

ORDINANCE NO. 248

1 AN ORDINANCE TO AMEND SECTION 2, AS AMENDED, AND SECTION 16, AS
2 AMENDED, OF ORDINANCE NO. 203 OF THE CITY OF LAS VEGAS, ENTITLED:
3 "AN ORDINANCE REGULATING THE DISTRIBUTION AND CONTROL OF INTOXICAT-
4 ING AND ALCOHOLIC LIQUORS AND BEVERAGES; REGULATING PLACES WHERE AND
5 UNDER WHAT CONDITIONS SAID INTOXICATING AND ALCOHOLIC LIQUORS AND
6 BEVERAGES MAY BE KEPT, SOLD, GIVEN AWAY OR OTHERWISE DISTRIBUTED;
7 PROVIDING FOR PERMITS AND LICENSES; PROVIDING PENALTIES FOR THE VIOL-
8 ATION OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES OR PARTS OF ORD-
9 INANCES IN CONFLICT THEREWITH", AND REPEALING ALL ORDINANCES OR PARTS
10 OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

11 The Board of Commissioners of the City of Las Vegas do ordain as
12 follows:

13 Section 1. Section 2 of Ordinance No. 203 of the City of Las
14 Vegas (as amended) is hereby amended to read as follows:

15 DEFINITIONS: For the interpretation of this Ordinance unless context
16 indicates a different meaning:

17 1. The word "alcohol" means a product of distillation of any fer-
18 mented liquor, rectified either once or oftener, whatever may be the
19 origin thereof, and includes synthetic ethyl alcohol.

20 2. The work "spirits" means any liquor which contains alcohol
21 obtained by distillation, mixed with drinkable water and other sub-
22 stances in solution, including brandy, rum whiskey and gin.

23 3. The word "wine" means any alcoholic liquor obtained by the
24 fermentation of natural sugar contents of fruits or other agricultural
25 products containing sugar, including fortified wines such as port,
26 sherry and champagne.

27 4. The word "beer" means any liquor obtained by the alcoholic
28 fermentation of an infusion or decoction of malt, barley and hops in
29 drinking water.

30 5. The word "beverage" means any beer or wine containing not more
31 than 30 per centum of alcohol by weight.

32 6. The words "alcoholic Liquor" include the four varieties of
liquor defined, (alcohol, spirits, wine and beer), and wine or beer,
spirits and every liquid or solid patented or not, containing alcohol
and capable of being consumed by human beings.

7. The word "Hotel" means every building or other structure kept,
used, maintained, advertised, or held out to the public to be a place

1 where food is served and sleeping accommodations are offered for pay
2 to transient guests, in which thirty or more rooms are used for the
3 sleeping accommodations of such transient guests and having one or
4 more dining rooms where meals are served to such transient guests, such
5 sleeping accommodations and dining rooms being conducted in the same
6 building or buildings in connection therewith.

7 8. The word "restaurant" means space in a suitable building kept,
8 used, maintained, advertised or held out to the public to be a place
9 where meals are served without sleeping accommodations, and where twenty-
10 five persons or more may be served with meals at any one time at tables.

11 9. The word "club" means an association of persons, whether in-
12 corporated or unincorporated, for the promotion of some common object
13 (but not including associations organized for any commercial or bus-
14 iness purpose the object of which is money profit) owning, hiring, or
15 leasing a building or space in a building of such extent and character
16 as may be suitable and adequate for the reasonable and comfortable use
17 and accommodation of its members and their guests.

18 10. The word "tavern" means a place where alcoholic liquors are
19 sold at retail to the general public, and a place where no other kind of
20 business or businesses is or are being maintained or conducted, except
21 that in such taverns, cigars, cigarettes, tobaccos, nuts, jerkey, pop-
22 corn and pretzels may be sold or given away. Otherwise, however no
23 lunches, food-stuffs, or so-called "free lunches" are to be either sold
24 or given away in such taverns.

25 11. The word "cabaret" means a place for the entertainment of
26 guests, and where meals and beverages or alcoholic liquors are served
27 or sold at retail, at tables only, and not at or over a bar.

28 12. A "drugstore" means a place where medicines are sold and pre-
29 scriptions compounded.

