

FIRST AMENDMENT

BILL NO. 2016-5

ORDINANCE NO. 6505

AN ORDINANCE TO AMEND LVMC 6.50 AND CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT CODE (TITLE 19) TO CLARIFY ALCOHOL LAND USE AND LICENSING REQUIREMENTS AND REGULATIONS AND TO SPECIFICALLY DELINEATE THE TYPES OF PROPOSED ESTABLISHMENTS THAT ARE ENTITLED TO APPLY FOR LAND USE ENTITLEMENTS AND ALCOHOLIC BEVERAGE LICENSES PERMITTING THE SALE OF PACKAGE LIQUOR, AND ALSO THE TYPES OF ESTABLISHMENTS THAT ARE ENTITLED TO SELL ALL TYPES OF ALCOHOLIC BEVERAGES, INCLUDING HARD LIQUOR, AND THE TYPES OF ESTABLISHMENTS THAT ARE LIMITED TO THE SALE OF BEER, WINE AND COOLERS ONLY, AND FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Lois Tarkanian

Summary: Amends LVMC 6.50 and certain sections of the Unified Development Code (Title 19) to clarify alcohol land use and licensing requirements and regulations and to specifically delineate the types of proposed establishments that are entitled to apply for land use entitlements and alcoholic beverage licenses permitting The sale of package liquor, and also the types of establishments that are entitled to sell all types of alcoholic beverages, including hard liquor, and the types of establishments that are limited to the sale of beer, wine and coolers only.

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

SECTION 1: Title 19, Chapter 12, Section 010, Table 2, is hereby amended by modifying the table entry for "Retail Establishment with Accessory Package Liquor Off-Sale" uses as follows:

	U	R-E	R-D	R-1	R-SL	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-PB	C-M	M	Additional Information
[Retail Establishment with Accessory Package Liquor Off-Sale] <u>Grocery Store with Alcohol</u>														<u>SI</u> <u>C</u>	<u>SI</u> <u>C</u>		<u>SI</u> <u>C</u>	<u>SI</u> <u>C</u>	

SECTION 2: Title 19, Chapter 12, Section 70, is hereby amended by amending the description and minimum special use permit requirements for the "Package Liquor Off-Sale Establishment" use as follows:

19.12.070: The descriptions contained hereunder for each identified land use generally corresponds to the definition for that use that appears in LVMC 19.18.020. In each such case, the description that appears in this Section is for convenience of reference only and is not intended to supersede any corresponding definition in LVMC 19.18.020, which shall prevail in the event of conflict.

Package Liquor Off-Sale Establishment

Description: An establishment, other than a [retail establishment with package liquor off-sale] grocery store with alcohol, whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold. This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location. This land use entitlement shall only permit the consideration of LVMC Title 6 package alcoholic beverage licenses for the types of establishments specifically enumerated at LVMC 6.50.170(B)(2) (liquor store) and (3) (establishment for instructional wine-making pursuant to LVMC 6.50.100(2)).

Minimum Special Use Permit Requirements:

*1. Distance Separation Requirements. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both minimum separation between a package liquor off-sale establishment and other uses that should be protected from impacts associated with a package liquor off-sale establishment and/or possible impacts associated with the saturation of package liquor off-sale establishments in any particular area of the City. Therefore, except as otherwise provided herein, such package liquor off-sale establishment use shall be separated from other uses as indicated below:

*a. Except as otherwise provided, no package liquor off-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church/house of worship, school, individual care

center licensed for more than 12 children, or City park.

*b. Except as otherwise provided, no liquor store shall be located within 1000 feet of any other liquor store, liquor establishment (tavern), urban lounge or sexually oriented business.

*2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

*3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

4. The minimum distance requirements in Requirement 1 do not apply to[

a.] [A]n establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.]; or

b. A proposed establishment having more than 50,000 square feet of retail floor space.]

1 *5. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

2 *6. [Except for a grocery store or drugstore as defined by LVMC 6.50.020 that contains not less than
3 twelve thousand square feet of gross internal floor area, no establishment] No package liquor off-sale use
4 shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

5 **On-site Parking Requirement:**

6 1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.

