

FIRST AMENDMENT

BILL NO. 2000-100

ORDINANCE NO. 5288

AN ORDINANCE TO AMEND THE LIQUOR AND ZONING CODES REGARDING THE DISCONTINUATION OF NONCONFORMING USES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Michael McDonald

Summary: Amends the liquor and zoning regulations to make them consistent regarding the discontinuation of nonconforming uses.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

AS FOLLOWS:

SECTION 1: Title 6, Chapter 50, Section 223, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.223: (A) No new beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license, restaurant service bar, supper club, hotel lounge bar or tavern license [, and

(B) No beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on/off sale, or package, wholesale general license, restaurant service bar, supper club, hotel lounge bar or tavern license for any location that has discontinued being a licensed liquor establishment for a period of twenty-four consecutive months] shall be issued by the Department unless in each case the location for which the license is issued is first approved for a special use permit pursuant to the procedures provided for in LVMC 19A.04.050.

[(C)] (B) Approval of a special use permit shall not constitute or imply approval of any privileged business license that may be required by this Code.

[(D)] (C) The provisions of this section requiring a special use permit for the locations of the types of establishments identified and enumerated in Subsections (A) and (B) of this Section shall not apply to the locations of establishments that are intended to be operated solely under a gift shop limited license, a keg beer license, a nonprofit club general license, or a liquor caterers license, or to locations of establishments specified in catering service permits and special events licenses.

...

1 SECTION 2: Section 19A.16.030(A) of the Zoning Code of the City of Las Vegas
2 is hereby amended to read as follows:

3 **A. Non-Conforming Use of a Conforming Building**

4 **1. Expansion of Use.** A non-conforming use of a conforming building shall not be extended or
5 expanded into any other portion of the conforming building.

6 **2. Discontinuation of Use.** If a non-conforming use of a conforming building is discontinued for a
7 period of [90] 180 days, or one year in the case of a conforming building that has been damaged or
8 partially destroyed by fire, flood, wind, another calamity or an act of God, the future use of such
9 building shall be only in conformance with the provisions of this Title. Non-conforming uses of a
10 conforming building shall be discontinued upon written notice from the City to the owner to
11 discontinue the use. The use shall be discontinued no later than the date described in the notice, which
12 in no event shall be later than five years from the date notice is given. Notice shall be provided by
13 mailing to the owner of the property as shown by the County Assessor's records and recording a copy
14 of the notice in the office of the County Recorder. Such notice shall contain the legal description of
15 the property, a description of the use required to be discontinued, the date that the use is to cease and
16 desist and the section of this Title which declares the use to be non-conforming.

17 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or
18 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
19 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
20 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
21 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
22 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
23 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
24 invalid or ineffective.

25 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
26 ...
27 ...
28 ...

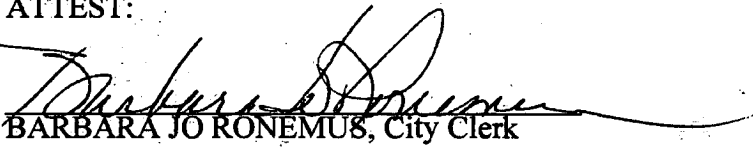
1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 17th day of January, 2001.

4 APPROVED:

5
6 By 
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8 
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11  1-18-01
12 Date

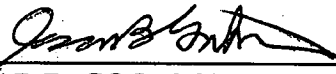
1 The above and foregoing ordinance was first proposed and read by title to the City
2 Council on the 20th day of December, 2000 and referred to the following committee composed
3 of the Councilmembers Weekly and L.B. McDonald for recommendation; thereafter the said
4 committee reported favorably on said ordinance on the 17th day of January, 2001 which was a
5 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read
6 by title to the City Council as amended and adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, M. McDonald, Brown,
8 L. B. McDonald, Weekly and Mack

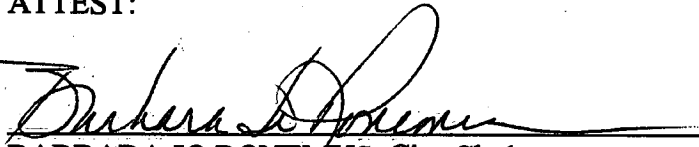
9 VOTING "NAY": NONE

10 EXCUSED: NONE

11 APPROVED:

12
13 
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 
17 BARBARA JO RONEMUS, City Clerk

BILL NO. 2000-100

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE LIQUOR AND ZONING CODES REGARDING THE DISCONTINUATION OF NONCONFORMING USES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Michael McDonald

Summary: Amends the liquor and zoning regulations to make them consistent regarding the discontinuation of nonconforming uses.