30 13. A "Wholesale liquor establishment" is defined to be a place
31 where alcoholic, spirituous, vinous, malt, or mixed alcoholic and intox-
32 icating liquors and beverages are kept, sold, given away or distributed,
contained in sealed or corked packages or kegs, and not to be consumed

1 on the premises where so kept, sold, given away or distributed, and to
2 be sold, given away or distributed, to retailers only, and only in the
3 original packages or kegs. And every wholesale liquor establishment
4 shall keep a record of the retail city license number of each and
5 every person, firm or corporation to whom any sale or gift of liquor
6 is made and shall keep an invoice of each and every such sale or gift,
7 and shall insert on such invoice, such retail license number, and such
8 invoices shall at all times, during business hours, be open to inspec-
9 tion by the City of Las Vegas.

10 14. A "retail liquor establishment" is defined to be a place where
11 alcoholic liquors and beverages are sold, served, or otherwise distrib-
12 uted in quantities not exceeding four and nine-tenths (4.9) gallons to
13 the same person or for the same person's use at any one time.
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1 Section 2. Section 16 of Ordinance No.203 of the City of Las
2 Vegas (as amended) is hereby further amended to read as follows:

3 The rates for licenses provided for in this Ordinance shall be,
4 and the same are fixed and established, and the same shall be paid in
5 advance by all persons receiving such licenses respectively, as follows:

6 1. For a wholesale liquor license, which shall include the right
7 to wholesale alcoholic liquors and beverages of all kinds, the
sum of \$75.00 per quarter.

8 2. For an importer's license the sum of \$50.00 per quarter. An
9 importer's license shall authorize the holder thereof to be the
10 first person in possession of wines, beers or other alcoholic
11 liquors within the City of Las Vegas after completion of the act
of the importation of such wines, beers or other alcoholic liquors
from without the state and which have been brewed, fermented or
produced outside the state. It shall not authorize the sale of
any type of wines, beers, or other alcoholic liquors.

12 In order to make such sales the licensee must first secure the
13 appropriate license or licenses applicable to the class or
classes of business in which he is engaged.

14 3. For a wholesale beverage license the sum of \$37.50 per quarter.

15 4. For a tavern liquor license the sum of \$250.00 per quarter.

16 5. For a club liquor license, the sum of \$75.00 per quarter.

17 6. For a restaurant beverage license, the sum of \$180.00 per
18 quarter.

19 7. For a cabaret license, selling beverages only, the sum of
\$125.00 per quarter.

20 8. For a cabaret liquor license, the sum of \$300.00 per quarter.

21 9. For a retail liquor establishment to be maintained only in
22 the zone designated in Section 4 of Ordinance No.203, as amended
by Section 1 of Ordinance No.246, or a drug store, for the dis-
23 tribution of alcoholic liquors in the original containers, as
received from the distiller or wholesaler, not to be consumed on
24 the premises, in quantities not exceeding four and nine-tenths
(4.9) gallons to the same person and for the same person's use
at any one time, the sum of \$243.75 per quarter; Provided, however,
25 that under this license, and without additional payment therefor,
the licensee shall be permitted to serve alcoholic beverages con-
26 taining not more than five and one-half per cent (5½%) of alcohol
by weight, to be consumed upon the premises.

27 10. For a retail beverage license for the sale of beverages con-
28 taining not more than five and one-half per cent (5½%) of alcohol
by weight, the sum of \$37.50 per quarter.

29 11. For a cocktail room, or a room adjacent to or in close prox-
30 imity to a tavern, where alcoholic liquors containing more than
five and one-half per cent (5½%) of alcohol by weight, are served
31 to the general public from such tavern and where music or other
entertainment is furnished for the pleasure of its guests, the
32 sum of \$25.00 per quarter.

1 Section 3. All ordinances and parts of ordinances in conflict
2 with the provisions of this ordinance are hereby repealed.

3 Section 4. The City Clerk is hereby authorized to have this
4 ordinance published in the Las Vegas AGE
5 _____, a weekly newspaper published in the
6 City of Las Vegas, Clark County, Nevada, for a period of two weeks,
7 that is to say, once each week for a period of two weeks.

8
9 John L. Russell
MAYOR

10
11 Attest:

12 Viola Burns
13 CITY CLERK.

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15
16 The above and foregoing Ordinance was proposed, read aloud in
17 full, and adopted this 28th day of November, A.D. 1939,
18 by the following vote:

19 Commissioners Joe S. Rannon, Herb Krauss,
20 Al Corradetti and _____, and His Honor, the Mayor,
21 J.L. Russell, voting aye. Voting No, none.

22 Absent, commissioner C. V. T. GILBERT

This Ordinance was read aloud to the Board of Commissioners at a recessed regular meeting held on the 28th day of November, 1939, at which time it was proposed, considered and voted upon, and unaniously adopted and thereafter published in the Las Vegas Age, a weekly newspaper, published in the City of Las Vegas, for a period of once a week for two consecutive weeks immediately following its first reading. And it was thereafter read aloud to the Board for a second time at a _____ meeting of the Board held on the _____ day of December, 1939.