7 2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

8 SECTION 3: Title 19, Chapter 12, Section 70, is hereby amended by amending the
9 description and minimum special use permit requirements for the "Retail Establishment with Accessory
10 Package Liquor Off-Sale" use as follows:

11 **[Retail Establishment with Accessory Package Liquor Off-Sale] Grocery Store with Alcohol**

12 Description: A [retail establishment:] grocery store:

13 1. Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in
14 original sealed or corked containers, for consumption off the premises where the same are sold; and

15 2. In which the sale of alcoholic beverages is ancillary to the [retail] grocery store use, and in which no
16 more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of
17 alcoholic beverages. This use includes an establishment that provides on-premises wine, cordial and
18 liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

19 This land use entitlement shall only permit the consideration of the following LVMC Title 6 alcoholic
20 beverage licenses:

21 a. LVMC 6.50.050 beer/wine/cooler off-sale license;

22 b. LVMC 6.50.100(A)(1) ancillary specialty sales – internet sales license;

23 c. LVMC 6.50.100(A)(3) ancillary specialty sales – tasting; and/or

24 d. LVMC 6.50.170 package license.

25 [Minimum Special Use Permit Requirements:]

26 Conditional Use Regulations:

1. Except as otherwise provided herein, no grocery store with alcohol shall be located within 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

2. Except as otherwise provided in Regulation 3 below, the distances referred to in Regulation 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed grocery store with alcohol which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed grocery store with alcohol. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Regulation 1.

3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Regulation 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed grocery store with alcohol which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the grocery store with alcohol will be located, without regard to intervening obstacles.

4. The minimum distance requirements in Requirement 1 do not apply to a proposed grocery store with alcohol having more than 50,000 square feet of retail floor space.

5. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

6. No grocery store with alcohol use shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

1 Minimum Special Use Permit Requirements:

2 *1. Except as otherwise provided, no [retail establishment with accessory package liquor off-sale
3 (hereinafter "establishment")] grocery store with alcohol shall be located within 400 feet of any
4 church/house of worship, school, individual care center licensed for more than 12 children, or City park.

5 *2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall
6 be determined with reference to the shortest distance between two property lines, one being the property
7 line of the proposed [establishment] grocery store with alcohol which is closest to the existing use to which
8 the measurement pertains, and the other being the property line of that existing use which is closest to the
9 proposed [establishment.] grocery store with alcohol. The distance shall be measured in a straight line
10 without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to
11 property lines of fee interest parcels and does not include the property line of:

12 a. Any leasehold parcel; or

13 b. Any parcel which lacks access to a public street or has no area for on-site parking and which has
14 been created so as to avoid the distance limitation described in Requirement 1.

15 *3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the
16 minimum distances referred to in Requirement 1 shall be measured in a straight line:

17 a. From the nearest property line of the existing use to the nearest portion of the structure in which
18 the establishment will be located, without regard to intervening obstacles; or

19 b. In the case of a proposed [establishment] grocery store with alcohol which will be located
20 within a shopping center or other multiple tenant structure, from the nearest property line of the existing
21 use to the nearest property line of a leasehold or occupancy parcel in which the [establishment] grocery
22 store with alcohol will be located, without regard to intervening obstacles.

23 4. When considering a Special Use Permit application for [an establishment] a grocery store with alcohol
24 which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall
25 take into consideration the distance policy and shall, as part of its recommendation to the City Council,
26 state whether the distance requirement should be waived and the reasons in support of the decision.

1 5. The minimum distance requirements in Requirement 1 do not apply to[:

2 a. An establishment which has a nonrestricted gaming license in connection with a hotel having
3 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of
4 200 guest rooms after July 1, 1992; or

5 b. A proposed establishment having more than 50,000 square feet of retail floor space.]
6 a proposed grocery store with alcohol having more than 50,000 square feet of retail floor space.

