HOTEL THAT CONTAINS AT LEAST TWO HUNDRED GUESTROOMS, OR, ON FEBRUARY 1, 1989, SUCH GUESTROOM REQUIREMENT HAD BEEN WAIVED, AND WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, IN AN ESTABLISHMENT WITH RESPECT TO WHICH A TAVERN LICENSE IS ISSUED IN ACCORDANCE WITH THE LIQUOR CONTROL ORDINANCE, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED TWENTY, OR IN A RETAIL OUTLET THAT CONTAINS AT LEAST FIVE THOUSAND SQUARE FEET OF USEABLE FLOOR SPACE AND WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE, SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED TWENTY; FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 165, TO PROVIDE THAT ANY ESTABLISHMENT IN WHICH RESTRICTED OR NON-RESTRICTED GAMING IS CONDUCTED BY VIRTUE OF SUCH ESTABLISHMENT'S HAVING BEEN LICENSED FOR SUCH GAMING ON NOVEMBER 1, 1988, OR APRIL 1, 1989, AS THE CASE MAY BE, OR BEING SITUATE WITHIN ONE OF THE SO-CALLED "RED-LINED" DISTRICTS SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH GAMING IF GAMING OPERATIONS THEREIN ARE DISCONTINUED

FOR TWENTY-FOUR CONSECUTIVE MONTHS; AMENDING TITLE 19, CHAPTER 4, OF SAID CODE BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 417, TO DEFINE THE TERM "GENERAL BUSINESS RELATED GAMING ESTABLISHMENT"; AMENDING CHAPTER 40, SECTION 10, CHAPTER 42, SECTION 20, CHAPTER 44, SECTION 20, CHAPTER 46, SECTION 20, CHAPTER 47, SECTION 30, CHAPTER 48, SECTION 20, CHAPTER 49, SECTION 30, CHAPTER 49A, SECTION 30, CHAPTER 50, SECTION 20, CHAPTER 52, SECTION 20, OF SAID TITLE TO PROVIDE THAT GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS MAY BE PERMITTED IN THE ZONING DISTRICTS TO WHICH SAID SECTIONS RELATE BY WAY OF SPECIAL USE PERMITS THAT ARE APPROVED BY THE CITY COUNCIL; AMENDING CHAPTER 46, SECTION 10, AND FURTHER AMENDING CHAPTER 46, SECTION 20, CHAPTER 48, SECTION 20, AND CHAPTER 50, SECTION 20, OF SAID TITLE TO PROVIDE THAT THE PROPERTIES THAT, ON OR BEFORE OCTOBER 3, 1988, HAD BEEN PERMANENTLY CLASSIFIED AS C-2 AND WITH RESPECT TO WHICH AN APPLICATION FOR AESTHETIC REVIEW HAD BEEN FILED, ARE, UNDER CERTAIN CIRCUMSTANCES, EXEMPT FROM THE SPECIAL USE PERMIT REQUIREMENTS FOR NONRESTRICTED GAMING THAT ARE PROVIDED IN SAID SECTIONS; AMENDING CHAPTER 90, SECTION 80, OF SAID TITLE TO INCLUDE WITHIN THE SPECIAL USE PERMITS THAT ARE REQUIRED THEREBY TO BE APPROVED BY THE CITY COUNCIL SPECIAL USE PERMITS FOR GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS; REPEALING TITLE 6, CHAPTER 48, SECTIONS 80, 160 AND 175, OF SAID CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Mayor Ron Lurie

SUMMARY: Makes various changes in gaming control ordinance.
The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 21st day of September, 1988, and referred to the following committee composed of Councilmen Nolen and Adamsen, for recommendation;

The said committee reported favorably on said amended ordinance on the 8th day of February, 1989, which was a recessed meeting of said City Council; that at said recessed meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen:
Adamsen, Bunker and Nolen
VOTING "NAY" Councilmen: NONE
ABSTAINING: Mayor Lurie
ABSENT: Councilman Miller

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.
DATE: February 11, 1989

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 JANUARY 12, 1989 to JANUARY 12, 1989 inclusive, being the issue of said newspaper for the following dates, to wit:

