

1 **BILL NO. 2012-6**

2 **ORDINANCE NO. 6178**

3 AN ORDINANCE TO CONTINUE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER  
4 OF THE ORIGINATION CHARGE FOR NEW URBAN LOUNGE AND TAVERN-LIMITED  
LICENSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Flinn Fagg, Director of Planning

Summary: Continues to authorize, on a  
temporary basis, the waiver of the origination  
charge for new urban lounge and tavern-limited  
licenses.

6  
7  
8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
9 AS FOLLOWS:

10 SECTION 1: In February 2010, the City Council adopted Ordinance No. 6077, which  
11 authorized, on a temporary basis, the waiver of the origination charge for new urban lounge and  
12 tavern-limited licenses. The intent of that ordinance was to encourage new urban lounge and tavern-  
13 limited licenses within the districts to which they pertain. In February 2011, by means of Ordinance  
14 No. 6132, the City Council extended the effects of that ordinance for new applications for another  
15 year. The City Council desires once again to extend the effects of that ordinance for new applications  
16 for a third year. Therefore, the Department of Planning or its successor, in accordance with Section  
17 2 of this Ordinance, may waive origination charges otherwise imposed by LVMC 6.50.380 for urban  
18 lounge and tavern-limited licenses.

19 SECTION 2: The waiver referred to in Section 1 of this Ordinance may be granted  
20 pursuant to a qualifying waiver application that is filed with the Department of Planning between the  
21 effective date of this Ordinance and one year thereafter. Any such waiver shall be conditioned upon  
22 activation of the business license within the following time periods after the submittal of a qualifying  
23 waiver application:

24 (A) One year, for a business to be located within an existing structure; or

25 (B) Two years, otherwise.

26 SECTION 3: Notwithstanding any provision of Title 6 of the Las Vegas Municipal  
27 Code to the contrary, a business license concerning which a waiver has been granted pursuant to this  
28 Ordinance and which has been activated:

- 1 (A) May not be sold or transferred to a third party; and  
2 (B) May not be transferred to a new location unless the location is within the district  
3 to which the license pertains, the location is approved in accordance with the requirements of Title  
4 19, and the license holder remains the same.

5 SECTION 4: For purposes of Sections 2 and 3 of this Ordinance:

6 (A) "Activation of a business license" means that the license has been issued and  
7 the business authorized by the license has opened for business operation.

8 (B) "Qualifying waiver application" means an application for waiver that is:

- 9 (1) Submitted in connection with a business license application; and  
10 (2) Accompanied by a copy of an application for special use permit that has  
11 been filed with the Department of Planning (or its successor) pursuant to Title 19 of the Las Vegas  
12 Municipal Code.

13 SECTION 5: Nothing in this Ordinance shall be deemed to affect waiver applications  
14 filed before the effective date of this Ordinance.

15 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or  
16 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
17 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
18 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
19 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
20 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
21 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
22 invalid or ineffective.

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

1 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,  
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 7<sup>th</sup> day of March, 2012.

5 APPROVED:

6 By Carolyn Goodman  
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 Beverly K. Bridges  
10 BEVERLY K. BRIDGES, MMC  
City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 1-18-12  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council  
2 on the 1<sup>st</sup> day of February, 2012, and referred to a committee for recommendation;  
3 thereafter the committee reported favorably on said ordinance on the 7<sup>th</sup> day of March,  
4 2012, which as a regular meeting of said Council; that at said regular meeting, the  
5 proposed ordinance was read by title to the City Council as first introduced and adopted by  
6 the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Ross, Barlow and  
Coffin

8 VOTING "NAY": None

9 DID NOT VOTE: Councilmember Tarkanian

10 ABSTAINED: None

11 VACANT: Ward 2

13 APPROVED:

14   
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17   
18 BEVERLY K. BRIDGES, MMC City Clerk

## **BUSINESS IMPACT STATEMENT**

### **BILL NO. 2012-6**

**(Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2012-6, that will continue to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

**1. The following constitutes a description of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

Not applicable

**2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:**

**Adverse effects:**

Not applicable

**Beneficial effects:**

Availability of waiver of origination charges

**Direct effects:**

Availability of waiver of origination charges

**Indirect effects:**

Not applicable

**3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:**

Not applicable

**4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:**

Not applicable

**5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:**

Not applicable

**6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:**

Not applicable

**7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains why such duplicative or more stringent provisions are necessary:**

Not applicable

Date: January 18, 2012

**AFFIDAVIT OF PUBLICATION**

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

RECEIVED  
CITY CLERK

2012 MAR -6 A 11:41

Stacey M. Lewis, 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

2296311LV

7746643

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/23/2012 to 02/23/2012, on the following days:

02/23/2012

**BILL NO. 2012-6**

AN ORDINANCE TO CONTINUE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF THE ORIGINATION CHARGE FOR NEW URBAN LOUNGE AND TAVERN-LIMITED LICENSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Flinn Fagg,  
Director of Planning

Summary: Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

At the City Council meeting of  
FEBRUARY 1, 2012

BILL NO. 2012-6 WAS READ BY  
TITLE AND REFERRED TO A  
RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE  
ORDINANCE ARE AVAILABLE FOR  
PUBLIC INFORMATION IN THE  
OFFICE OF THE CITY CLERK, 2nd  
FLOOR, 495 SOUTH MAIN STREET,  
LAS VEGAS, NEVADA.

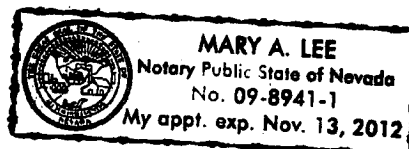
PUB: February 23, 2012  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

23rd day of February, 2012

Mary Lee  
Notary Public



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

RECEIVED  
CITY CLERK

2012 MAR 20 A 10:58

Stacey M. Lewis, 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

2296311LV

7787466

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/10/2012 to 03/10/2012, on the following days:

03/10/2012

BILL NO. 2012-6  
ORDINANCE NO. 6178

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of February 2012 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 7th day of March 2012, 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 introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman  
and Councilmembers Anthony,  
Ross, Barlow, and Coffin  
VOTING "NAY": NONE  
NOT VOTING: Councilwoman  
Tarkanian  
VACANT: Ward 2

COPIES OF THE COMPLETE  
ORDINANCE ARE AVAILABLE FOR  
PUBLIC INFORMATION IN THE  
OFFICE OF THE CITY CLERK, 2ND  
FLOOR, 495 SOUTH MAIN STREET,  
LAS VEGAS, NEVADA.

PUB: March 10, 2012  
LV Review-Journal

Signed:

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

12<sup>th</sup> day of March 2012.

Notary Public

