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SECOND AMENDMENT

BILL NO. 2014-23

ORDINANCE NO. 6313

AN ORDINANCE TO AMEND LVMC 6.50.285 TO PROVIDE 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 UP TO TWO BARS UPON THE ADJACENT PEDESTRIAN MALL UNDER SPECIFIED CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Carolyn G. Goodman

Summary: Amends LVMC 6.50.285 to provide 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 up to two bars upon the adjacent pedestrian mall under specified circumstances.

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

SECTION 1: Title 6, Chapter 50, Section 285, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read 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

1 temporary or permanent bar] up to two qualifying bars upon an adjacent pedestrian mall, [provided that
2 such bar is directly adjacent to the premises of that establishment and upon the pedestrian mall. Prior to the
3 placement or construction of such bar, a licensee shall comply with all requirements of the Director, the
4 Building Official and the Director of Public Works.] subject to the provisions set forth in Subsections (C)
5 to (G), inclusive, of this Section.

6 (C) For purposes of this Section, a “qualifying bar” means a temporary or permanent
7 bar that is or will be located directly adjacent to the premises of an establishment described in Subsection
8 (B) and upon a pedestrian mall.

9 (D) Prior to the placement or construction of any qualifying bar, a licensee shall
10 comply with all requirements of the Director, the Building Official and the Director of Public Works.

11 (E) For any particular establishment described in Subsection (B), the first qualifying
12 bar is permitted as a matter of right. Except as otherwise provided in Subsection (F), a second qualifying
13 bar may be permitted for an establishment only if it is specifically approved by the City Council as an
14 incident to the establishment’s tavern license.

15 (F) The specific City Council approval referred to in Subsection (E) shall not apply to
16 a second qualifying bar that is either existing or under construction as of March 1, 2014.

17 (G) This Section, being codified as part of LVMC Chapter 6.50, is intended to address
18 business licensing issues only and does not purport to address property rights or to amend LVMC Chapter
19 11.68 relating to pedestrian malls. Action taken under the authority granted by this Section is subject to all
20 applicable provisions of LVMC Chapter 11.68.

21 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
22 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
23 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
24 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
25 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
26 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,

1 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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

5 PASSED, ADOPTED and APPROVED this 16TH day of April, 2014.

6 APPROVED:

7
8 By CG Goodman
CAROLYN G. GOODMAN, Mayor

9 ATTEST:

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

12 APPROVED AS TO FORM:

13 Val Steed 4-16-14
14 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 2nd day of April, 2014, and referred to a committee for recommendation; thereafter
3 the said committee reported favorably on said ordinance on the 16th day of April, 2014,
4 which was a regular meeting of said Council; that at said regular meeting, the proposed
5 ordinance was read by title to the City Council as amended and adopted by the following
6 vote:

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

8 VOTING "NAY": None

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 0000142643**

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 04/03/2014 to 04/03/2014, on the following days:

04 / 03 / 14

BILL NO. 2014-23

AN ORDINANCE TO AMEND LVMC 6.50.285 TO PROVIDE 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 UP TO TWO BARS UPON THE ADJACENT PEDESTRIAN MALL UNDER SPECIFIED CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Carolyn G. Goodman

Summary: Amends LVMC 6.50.285 to provide 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 up to two bars upon the adjacent pedestrian mall under specified circumstances.

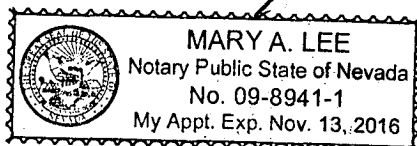
At the City Council meeting of April 2, 2014 BILL NO. 2014-23 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

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: April 3, 2014
LV Review-Journal

Stacey M. Lewis
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 3rd day of April, 2014

Notary *Mary Lee*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

**RECEIVED
CITY CLERK**

2014 APR 28 A 11: 52

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

**Account # 22515
Ad Number 0000160483**

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 04/19/2014 to 04/19/2014, on the following days:

04 / 19 / 14

**SECOND AMENDMENT
BILL NO. 2014-23
ORDINANCE NO. 6313**

AN ORDINANCE TO AMEND THE LVMC 6.50.285 TO PROVIDE 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 UP TO TWO BARS UPON THE ADJACENT PEDESTRIAN MALL UNDER SPECIFIED CIRCUMSTANCES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Carolyn G. Goodman

Summary: Amends LVMC 6.50.285 to provide 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 up to two bars upon the adjacent pedestrian mall under specified circumstances.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of April, 2014 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 16th 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 Anthony, Tarkenton, Ross, Barlow, Coffin and Ebers

VOTING "NAY": NONE
EXCUSED: NONE

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: April 19, 2014
LV Review-Journal

IS/ Stacey M. Lewis
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 21st day of April, 2014

Notary Mary Lee