7 *6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

8 7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable
9 under the provisions of LVMC 19.12.050(C), may be waived:

10 a. In accordance with the provisions of LVMC 19.12.050(C) for any [establishment] grocery store
11 with alcohol which is proposed to be located on a parcel within the Downtown Casino Overlay District;

12 b. In accordance with the applicable provisions of the "Town Center Development Standards
13 Manual" for any [establishment] grocery store with alcohol which is proposed to be located within the T-C
14 (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town
15 Center Land Use Plan;

16 c. In connection with a [proposed establishment] grocery store having between 20,000 square feet
17 and 50,000 square feet of retail floor space; or

18 d. In connection with a [retail establishment] grocery store having less than 20,000 square feet of
19 retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and
20 each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

21 8. [No establishment] No grocery store with alcohol shall be permitted on or adjacent to the Pedestrian
22 Mall, as defined in LVMC Chapter 11.68.

23 **On-site Parking Requirement:** No additional parking required beyond that which is required for the
24 principal use(s) on the site.

25 SECTION 4: Title 19, Chapter 12, Section 70, is hereby amended by amending the
26 description and minimum special use permit requirements for the "Beer/Wine/Cooler Off-Sale

Establishment” use as follows:

Beer/Wine/Cooler Off-Sale Establishment

Description: An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where business is conducted, and is operated in connection with a grocery store, [drug store] drugstore, convenience store, restaurant or general retail store.

Minimum Special Use Permit Requirements:

*1. Except as otherwise provided, no beer/wine/cooler off-sale establishment (hereinafter “establishment”) shall be located within 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

*2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term “property line” refers to property lines of fee interest parcels and does not include the property line of:

- a. Any leasehold parcel; or
- b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

*3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

- a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
- b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a

1 leasehold or occupancy parcel in which the establishment will be located, without regard to intervening
2 obstacles.

3 4. When considering a Special Use Permit application for an establishment which also requires a waiver
4 of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the
5 distance policy and shall, as part of its recommendation to the City Council, state whether the distance
6 requirement should be waived and the reasons in support of the decision.

7 5. The minimum distance requirements in Requirement 1 do not apply to:

8 a. An establishment which has a nonrestricted gaming license in connection with a hotel having
9 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of
10 200 guest rooms after July 1, 1992; or

11 b. A proposed establishment having more than 50,000 square feet of retail floor space.

12 *6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

13 7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable
14 under the provisions of LVMC 19.12.050(C), may be waived:

15 a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is
16 proposed to be located on a parcel within the Downtown Casino Overlay District;

17 b. In accordance with the applicable provisions of the "Town Center Development Standards
18 Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning
19 District and which is designated MS- TC (Main Street Mixed Use) in the Town Center Land Use Plan;

20 c. In connection with a proposed establishment having between 20,000 square feet and 50,000
21 square feet of retail floor space, if no more than 10 percent of the retail floor space is regularly devoted to
22 the display or merchandising of alcoholic beverages; or

23 d. In connection with a retail establishment having less than 20,000 square feet of retail floor
24 space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be
25 protected are separated by a highway or a right of way with a width of at least 100 feet.

26 8. [Except for a grocery store or drugstore as defined by LVMC 6.50.020 that contains not less than

twelve thousand square feet of gross internal floor area,] [no] No beer/wine/cooler off-sale establishment
[establishment] shall be permitted on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter
11.68.

On-site Parking Requirement: No additional parking required beyond that which is required for the
principal use(s) on the site.

SECTION 5: Title 19, Chapter 12, Section 70, is hereby amended by amending the
description and minimum special use permit requirements for the “Beer/Wine/Cooler On- and Off-Sale
Establishment” use as follows:

Beer/Wine/Cooler On- and Off-Sale Establishment

Description: An establishment:

1. Whose license to sell alcoholic beverages is limited to:
 - a. The sale of beer, wine and coolers for consumption in connection with a meal on the premises
where the business is conducted; and
 - b. The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or
corked containers, for consumption off the premises where the business is conducted; and
2. Is operated in connection with a restaurant, [general] grocery store, general retail store or convenience
store in which 30 or more people may be served with meals at any one time at tables or stools.