Voting aye: Commissioners. _____, _____, _____
_____ and His Honor the Mayor John L. Russell
voting aye. Noes: _____ Absent Commissioner

Approved:

Mayor of the City of Las Vegas

Attest:

City Clerk

(City seal)

This Ordinance was read aloud to the Board of Commissioners at a recessed regular meeting held on the 28th day of November, 1939, at which time it was proposed, considered and voted upon, and unaniously adopted and thereafter published in the Las Vegas Age, a weekly newspaper, published in the City of Las Vegas, for a period of once a week for two consecutive weeks immediately following its first reading. And it was thereafter read aloud to the Board for a second time at a _____ meeting of the Board held on the _____ day of December, 1939.

Voting aye: Commissioners. _____, _____, _____

_____ and His Honor the Mayor John L. Russell

voting aye. Noes: _____ Absent Commissioner

Approved:

Mayor of the City of Las Vegas

Attest:

City Clerk

(City seal)

Affidavit of Publication

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

Charles P. Squires being duly sworn, deposes and says:

That he is Publisher of LAS VEGAS AGE, a weekly newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached Ordinance No. 248 was published in said newspaper for a period of two weeks from Dec. 2, 1939 to Dec. 9, 1939 inclusive being the issues of said newspaper for the following dates, to-wit:

December 2, 1939 December 9, 1939

That said newspaper was regularly issued and circulated on each of the dates above named. That the legal charge for publishing said legal notice was \$ 86.10

Signed

C. P. Squires

Subscribed and sworn to before me this 12th day of December 1939

C. D. Treze
Notary Public in and for Clark County, Nevada

My Commission Expires June 9, 1943

ORDINANCE NO. 248

AN ORDINANCE TO AMEND SECTION 2, AS AMENDED, AND SECTION 16, AS AMENDED, OF ORDINANCE NO. 203 OF THE CITY OF LAS VEGAS, ENTITLED: "AN ORDINANCE REGULATING THE DISTRIBUTION AND CONTROL OF INTOXICATING AND ALCOHOLIC LIQUORS AND BEVERAGES; REGULATING PLACES WHERE AND UNDER WHAT CONDITIONS SAID INTOXICATING AND ALCOHOLIC LIQUORS AND BEVERAGES MAY BE KEPT, SOLD, GIVEN AWAY OR OTHERWISE DISTRIBUTED; PROVIDING FOR PERMITS AND LICENSES; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH," AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. Section 2 of Ordinance No. 203 of the City of Las Vegas (as amended) is hereby amended to read as follows:

DEFINITIONS: For the interpretation of this Ordinance unless context indicates a different meaning:

1. The word "alcohol" means a product of distillation of any fermented liquor, rectified either once or oftener, whatever may be the origin thereof, and includes synthetic ethyl alcohol.
2. The word "spirits" means any liquor which contains alcohol obtained by distillation, mixed with drinkable water and other substances in solution, including brandy, rum, whiskey and gin.
3. The word "wine" means any alcoholic liquor obtained by the fermentation of natural sugar contents of fruits or other agricultural products containing sugar, including fortified wines such as port, sherry and champagne.
4. The word "beer" means any liquor obtained by the alcoholic fermentation of an infusion or decoction of malt, barley and hops in drinking water.
5. The word "beverage" means any beer or wine containing not more than 30 per centum of alcohol by weight.
6. The words "alcoholic liquor" include the four varieties of liquor defined, (alcohol, spirits, wine and beer), and wine or beer, spirits and every liquid or solid patented or not, containing alcohol and capable of being consumed by human beings.

7. The word "Hotel" means every building or other structure kept, used, maintained, advertised, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which thirty or more rooms are used for the sleeping accommodations of such transient guests and having one or more dining rooms where meals are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings in connection therewith.

8. The word "restaurant" means space in a suitable building kept, used, maintained, advertised or held out to the public to be a place where meals are served without sleeping accommodations, and where twenty-five persons or more may be served with meals at any one time at tables.

9. The word "club" means an association of persons, whether incorporated or unincorporated, for the promotion of some common object (but not including associations organized for any commercial or business purpose the object of which is money profit) owning, hiring, or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests.