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AS FOLLOWS:

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[(C)] (B) Approval of a special use permit shall not constitute or imply approval of any privileged business license that may be required by this Code.

[(D)] (C) The provisions of this section requiring a special use permit for the locations of the types of establishments identified and enumerated in Subsections (A) and (B) of this Section shall not apply to the locations of establishments that are intended to be operated solely under a gift shop limited license, a keg beer license, a nonprofit club general license, or a liquor caterers license, or to locations of establishments specified in catering service permits and special events licenses.

SECTION 2: Section 19A.16.030(A) of the Zoning Code of the City of Las Vegas is hereby amended to read as follows:

1 **A. Non-Conforming Use of a Conforming Building**

2 **1. Expansion of Use.** A non-conforming use of a conforming building shall not be extended or
3 expanded into any other portion of the conforming building.

4 **2. Discontinuation of Use.** If a non-conforming use of a conforming building is discontinued for a
5 period of [90] 180 days, the future use of such building shall be only in conformance with the
6 provisions of this Title. Non-conforming uses of a conforming building shall be discontinued upon
7 written notice from the City to the owner to discontinue the use. The use shall be discontinued no
8 later than the date described in the notice, which in no event shall be later than five years from the date
9 notice is given. Notice shall be provided by mailing to the owner of the property as shown by the
10 County Assessor's records and recording a copy of the notice in the office of the County Recorder.
11 Such notice shall contain the legal description of the property, a description of the use required to be
12 discontinued, the date that the use is to cease and desist and the section of this Title which declares
13 the use to be non-conforming.

14 **SECTION 3:** If any section, subsection, subdivision, paragraph, sentence, clause or
15 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
16 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
17 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
18 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
19 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
20 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
21 invalid or ineffective.

22 **SECTION 4:** All ordinances or parts of ordinances or sections, subsections, phrases,
23 ...
24 ...
25 ...
26 ...
27 ...
28 ...

1 sentences, clauses or paragraphs 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 _____, 2001.

4 APPROVED:

5
6 By _____
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8
9 _____
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed 12-6-2000
12 _____
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of ____, 2000, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED: _____

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk
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CITY CLERK

2001 JAN 16 A. 11: 05

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
1549213

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/06/01 to 01/06/2001, on the following days: JANUARY 6, 2001

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of January 2001

Mary B. Sheffield
Notary Public

BILL NO. 2000-100

AN ORDINANCE TO AMEND THE LIQUOR AND ZONING CODES REGARDING THE DISCONTINUATION OF NONCONFORMING USES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Michael J. McDonald
Summary: Amends the liquor and zoning regulations to make them consistent regarding the discontinuation of nonconforming uses.

At a City Council meeting DECEMBER 20, 2000
BILL NO. 2000-100 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilmembers Weekly and L. B. McDonald

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, CITY HALL, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 6, 2001
LV Review-Journal



RECEIVED
CITY CLERK

2001 FEB -2 A 10: 52

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

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LV CITY CLERK
1566741

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/20/01 to 01/20/2001, on the following days: JANUARY 20, 2001

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BILL NO. 2000-100
ORDINANCE NO. 5288

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20th day of December,
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following committee com-
posed of Councilmembers
Weekly and L. B. McDo-
nald for recommendation;
thereafter the said com-
mittee reported favorably
on said ordinance on the
17TH day of January, 2001,
which was a regular meet-
ing of said City Council;
and that at said regular
meeting the proposed or-
dinance was read by title
to the City Council as
amended and adopted by
the following vote:

VOTING "AYE": Mayor
Goodman and Council-
members Reese, M. McDo-
nald, Brown, L.B. McDo-
nald, Weekly and Mack
VOTING "NAY": NONE
EXCUSED: NONE

COPIES OF THE COMPLETE
ORDINANCE ARE AVAILA-
BLE FOR PUBLIC INFORMA-
TION IN THE OFFICE OF
THE CITY CLERK, 1ST
FLOOR, 400 STEWART AVE-
NUE, LAS VEGAS, NEVADA.
PUB: January 20, 2001
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 22

day of January 2001

Mary B. Sheffield

Notary Public