Minimum Special Use Permit Requirements:

- *1. Except as otherwise provided, no beer/wine/cooler on- and off-sale establishment (hereinafter
“establishment”) shall be located within 400 feet of any church/house of worship, school, individual care
center licensed for more than 12 children, or City park.
- *2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall
be determined with reference to the shortest distance between two property lines, one being the property
line of the proposed establishment which is closest to the existing use to which the measurement pertains,
and the other being the property line of that existing use which is closest to the proposed establishment. The
distance shall be measured in a straight line without regard to intervening obstacles. For purposes of

1 measurement, the term "property line" refers to property lines of fee interest parcels and does not include
2 the property line of:

- 3 a. Any leasehold parcel; or
- 4 b. Any parcel which lacks access to a public street or has no area for on site parking and which has
5 been created so as to avoid the distance limitation described in Requirement 1.

6 *3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the
7 minimum distances referred to in Requirement 1 shall be measured in a straight line:

- 8 a. From the nearest property line of the existing use to the nearest portion of the structure in which
9 the establishment will be located, without regard to intervening obstacles; or
- 10 b. In the case of a proposed establishment which will be located within a shopping center or other
11 multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a
12 leasehold or occupancy parcel in which the establishment will be located, without regard to intervening
13 obstacles.

14 4. When considering a Special Use Permit application for an establishment which also requires a waiver
15 of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the
16 distance policy and shall, as part of its recommendation to the City Council, state whether the distance
17 requirement should be waived and the reasons in support of the decision.

18 5. The minimum distance requirements in Requirement 1 do not apply to:

- 19 a. An establishment which has a nonrestricted gaming license in connection with a hotel having
20 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of
21 200 guest rooms after July 1, 1992; or
- 22 b. A proposed establishment having more than 50,000 square feet of retail floor space.

23 *6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

24 7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable
25 under the provisions of LVMC 19.12.050(C), may be waived:

- 26 a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is

1 proposed to be located on a parcel within the Downtown Casino Overlay District;

2 b. In accordance with the applicable provisions of the "Town Center Development Standards
3 Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning
4 District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan;

5 c. In connection with a proposed establishment having between 20,000 square feet and 50,000
6 square feet of retail floor space, if no more than 10 percent of the retail floor space is regularly devoted to
7 the display or merchandising of alcoholic beverages; or

8 d. In connection with a retail establishment having less than 20,000 square feet of retail floor
9 space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be
10 protected are separated by a highway or a right of way with a width of at least 100 feet.

11 8. Except for a grocery store [or drugstore] as defined by LVMC 6.50.020 that contains not less than
12 twelve thousand square feet of gross internal floor area, no establishment shall be permitted on or adjacent
13 to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

14 **On-site Parking Requirement:** No additional parking required beyond that which is required for the
15 principal use(s) on the site.

16 SECTION 6: Title 19, Chapter 18, Section 20, is hereby amended by removing in its
17 entirety the definition of "Retail Establishment with Accessory Package Liquor Off-Sale."

18 SECTION 7: Title 19, Chapter 18, Section 20, is hereby amended by amending the term
19 "Grocery Store" in the appropriate location as follows:

20 **Grocery Store.** A business establishment which occupies all of the business premises of a building or a
21 portion of the business premises of a building which is segregated physically or spatially from the rest of
22 the business premises, and which contains more than five thousand square feet of floor space, exclusive of
23 warehouse and office space, for the display and sale of foodstuffs, whether fresh, frozen, canned or
24 packaged, and may include the sales of other products, including non-food items, alcoholic beverages (if
25 licensed by the City for the sale of alcoholic beverages) and pharmaceuticals, provided the sale of such
26 pharmaceuticals is incidental to the primary business of selling products other than pharmaceuticals. [A

1 facility, over 5,000 square feet in size, that is primarily used for the retail sale of household foodstuffs for
2 off-site consumption, including any combination of fresh produce, meats, poultry, fish, deli produces, dairy
3 products, canned foods, dry foods, baked foods, prepared foods, and beverages. A "grocery store" may
4 include the sale of other household supplies and products, but only if secondary to the primary purpose of
5 food sales.]

