

AN ORDINANCE TO AMEND CHAPTER 16 OF THE CODE OF LAS VEGAS, NEVADA, 1949, ALSO KNOWN AS THE LAS VEGAS LIQUOR CONTROL ORDINANCE 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," BY CHANGING CERTAIN DEFINITIONS; FURTHER DEFINING CERTAIN SECTIONS; AND BY ADDING A NEW SECTION PROHIBITING DELIVERIES IN RESPONSE TO TELEPHONE CALLS, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

SECTION 1. Section 2 of Chapter 16, Code of Las Vegas, Nevada, 1949, is hereby amended to read as follows:

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

(1) ALCOHOL. 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) SPIRITS. The word "spirits" means any liquor which contains alcohol obtained by distillation, mixed with drinkable water and other substances in solution, including rum, brandy, whiskey and gin.

(3) WINE. 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) BEER. 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) BEVERAGE. The word "beverage" means any beer or wine containing not more than 30 per centum of alcohol by weight.

(6) ALCOHOLIC LIQUOR. 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) HOTEL. The word "hotel" means every building or other structure kept, used, maintained, advertised or held out to the public to be a place where 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.

(8) RESTAURANT. 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 and where twelve or more may be served with meals at any one time at tables or stools.

(9) CLUB. 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

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1 and their guests.

2 (10) TAVERN. The word "tavern" means a place where alcoholic
3 liquors are sold at retail to the general public, and a place where no
4 other kind of business, except gambling, is being maintained or conducted, ex-
5 cept that in such taverns, cigars, cigarettes, tobacco, nuts, jerkey, popcorn,
6 potato chips, and pretzels may be sold or given away. A restaurant or lunch
7 counter may be operated in the same building with a tavern provided however,
8 no lunches, foodstuffs or so-called "free lunches" shall be either given
9 away or sold at other than a fair and equitable price in such taverns.

10 (11) CABARET. The word "cabaret" means a place for the enter-
11 tainment of guests, and where meals and beverages or alcoholic liquors are
12 served or sold at retail, at tables only, and not at or over a bar.

13 (12) DRUGSTORE. A "drugstore" means a place where medicines are
14 sold and prescriptions compounded.

15 (13) WHOLESALE LIQUOR ESTABLISHMENT. A "wholesale liquor estab-
16 lishment" is defined to be a place where alcoholic, spirituous, vinous,
17 malt or mixed alcoholic and intoxicating liquors and beverages are kept,
18 sold, given away or distributed, contained in sealed or corked packages
19 or kegs, and not to be consumed on the premises where so kept, given away
20 or distributed, and to be sold, given away or distributed to retailers only,
21 and only in the original packages or kegs. Every wholesale liquor estab-
22 lishment shall keep a record of the retail city license number of each and
23 every person to whom any sale or gift of liquor is made and shall keep an
24 invoice of each and every such sale or gift, and shall insert on such in-
25 voice such retail license number. Such invoices shall at all times during
26 business hours, be open to inspection by the City.

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

32 SECTION 2. Section 17 of Chapter 16, Code of Las Vegas, Nevada,
1949, is hereby amended to read as follows:

RESTRICTIONS UPON GRANTING OF LICENSES TO TAVERNS.

No license for the conduct of a tavern shall be granted to any
drugstore, merchandise store or any place in which any other kind of busi-
ness is maintained or connected. Such taverns shall be located within the
zone defined in Section 4 of this chapter; provided, however, that hotels,
as defined herein, may be allowed a tavern license outside such zone if ap-
proved by the Board of Commissioners; and provided further, that any such
tavern maintained by a hotel shall be separate, distinct and apart from any
other business; and provided further, that this section shall not be con-
strued to prohibit a lunch counter or restaurant from being operated in the
same building.

SECTION 3. Section 19 of Chapter 16 is hereby amended to read as
follows:

SALE OF FOOD, ETC., IN TAVERNS OR GAMBLING CASINOS.

It shall be unlawful for the holder of any permit or license under
the provisions of this Chapter, or any person employed by him, to serve or
give away food in any tavern or gambling casino, provided that food may be
served and sold therein if it is sold at a fair and equitable price.

SECTION 4. A new section to be designated Section 35 of Chapter 16,
Code of Las Vegas, Nevada, 1949, is hereby added to read as follows:

1 "It shall be unlawful for any licensee or permittee under
2 the provisions of this chapter to make so-called "home deliveries"
3 or to deliver any alcoholic liquor as defined in this chapter to
any private home or residence pursuant to telephone call requesting
such delivery.