JANUARY 12, 1989

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

FOURTH AMENDMENT
BLL. NO. 88-55
AN ORDINANCE RELATING TO GAMING CONTROL; AMENDING TITLE 6, CHAPTER 4, SECTION 50 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CONFORM THE DEFINITIONS OF THE TERMS "NONRESTRICTED LICENSE" AND "FACEBOOK INFORMATION SERVICE" TO THEIR COUNTERPARTS IN THE NEVADA REVISED STATUTES AND ADDING THEREAFTER A DEFINITION OF THE TERM "RESTRICTED LICENSE"; AMENDING SECTION 60 OF SAID TITLE AND CHAPTER TO DELEGATE TO THE DIRECTOR OF THE DEPARTMENT OF BUSINESS ACTIVITY THE DISCRETION TO APPROVE THE APPLICATION OF A CHARITABLE OR EDUCATIONAL ORGANIZATION TO CONDUCT AND MAINTAIN GAMING OR A SPORTS POOL WITHOUT REQUIRING SUCH ORGANIZATION TO OBTAIN A GAMING LICENSE; AND TO DELETE THE REQUIREMENT THAT THE LOCATION AT WHICH SUCH GAMING OR SPORTS POOL MAY BE CONDUCTED BE APPROVED BY THE CITY COUNCIL; AMENDING SECTION 65 OF SAID TITLE AND CHAPTER TO DELETE THE PERIOD OF TIME FOR WHICH A HOLIDAY OR SPECIAL EVENT PERMIT MAY BE GRANTED; AMENDING SECTION 110 OF SAID TITLE AND CHAPTER TO ELIMINATE THE DISPARITY BETWEEN THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH FIVE OR FEWER SLOT MACHINES AND THE PER SLOT MACHINE LICENSE FEE FOR SLOT MACHINES LOCATED IN ESTABLISHMENTS WITH MORE THAN FIVE SLOT MACHINES; AMENDING SECTION 140 OF SAID TITLE AND CHAPTER TO PROVIDE THAT RESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT IS LICENSED FOR RESTRICTED GAMING ON APRIL 1, 1989; IN AN ESTABLISHMENT THAT IS LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES OR IN AN ESTABLISHMENT THAT IS NOT LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES; WITH RESPECT TO WHICH A SPECIAL USE PERMIT THEREFOR IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE SUBJECT TO

SIGNED George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me
this 12 day of January, 1989

Carselettie Young
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA

SEE ATTACHED

1 OF 2



Carselettie Young
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Sept. 1, 1992