6 SECTION 8: Title 19, Chapter 18, Section 20, is hereby amended by adding the term
7 "Liquor Store" in the appropriate location as follows:

8 **Liquor Store.** A specialty retail store with a minimum gross floor area of 1200 square feet that deals
9 exclusively in alcoholic beverages and related items including tobacco, magazines, newspapers and
10 packaged snack foods, whose license to sell alcoholic beverages authorizes their sale to consumers only
11 and not for resale, in original sealed or corked containers, for consumption off the premises where the same
12 are sold. Entry to minors is not allowed, except as provided for in LVMC 6.50.170. This use includes an
13 establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine,
14 cordial and liqueur tasting license for that location.

15 SECTION 9: Title 6, Chapter 50, Section 20, is hereby amended by amending the
16 definitions for the terms "Convenience Store," "Drugstore," "General Retail Store," "Grocery Store" and
17 "Liquor Store" as follows:

18 **6.50.020 - Definitions.**

19 Unless the context otherwise requires, the scope of all words in this Chapter shall be liberally construed in
20 order to effectuate the purpose of this Chapter, and, in particular, the following words shall have the
21 meaning ascribed to them as follows:

22 "Adult" means, for the purposes of this Chapter, a natural person over the age of twenty-one years.

23 "Alcoholic beverage" includes alcohol, spirits, liquor, wine and beer; and every liquid or solid which
24 contains alcohol, spirits, liquor, wine or beer; and which contains one-half of one percent or more of
25 alcohol by volume; and which is fit for beverage purposes, either alone or when diluted, mixed or
26 combined with other substances. Any liquid or solid containing beer or wine in combination with any other

1 alcoholic beverage shall not be construed to be beer or wine.

2 “Alcoholic beverage caterer” means a person who serves, pours or sells alcoholic beverages only for
3 consumption on the premises where the same are dispensed, served or sold during the times, dates and
4 places specified by permit.

5 “Art gallery” means a business establishment whose primary business is the display, exhibit and sale of fine
6 art for purchase by the general public. For the purpose of this definition, “fine art” means:

7 (1) A work of visual art such as a painting, sculpture, drawing, mosaic or photograph;

8 (2) A work of written art, such as calligraphy;

9 (3) A work of graphic art, such as an etching, a lithograph, an offset print, a silkscreen, or any
10 other work of like nature;

11 (4) A work in craft materials, including, but not limited to, clay, textile, wood, metal, plastic or
12 glass; or

13 (5) A work in mixed media, which is a work that is any combination of the art media set forth
14 in this definition.

15 “Banquet or event establishment” means any establishment which is rented by individuals or groups to
16 accommodate events such as banquets, weddings, anniversaries and other similar assemblages. Such
17 establishment may or may not include:

18 (1) Kitchen facilities for the preparation or catering of food.

19 (2) Outdoor gardens or reception facilities.

20 “Bar” means a physical structure from which alcoholic beverages are poured or served by the drink to
21 patrons or where alcoholic beverages are maintained for pouring or service to patrons. The structure may be
22 permanent or temporary.

23 “Beer” means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley,
24 malt, hops or similar product, or any combination thereof, in water.

25 “Beneficial owner” means a person who possesses a lease or other evidence of possessory property rights
26 for the premises for which a license is sought for the full period for which the license is to be used.

1 “Cider” means an alcoholic beverage made from the fermentation of fruit juice that contains not less than
2 one-half of one percent and not more than eight percent of alcohol by volume.

3 “Commercial center” means a concentration of retail stores that:

4 (1) Contains at least eighty thousand square feet of retail space enclosed within a building or
5 buildings;

6 (2) Contains at least one anchor retail store of at least twenty thousand square feet;

7 (3) Includes a parking lot common to the retail stores; and

8 (4) Is situated on at least fifteen gross acres of land.

9 “Container,” except as the context otherwise requires, means a receptacle provided by an establishment (or
10 otherwise) from which alcoholic beverages are consumed on the premises of the establishment.

11 “Convenience store” means a retail establishment other than a drugstore, which:

12 (1) Offers for sale prepackaged food products, household items and other goods commonly
13 associated with those products and items, and maintains more than fifty-one percent of its gross retail floor
14 area dedicated to such products and items, provided that not more than ten percent of its gross retail floor
15 area is devoted to [alcoholic beverages; and] the sale of beer, wine and coolers; and

16 (2) Contains not less than one thousand two hundred square feet, nor more than five thousand
17 square feet of floor space devoted to retail sales display, exclusive of warehouse and office areas.

