

FIRST AMENDMENT

BILL NO. 2014-14

ORDINANCE NO. 6309

AN ORDINANCE TO CONTINUE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF THE ORIGATION CHARGE FOR NEW URBAN LOUNGE LICENSES, AND TO AUTHORIZE A PARTIAL WAIVER OF THE ORIGATION CHARGE FOR NEW TAVERN-LIMITED LICENSES TO BE LOCATED WITHIN THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT OR THE ARTS DISTRICT; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin

Summary: Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge licenses, and authorizes a partial waiver of the origination charge for new tavern-limited licenses to be located within the Downtown Entertainment Overlay District or the Arts District.

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

SECTION 1: In February 2010, the City Council adopted Ordinance No. 6077, which authorized, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses. The intent of that ordinance was to encourage new urban lounge and tavern-limited licenses within the districts to which those licenses pertained—namely, the Arts District for urban lounges, and the Downtown Entertainment Overlay District for tavern-limited licenses. In 2011 and 2012, by means of Ordinance Nos. 6132 and 6178, respectively, the City Council extended for another year in each case the effects of Ordinance No. 6077. In January 2013 the City Council adopted Ordinance No. 6232, which, among other things, authorized the establishment of tavern-limited licenses within the entire Downtown Centennial Plan area. In February 2013 the City Council adopted Ordinance No. 6238 to extend for another year the effects of Ordinance No. 6077 for new applications, but limited to the areas concerning which the waiver under Ordinance No. 6077 was originally intended and established. The City Council now desires to extend for another year the waiver concerning the origination charge for new urban lounge licenses and to authorize for additional periods a partial waiver of the origination charge regarding new tavern-limited licenses within the Downtown Entertainment Overlay District or the Arts District.

1 Therefore, the Department of Planning or its successor, in accordance with Section 2 of this Ordinance,
2 may:

3 (A) Waive for an additional year the origination charges otherwise imposed by LVMC
4 6.50.380 for urban lounge licenses; and

5 (B) Waive up to 50% of the origination charges otherwise imposed by LVMC
6 6.50.380 for tavern-limited licenses that are proposed to be located within the Downtown Entertainment
7 Overlay District or the Arts District, for the additional time periods as follows:

8 (1) An additional one-year period, for tavern-limited licenses that are
9 proposed to be located within the Downtown Entertainment Overlay District.

10 (2) An additional two-year period, for tavern-limited licenses that are
11 proposed to be located within the Arts District.

12 SECTION 2: A waiver referred to in Section 1 of this Ordinance may be granted
13 pursuant to a qualifying waiver application that is filed with the Department of Planning between the
14 effective date of this Ordinance and the end of the applicable one-year or two-year period. Any such
15 waiver shall be conditioned upon activation of the business license within the following time periods after
16 the submittal of a qualifying waiver application:

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

18 (B) Two years, otherwise.

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

22 (A) May not be sold or transferred to a third party; and

23 (B) May not be transferred to a new location unless the location is within the same
24 district, the location is approved in accordance with the requirements of Title 19, and the license holder
25 remains the same. For purposes of this Subsection (B), "same district" means the Arts District, for an
26 urban lounge license, and the Downtown Entertainment Overlay District, for a tavern-limited license.

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

2 (A) “Activation of a business license” means that the license has been issued and the
3 business authorized by the license has opened for business operation.

4 (B) “Qualifying waiver application” means an application for waiver that is:

5 (1) Submitted in connection with a business license application; and

6 (2) Accompanied by a copy of an application for special use permit that has
7 been filed with the Department of Planning (or its successor) pursuant to Title 19 of the Las Vegas
8 Municipal Code.

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

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

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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, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 2nd day of April, 2014.

5 APPROVED:

6 By C 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 4-2-14
13 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 19th day of February, 2014, and referred to a committee for recommendation;
3 thereafter the said committee reported favorably on said ordinance on the 2nd day of
4 April, 2014, which was a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council as amended and adopted by the
6 following vote:

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

8 VOTING "NAY": Councilmembers Anthony and Beers

9 EXCUSED: None

10 ABSTAINED: None

11
12 APPROVED:

13 
14 CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 
17 BEVERLY K. BRIDGES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

**LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101**

**Account # 22515
Ad Number 0000098547**

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 02/20/2014 to 02/20/2014, on the following days:

02 / 20 / 14

BILL NO. 2014-14

AN ORDINANCE TO CONTINUE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF THE ORIGINATION CHARGE FOR NEW URBAN LOUNGE LICENSES, AND TO AUTHORIZE A PARTIAL WAIVER OF THE ORIGINATION CHARGE FOR NEW TAVERN-LIMITED LICENSES TO BE LOCATED WITHIN THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin

Summary: Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge licenses, and authorizes a partial waiver of the origination charge for new tavern-limited licenses to be located within the Downtown Entertainment Overlay District.

At the City Council meeting of February 19, 2014

BILL NO. 2014-14 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

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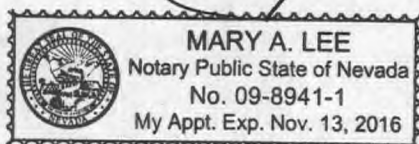
PUB: February 20, 2014
LV Review-Journal

Stacey M. Lewis

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 20th day of February, 2014

Notary *Mary Lee*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

**LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101**

**Account # 22515
Ad Number 0000146778**

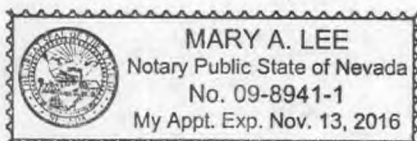
Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy 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 04/05/2014 to 04/05/2014, on the following days:

04 / 05 / 14

IS/ Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 7th day of April, 2014

Notary Mary Lee



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The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of February 2014 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 2nd day of April 2014, 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 was adopted by the following vote:

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

VOTING "NAY": Councilmembers Anthony and Beers
EXCUSED: NONE

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PUB: April 5, 2014
LV Review-Journal