CITY CLERK

JAN 17 3 13 PM '89



LIMITATION ON THE NUMBER OF SLOT MACHINES IN SUCH ESTABLISHMENT OTHER THAN A RESTAURANT OUTLET THAT CONTAINS AT LEAST 3,000 SQUARE FEET OF FLOOR SPACE. AMENDING SECTION 150 OF SAID TITLE AND CHAPTER TO PROVIDE THAT NONRESTRICTED GAMING MAY BE CONDUCTED ONLY IN AN ESTABLISHMENT THAT ON NOVEMBER 1, 1989 IS LICENSED FOR NONRESTRICTED GAMING IN AN ESTABLISHMENT WHICH CONSISTS OR WHEN THE SAME IS CONSTRUCTED WILL CONSIST OF A RESTAURANT WHICH HAS FULL KITCHEN FACILITIES AND IS LOCATED WITHIN A FREESTANDING BUILDING THAT CONTAINS IN EXCESS OF THREE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO WHICH ON APRIL 1, 1989 A TAVERN LICENSE HAS BEEN ISSUED IN ACCORDANCE WITH LVMC 630.030 OR PRELIMINARY APPROVAL FOR A TAVERN LICENSE HAS BEEN GRANTED IN ACCORDANCE WITH LVMC 630.030 AND AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE OR IN AN ESTABLISHMENT WHICH CONSISTS OF A LICENSED BUSINESS PREMISES THAT CONTAINS IN EXCESS OF NINE THOUSAND SQUARE FEET OF USABLE FLOOR SPACE AND WITH RESPECT TO WHICH ON APRIL 1, 1989 AN APPLICATION FOR NONRESTRICTED GAMING HAS BEEN FILED WITH THE STATE SUBJECT TO A LIMITATION ON SUCH GAMING TO THE OPERATION OF SLOT MACHINES ONLY OF A NUMBER NOT TO EXCEED THIRTY-FIVE IN ANY SUCH ESTABLISHMENT THAT ON APRIL 1, 1989 IS LICENSED FOR SLOT MACHINES ONLY OR IN A HOTEL WITH RESPECT TO WHICH A SPECIAL USE PERMIT IS OBTAINED IN ACCORDANCE WITH THE ZONING ORDINANCE FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION DESIGNATED AS SECTION 165 TO PROVIDE THAT ANY ESTABLISHMENT IN WHICH RESTRICTED OR NONRESTRICTED GAMING IS CONDUCTED BY VIRTUE OF SUCH ESTABLISHMENT HAVING BEEN LICENSED FOR SUCH GAMING ON APRIL 1, 1989 SHALL FORFEIT ITS RIGHT TO CONDUCT SUCH GAMING IF GAMING OPERATIONS THEREIN ARE DISCONTINUED FOR TWENTY-FOUR CONSECUTIVE MONTHS AMENDING TITLE 19, CHAPTER 4, SECTION 419, OF SAID CODE TO PROVIDE THAT NONRESTRICTED GAMING OTHER THAN AS PERMITTED BY LVMC 630.150(A) MAY BE CONDUCTED ONLY IN A HOTEL WITH AT LEAST TWO HUNDRED

GUESTROOMS OR IN A HOTEL WITH RESPECT TO WHICH ON FEBRUARY 1, 1989 THE GUESTROOM REQUIREMENT HAD BEEN WAIVED FURTHER AMENDING SAID TITLE AND CHAPTER BY ADDING THERETO A NEW SECTION DESIGNATED AS SECTION 417 TO DEFINE THE TERM "GENERAL BUSINESS RELATED GAMING ESTABLISHMENT" AMENDING CHAPTER 40, SECTION 80, CHAPTER 42, SECTION 20, CHAPTER 44, SECTION 20, CHAPTER 46, SECTION 20, CHAPTER 47, SECTION 20, CHAPTER 48, SECTION 20, CHAPTER 49, SECTION 20, CHAPTER 49(A), SECTION 20, CHAPTER 50, SECTION 20, AND CHAPTER 51, SECTION 20 OF SAID TITLE TO PROVIDE THAT GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS MAY BE PERMITTED IN THE ZONING DISTRICTS TO WHICH SAID SECTIONS RELATE BY WAY OF SPECIAL USE PERMITS THAT ARE APPROVED BY THE CITY COUNCIL AMENDING CHAPTER 44, SECTION 175, AND FURTHER AMENDING CHAPTER 48, SECTION 20, AND CHAPTER 51, SECTION 20 OF SAID TITLE TO PROVIDE THAT THE PROPERTIES THAT FRONT DIE FREMONT STREET, MAIN STREET AND LAS VEGAS BOULEVARD ARE TO BE KEPT EMPTY FROM THE USE PERMIT REQUIREMENTS FOR NONRESTRICTED GAMING THAT ARE PROVIDED IN SAID SECTIONS AMENDING CHAPTER 48, SECTION 80 OF SAID TITLE TO INCLUDE WITHIN THE SPECIAL USE PERMITS THAT ARE REQUIRED THEREBY TO BE APPROVED BY THE CITY COUNCIL SPECIAL USE PERMITS FOR GENERAL BUSINESS RELATED GAMING ESTABLISHMENTS REPEALING TITLE 6, CHAPTER 40, SECTIONS 80, 160 AND 175 OF SAID CODE PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH
SPONSORED BY:
MAYOR RON LURIE
SUMMARY:
Makes various changes in gaming control ordinance.
At a City Council meeting September 21, 1988
BILL NO. 88-55 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Nolan and Adams.
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: January 12, 1989