18 “Convention center” means a structure which has at least one hundred thousand square feet of floor space
19 utilized for scheduling, hosting or accommodating a convention, trade show or temporary event, whether
20 the activity is open or closed to the general public. For purposes of this Chapter, the term includes a
21 stadium facility that may be operated in conjunction with a convention center, but does not include a
22 permanent trade show facility.

23 “Cooler” means any prebottled alcoholic beverage, other than beer or wine, that is a distillate obtained from
24 the fermentation of the natural contents of fruits or other agricultural products containing natural or added
25 sugar, which contains not more than ten percent of alcohol by volume.

26 “Cultural establishment” means a facility which charges a fee for admission and is dedicated to performing

arts, history or education and where food is provided in a concession space. The facility must contain at least one of the following:

- (1) At least two thousand seats in a theater-style setting;
- (2) Indoor exhibit space of twenty thousand square feet; or
- (3) Outdoor exhibit space of at least fifty acres.

“Downtown Centennial Plan overlay district” has the meaning and boundaries as described at LVMC 19.10.110.

“Downtown entertainment overlay district” has the meaning and boundaries as described at LVMC 19.10.120.

“Drugstore” [means a business establishment which occupies the entire business premises of a building, or a portion of the business premises of a building which is segregated physically or spatially from the rest of the business premises, where a State licensed pharmacist is present at all times the pharmacy operation is open for the purpose of compounding or dispensing, or both compounding and dispensing of drugs and medicines, and where a grill and fountain service is permitted as well as the retail sales of sundries, including stationery, magazines, cosmetics and health items.] means a business establishment which occupies the entire business premises of a building, or a portion of the business premises of a building which is segregated physically or spatially from the rest of the business premises, where a State licensed pharmacist is present at all times the pharmacy operation is open for the purpose of compounding or dispensing, or both compounding and dispensing of drugs and medicines, and where a grill and fountain service is permitted as well as the retail sales of sundries, including stationery, magazines, cosmetics and health items. For an establishment to qualify as a drugstore, the annual gross revenue from the sale of prescription pharmaceuticals must be in excess of fifty percent (50%) of the establishment’s total gross revenue on a calendar year basis.

“Dues” means fees paid on a monthly, quarterly, semiannual or annual basis for the right to participate in the planning of activities and the utilization of services offered by a nonprofit corporation, association or organization. The term “dues” does not include fees paid for the purchase of drinks, meals or other services

1 offered by a nonprofit corporation, association or organization.

2 “General retail store” means a business established for the retail sale of general merchandise in excess of
3 five thousand square feet of floor space devoted for the sale of multiple line products provided that not
4 more than ten percent of its gross retail floor area is devoted to [alcoholic beverages, unless] beer, wine and
5 coolers, unless there is a greater amount of floor area otherwise specified by a land use approval or
6 permitted by condition on the alcoholic beverage license.

7 “Gift shop, resort hotel leased” means a discrete area within a resort hotel, owned and operated by a person
8 other than the owner of the resort hotel, that sells clothing and miscellaneous sundries appropriate as gifts,
9 as well as other items, including, but not limited to newspapers, magazines, and foodstuffs. A resort hotel
10 leased gift shop may only sell alcoholic beverages upon the receipt of a valid, unexpired alcoholic beverage
11 license by the operator of the gift shop and the floor area for the display of alcoholic beverages shall not
12 exceed fifty square feet.

13 “Gift shop, resort hotel owned” means a discrete area within a resort hotel, owned and operated by the
14 resort hotel, that sells clothing and miscellaneous sundries appropriate as gifts, as well as other items,
15 including, but not limited to newspapers, magazines, and foodstuffs. A resort hotel owned gift shop may
16 sell alcoholic beverages without having to obtain a separate package license if the resort hotel is authorized
17 to sell alcoholic beverages pursuant to a tavern license and the floor area for the display of alcoholic
18 beverages does not exceed fifty square feet.