4 SECTION 5. Any ordinances or parts of ordinances in conflict here-
with are hereby repealed.

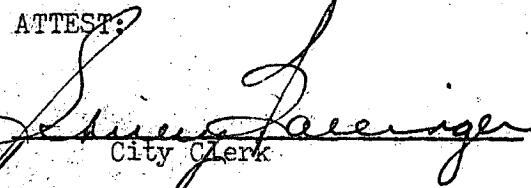
5 SECTION 6. This ordinance shall be in full force and effect upon
6 its final reading and adoption, and final publication as in the next section
provided.

7 SECTION 7. The City Clerk and Clerk of the Board of Commissioners
8 of the City of Las Vegas shall cause this ordinance to be published once a
week for two successive weeks immediately following its first reading and
9 adoption, in the Las Vegas Morning Sun, a daily newspaper published in the
City of Las Vegas.

10 APPROVED:

11 
12 Mayor Pro Tem

13 ATTEST:

14 
15 City Clerk

16 The above and foregoing Ordinance was first proposed and read by
17 title to the Board of Commissioners on the 5th day of March, 1952, and re-
ferred to the following committee composed of Commissioners Jarrett and
18 Whipple for recommendation; thereafter the said committee reported favorably
on said Ordinance on the 16th day of April, 1952, that at said meeting held
19 on such day, the proposed Ordinance was read in full to the Board of Commis-
sioners as first introduced and adopted by the following vote:

20 "Aye": Commissioners Bunker, Jarrett, Peccole and His Honor Mayor

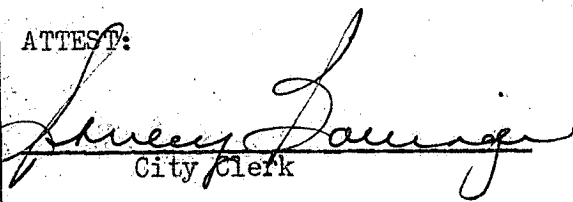
21 Pro Tem Whipple

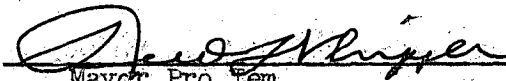
22 "Nay": None

23 Absent: Mayor Baker

24 APPROVED:

25 ATTEST:

26 
27 City Clerk

28 
29 Mayor Pro Tem

ORDINANCE NO. 383
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NEVADA, 1949, ALSO KNOWN AS
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ORDINANCE 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." BY CHANGING CERTAIN DEFINITIONS; FURTHER DEFINING CERTAIN SECTIONS; AND BY ADDING A NEW SECTION PROHIBITING DELIVERIES IN RESPONSE TO TELEPHONE CALLS, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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(11) CABARET. 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.

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, } ss.
COUNTY OF CLARK }

H.M. Greenspun, being first duly sworn,

deposes and says: That he is Publisher of the LAS VEGAS MORNING SUN, a daily newspaper, of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the at-

tached was continuously published in said newspaper for a period of one day

from April 21, 1952 to April 28, 1952

inclusive, being the issues of said newspaper for the following dates, to-wit:

April 21, 28, 1952

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed

Subscribed and sworn to before me this 28th day of April, 1952

Notary Public in and for Clark County, Nevada.

My Commission Expires

My Commission Expires Mar. 17, 1956

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

(13) WHOLESALE LIQUOR ESTABLISHMENT. A "wholesale liquor establishment" is defined to be a place where alcoholic, spirituous, 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, given away or distributed, and to be sold, given away or distributed to retailers only, and only in the original packages or kegs. Every wholesale liquor establishment shall keep a record of the retail city license number of each and every person 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. Such invoices shall at all times during business hours, be open to inspection by the City.

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SECTION 5. Any ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be in full force and effect upon its final reading and adoption, and final publication as in the next section provided.

SECTION 7. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its first reading and adoption, in the Las Vegas Morning Sun, a daily newspaper published in the City of Las Vegas.

APPROVED:

s/ REED WHIPPLE
Mayor Pro Tem

ATTEST:

s/ SHIRLEY BALLINGER
City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 5th day of March, 1952, and referred to the following committee composed of Commissioners Jarrett and Whipple for recommendation; thereafter the said committee reported favorably on said Ordinance on the 16th day of April, 1952, that at said meeting held on such day, the proposed Ordinance was read in full to the Board of Commissioners as first introduced and adopted by the following vote: "Aye": Commissioners Bunker, Jarrett, Peccole and His Honor Mayor Pro Tem Whipple. "Nay": None. Absent: Mayor Baker.

APPROVED:

s/ REED WHIPPLE
Mayor Pro Tem

ATTEST:

s/ SHIRLEY BALLINGER
City Clerk

April 21, 28, 1952