

AN ORDINANCE RELATING TO GAMING; AMENDING CITY OF LAS VEGAS, NEVADA, ORDINANCE NO. 3638 TO PERMIT ISSUANCE OF A NONRESTRICTED GAMING LICENSE TO A RETAIL OUTLET IF IT FILED FOR THE SAME PRIOR TO JULY 1, 1992, AND IT IS ISSUED A SPECIAL USE PERMIT PURSUANT TO TITLE 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; LIMITING SUCH GAMING TO THE OPERATION OF NOT MORE THAN TWENTY SLOT MACHINES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored By:

Summary: Removes the requirement that a general business related gaming establishment special use permit application must have been filed prior to July 1, 1992, as a condition prerequisite to obtaining a nonrestricted gaming license.

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

SECTION 1: City of Las Vegas, Nevada, Municipal Ordinance No. 3638, SECTION 5, Subsection (5), is hereby amended to read as follows:

SECTION 5: Title 6, Chapter 40, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.150: (A) No nonrestricted gaming shall be conducted, maintained or operated in the City except:

(1) At a location which:

(a) On November 1, 1988, was licensed for nonrestricted gaming,

(b) Consists, or when the same is constructed will consist, of a restaurant which has full kitchen facilities and is located within a free-standing building that contains in excess of three thousand

1 square feet of usable floor space under one roof and is
2 separated along its entire exterior perimeter from any
3 other commercial establishment either by a property line
4 or by an unobstructed open area at least ten feet in
5 width and with respect to which, on April 1, 1989, a
6 tavern license had been issued pursuant to LVMC 6.50.050
7 or preliminary approval for a tavern license had been
8 granted pursuant to LVMC 6.06.050, as the case may be,
9 and an application for nonrestricted gaming had been
10 filed with the State, or

11 (c) Consists of a licensed business premises
12 that contains in excess of nine thousand square feet of
13 usable floor space under one roof within which the
14 gaming is, at all times, under the supervision of an
15 attendant whose duties shall be limited solely to the
16 making of change and supervising such gaming and with
17 respect to which, on April 1, 1989, an application for
18 nonrestricted gaming had been filed with the State; pro-
19 vided, however, that such gaming shall be limited to the
20 operation of not more than thirty-five slot machines at
21 any such location that, on April 1, 1989, was licensed
22 for slot machines only;

23 (2) At a location which:

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

28 (b) Fronts on either side of Jackson Avenue

1 between "D" Street and "G" Street or on either side of
2 Owens Avenue between "H" Street and Martin Luther King
3 Boulevard

4 and with respect to which, on April 1, 1989, an application
5 for nonrestricted gaming had been filed with the State;

6 (3) In a resort hotel which which has in excess of
7 two hundred guestrooms that are available to the public. The
8 provisions of this subparagraph do not apply to those hotel
9 establishments holding a nonrestricted gaming license issued
10 before July 1, 1992, unless the establishment ceases gaming
11 operations for more than 2 years after July 1, 1992;

12 (4) At a location with respect to which a tavern
13 license has been applied for or issued pursuant to LVMC
14 6.50.050 prior to July 1, 1992; provided, however, that such
15 gaming shall be limited to the operation of not more than
16 twenty slot machines; or

17 (5) [In] Is a retail outlet that contains at least
18 five thousand square feet of usable floor space and with
19 respect to which had filed for a nonrestricted gaming license
20 prior to July 1, 1992, and with respect to which a special
21 use permit for a general business related gaming establish-
22 ment, as that term is defined in LVMC 19.04.417, [has been
23 applied for or has been] is obtained in accordance with LVMC
24 Title 19; [prior to July 1, 1992;] provided, however, that a
25 retail outlet not issued a special use permit prior to
26 July 1, 1992, must have applied for the same within ninety
27 days after it filed for a nonrestricted gaming license, and
28 further provided that such gaming shall be limited to the

1 operation of not more than twenty slot machines.

2 (6) At a location which a race book or sports pool
3 gaming license has been issued.

4 (B) Notwithstanding anything to the contrary that is
5 provided in, or may be implied from, subsection (A) of this
6 Section or Title 19 of this Code, effective January 1, 1990,
7 no nonrestricted gaming shall be conducted, maintained, or
8 operated on any parcel of land within the City unless:

9 (1) As of that date a gaming establishment is
10 operating on that parcel pursuant to a nonrestricted
11 license;

12 (2) The parcel is zoned for resort and gaming pur-
13 poses or the zoning of the parcel for such purposes has been
14 approved by the adoption by the City Council of a resolution
15 of intent pursuant to LVMC 19.92.120;

16 (3) The parcel is zoned for resort and gaming pur-
17 poses and an application for aesthetic review with respect to
18 the establishment that is proposed to be operated thereon had
19 been filed prior to October 5, 1988; provided, however, that
20 the exception that is provided for in this Paragraph (3)
21 applies to the parcel only if it is developed by the person
22 on whose behalf such application was filed; or

23 (4) The parcel is located within an area that has
24 been designated as a gaming enterprise district pursuant to
25 LVMC 6.40.160.

26 (C) Except as otherwise provided in LVMC 6.40.160(E),
27 the inclusion of a parcel within a gaming enterprise district
28 established pursuant to LVMC 6.40.160 does not diminish the

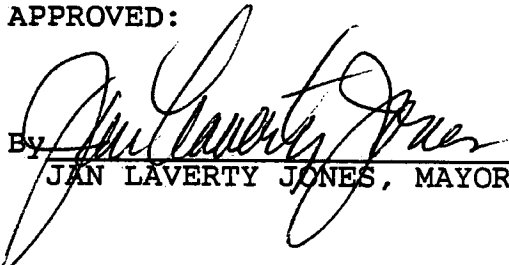
1 applicability of the provisions of Title 19 of this Code to
2 that parcel.