10. The word "tavern" means a place where alcoholic liquors are sold at retail to the general public, and a place where no other kind of business or businesses is or are being maintained or conducted, except that in such taverns, cigars, cigarettes, tobaccos, nuts, jerkey, popcorn and pretzels may be sold or given away. Otherwise, however, no lunches, food-stuffs, or so-called "free lunches" are to be either sold or given away in such taverns.

11. The word "cabaret" means a place for the entertainment of guests, and where meals and beverages or alcoholic liquors are served or sold at retail, at tables only, and not at or over a bar.

12. A "drugstore" means a place where medicines are sold and prescriptions compounded.

13. A "wholesale liquor establishment" is defined to be a place where alcoholic, spiritous, vinous, malt, or mixed alcoholic and intoxicating liquors and beverages are kept, sold, given away or distributed, contained in sealed or corked packages or kegs, and not to be consumed on the premises where so kept, sold, given away or distributed, and to be sold, given away or distributed to retailers only, and only in the original packages or kegs. And every wholesale liquor establishment shall keep a record of the retail city license number of each and every person, firm or corporation to whom any sale or gift of liquor is made and shall keep an invoice of each and every such sale or gift, and shall insert on such invoice, such retail license number, and such invoices shall at all times, during business hours, be open to inspection by the City of Las Vegas.

14. A "retail liquor establishment" is defined to be a place where alcoholic liquors and beverages are sold, served, or otherwise distributed in quantities not exceeding four and nine-tenths (4.9) gallons to the same person or for the same person's use at any one time.

Section 2. Section 16 of Ordinance No. 203 of the City of Las Vegas (as amended) is hereby further amended to read as follows:

The rates for licenses provided for in this Ordinance shall be, and the same are fixed and established, and the same shall be paid in advance by all persons receiving such licenses respectively, as follows:

1. For a wholesale liquor license, which shall include the right to wholesale alcoholic liquors and beverages of all kinds, the sum of \$75.00 per quarter.
2. For an importer's license the sum of \$50.00 per quarter. An importer's license shall authorize the holder thereof to be the first person in possession of wines, beers or other alcoholic liquors within the City of Las Vegas after completion of the act of the importation of such wines, beers or other alcoholic liquors from without the state and which have been brewed, fermented or produced outside the state. It shall not authorize the sale of any type of wines, beers, or other alcoholic liquors.
- In order to make such sales the licensee must first secure the appropriate license or licenses applicable to the class or classes of business in which he is engaged.
3. For a wholesale beverage license the sum of \$37.50 per quarter.
4. For a tavern liquor license the sum of \$250.00 per quarter.
5. For a club liquor license, the sum of \$75.00 per quarter.
6. For a restaurant beverage license, the sum of \$180.00 per quarter.
7. For a cabaret license, selling beverages only, the sum of \$125.00 per quarter.
8. For a cabaret liquor license, the sum of \$300.00 per quarter.
9. For a retail liquor establishment to be maintained only in the zone designated in Section 4 of Or-

inance No. 203, as amended by Section 1 of Ordinance No. 246, or a drug store, for the distribution of alcoholic liquors in the original containers, as received from the distiller or wholesaler, not to be consumed on the premises, in quantities not exceeding four and nine-tenths (4.9) gallons to the same person and for the same person's use at any one time, the sum of \$243.75 per quarter, provided, however, that under this license, and without additional payment therefor, the licensee shall be permitted to serve alcoholic beverages containing not more than five and one-half per cent (5½%) of alcohol by weight, to be consumed upon the premises.

10. For a retail beverage license for the sale of beverages containing

not more than five and one-half per cent (5½%) of alcohol by weight, the sum of \$37.50 per quarter.

11. For a cocktail room, or a room adjacent to or in close proximity to a tavern, where alcoholic liquors containing more than five and one-half per cent (5½%) of alcohol by weight, are served to the general public from such tavern and where music or other entertainment is furnished for the pleasure of its guests, the sum of \$25.00 per quarter.

Section 3. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. The City Clerk is hereby authorized to have this ordi-

nance published in the Las Vegas Age, a weekly newspaper published in the City of Las Vegas, Clark County, Nevada, for a period of two weeks, that is to say, once each week for a period of two weeks.

JOHN L. RUSSELL,

Mayor.

Attest: VIOLA BURNS,
City Clerk.

The above and foregoing Ordinance was proposed, read aloud in full, and adopted this 28th day of November, A. D. 1939, by the following vote:

Commissioners Joe S. Ronnow, Herb Krause, Al Corradetti, and His Honor, the Mayor, J. L. Russell, voting aye. Voting No, none.
Absent, Commissioner C. V. T. Gilbert.

Pub. Dec. 2, 9, 1939.