

BILL NO. 2013-61

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC 6.50.285 TO CLARIFY THAT THE OWNER OF AN ESTABLISHMENT ADJACENT TO A PEDESTRIAN MALL THAT IS LICENSED TO CONDUCT NONRESTRICTED GAMING AND IS AUTHORIZED TO SELL ALCOHOLIC BEVERAGES PURSUANT TO A TAVERN LICENSE MAY OPERATE ONE OR MORE BARS UPON SUCH ADJACENT PEDESTRIAN MALL, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends LVMC 6.50.285 to clarify that the owner of an establishment adjacent to a pedestrian mall that is licensed to conduct nonrestricted gaming and is authorized to sell alcoholic beverages pursuant to a tavern license may operate one or more bars upon such adjacent pedestrian mall.

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

SECTION 1: Ordinance No. 6266 and Title 6, Chapter 50, Section 285, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.285 reads as follows:

6.50.285: (A) Notwithstanding any provision in this Chapter to the contrary, the owner of an establishment adjacent to or within the pedestrian mall that holds a tavern license is authorized to sell alcoholic beverages through a walk-up window that faces a street alignment within the boundaries of the pedestrian mall, except for the Casino Center Boulevard and 4th Street alignments. Prior to the placement or construction of such window, a licensee shall comply with all requirements of the Director, the Building Official and the Director of Public Works. Such window shall be considered another bar at the establishment for purposes of this Chapter.

(B) Notwithstanding any provision in this Chapter to the contrary, the owner of an establishment licensed to operate nonrestricted gaming that is also authorized to sell alcoholic beverages upon the premises of that establishment pursuant to a tavern alcoholic beverage license may locate [a] one or more temporary or permanent [bar] bars upon an adjacent pedestrian mall, provided that such bar or bars [is] are directly adjacent to the premises of that establishment and upon the pedestrian mall. Prior to the

1 placement or construction of such bar or bars, a licensee shall comply with all requirements of the Director,
2 the Building Official and the Director of Public Works.

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

10 SECTION 3 Whenever in this ordinance any act is prohibited or is made or declared to
11 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
12 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
13 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
14 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
15 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
16 of this ordinance shall constitute a separate offense.

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2013, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2014, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:
15 _____
16 BEVERLY K. BRIDGES, MMC
City Clerk

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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0000059158

2014 JAN -6 P 1:37

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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/26/2013 to 12/26/2013, on the following days:

12 / 26 / 13

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At the City Council meeting of December 18, 2013

BILL NO. 2013-61 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: December 26, 2013
LV Review-Journal

Stacey M. Lewis

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 26th day of December, 2013

Notary *Mary Lee*