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

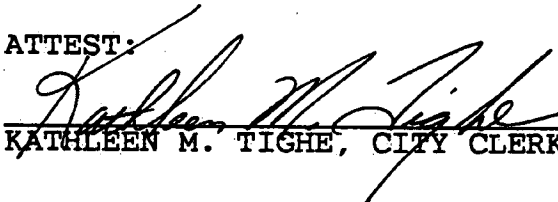
15 SECTION 3: All ordinances or parts of ordinances,
16 sections, subsections, phrases, sentences, clauses or paragraphs
17 contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED AND APPROVED this 6th day of January,
20 1993.

21 APPROVED:

22
23 BY 
JAN LAVERTY JONES, MAYOR

24 ATTEST:

25 
26 KATHLEEN M. TIGHE, CITY CLERK
27
28

1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the 18th day of November,
3 1992, and referred to the following committee composed of
4 Full Council and _____
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 6th day of January, 1993,
7 which was a regular meeting of said Council; that at said
8 regular meeting, the proposed ordinance was read by
9 title to the City Council as first introduced and adopted by the
10 following vote:
11 Mayor Jones and
VOTING "AYE": Councilmen Nolen, Adamsen, Higginson and Hawkins Jr.
12 VOTING "NAY": NONE
13 ABSENT: NONE

14
15 APPROVED:

16
17 BY *Jan Laverty Jones*
JAN LAVERTY JONES, MAYOR
9.13.13

18 ATTEST:

19 *Kathleen M. Tighe*
20 KATHLEEN M. TIGHE, CITY CLERK
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BILL NO. 92-70
ORDINANCE NO. 3694

AN ORDINANCE RELATING TO GAMING; AMENDING CITY OF LAS VEGAS, NEVADA, ORDINANCE NO. 3638 TO PERMIT ISSUANCE OF A NONRESTRICTED GAMING LICENSE TO A RETAIL OUTLET IF IT FILED FOR THE SAME PRIOR TO JULY 1, 1992, AND IT IS ISSUED A SPECIAL USE PERMIT PURSUANT TO TITLE 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; LIMITING SUCH GAMING TO THE OPERATION OF NOT MORE THAN TWENTY SLOT MACHINES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

SPONSORED BY: -
SUMMARY: Removes the requirement that a general business related gaming establishment special use permit application must have been filed prior to July 1, 1992, as a condition prerequisite to obtaining a nonrestricted gaming license.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of November, 1992, and referred to the following committee composed of the FULL COUNCIL, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 6th day of January, 1993, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:
VOTING "AYE" Councilmen: Nolen, Adamsen, Higginson, Hawkins Jr. and Mayor Jones

VOTING "NAY" Councilmen: NONE
ABSENT Councilman: NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 9, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

CHRISTINE BICKERTON, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JANUARY 9, 1993 to JANUARY 9, 1993, on the following days:

JANUARY 9, 1993

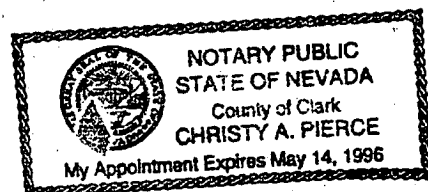
Signed:

Christine Bickerton

Subscribed and sworn to before me this

12th day of January, 1993

Christy A Pierce
Notary Public



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SPONSORED BY: —
SUMMARY: Removes the requirement that a general business related gaming establishment special use permit application must have been filed prior to July 1, 1992, as a condition prerequisite to obtaining a nonrestricted gaming license.

At a City Council meeting November 18, 1992
BILL NO. 92-70 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Full Council

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: December 17, 1992
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

CHRISTINE BICKERTON, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of DECEMBER 17, 1992 to DECEMBER 17, 1992, on the following days:

DECEMBER 17, 1992

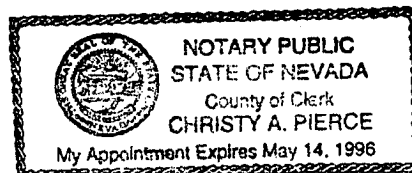
Signed

Christina Bickerton

Subscribed and sworn to before me this

17th day of December, 19 92

Christy A. Pierce
Notary Public



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VOTING "AYE" Councilmen: Nolen, Adamsen, Higginson, Hawkins Jr. and Mayor Jones.

VOTING "NAY" Councilmen: NONE
ABSENT Councilman: NONE
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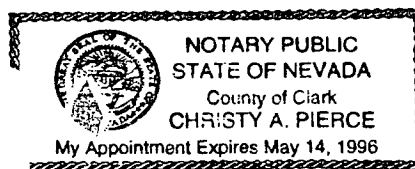
Signed:

Christine Rickerton

Subscribed and sworn to before me this

12th day of January, 1993

Christy A. Pierce
Notary Public



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COUNTY OF CLARK) SS:

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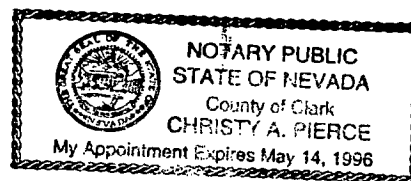
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DECEMBER 17, 1992

Signed: Christina Bickerton

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Christy A. Pierce
Notary Public



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