19 “Golf course” means any links consisting of at least eighteen holes which have been certified by the United
20 States Golf Association for individual and group play and which provide a variety of golf facilities,
21 including, but not limited to at least one or more of the following: a driving range, golf lessons, motorized
22 golf carts; a professional golf shop or a clubhouse. Each golf cart that maintains alcoholic beverages for
23 pouring or service to patrons of a golf course, or is used to serve or pour alcoholic beverages to patrons of a
24 golf course is considered to be a separate bar for purposes of this Chapter. Miniature golf and/or putting
25 course facilities and electronically simulated golf courses are not to be considered golf courses for purposes
26 of this definition.

1 “Groceries” means staple food stuffs, dairy products, meats and produce meant for human consumption;
2 articles used in the preparation of food; and household supplies.

3 “Grocery store” means a business establishment which occupies all of the business premises of a building
4 or a portion of the business premises of a building which is segregated physically or spatially from the rest
5 of the business premises, and which contains more than five thousand square feet of floor space [for the
6 display and sale of groceries and alcoholic beverages], exclusive of warehouse and office space for the
7 display and sale of foodstuffs, whether fresh, frozen, canned or packaged, and may include the sales of
8 other products, including non-food items, alcoholic beverages (if licensed by the City for the sale of
9 alcoholic beverages), and pharmaceuticals, provided the sale of such pharmaceuticals is incidental to the
10 primary business of selling products other than pharmaceuticals. The term does not include an
11 establishment in which more than [thirty] ten percent of the gross retail floor area of the establishment
12 premises consists of alcoholic beverages.

13 “Hotel” means, for purposes of this Chapter, a “resort hotel” as defined by LVMC Chapter 6.40.020(F),
14 except when the term is used in conjunction with a specific term which lists the number of rooms required.

15 A “hotel,” if not a “resort hotel,” contains not less than one hundred fifty guest rooms in a single or
16 connected structure, access to which is controlled through a foyer and hallways; provides rooms which are
17 let or hired out only to transient guests on a day-to-day basis; and does not provide for cooking in
18 individual rooms or suites.

19 “Hotel lounge bar” means a bar located in a lounge area of a hotel where alcoholic beverages are sold for
20 consumption in specified areas only.

21 “Individual access” means the provision of a secured cabinet or refrigerator with alcoholic beverages,
22 access to which is controlled by an adult.

23 “Key employee” means an employee designated by a business licensee to oversee the operations of the
24 business in the absence of the licensee.

25 “Liquor store” means a specialty retail store [which does not allow entry to minors (except as provided for
26 in LVMC 6.50.170) and which deals exclusively in alcoholic beverages and related items including

1 magazines, newspapers and packaged snack foods.] with a minimum gross floor area of 1200 square feet
2 that deals exclusively in alcoholic beverages and related items including tobacco, magazines, newspapers
3 and packaged snack foods, whose license to sell alcoholic beverages authorizes their sale to consumers
4 only and not for resale, in original sealed or corked containers, for consumption off the premises where the
5 same are sold. Entry to minors is not allowed, except as provided for in LVMC 6.50.170.

6 "Lounge" means a room or designated area wherein alcohol is served or poured from a licensed liquor
7 service area to patrons where food is not served or is incidental to its operation and may contain an
8 informal setting of tables, booths or easy chairs, and into which room or designated area minors are not
9 permitted entry. Such room or area must be separated and segregated with a barrier and signage sufficient
10 to preclude minors from entry.

11 "Malt beverage" means beer, ale, porter, stout and other similar fermented beverages of any name or
12 description, brewed or produced from malt, wholly or in part.

13 "Meal" means an assortment of food listed on a menu which must include entrees, appetizers, side items
14 and desserts available for purchase at various hours of the day.

15 "Minor" means, for the purposes of this Chapter, a natural person under the age of twenty-one years.

16 "Museum" means a facility with no less than fifteen thousand square feet of exhibit space open to the
17 general public where a fee is charged for admission and the primary purpose of such facility is the
18 acquisition, preservation, study and exhibition of items of artistic, historic or scientific value.

19 "Nonprofit club" means any nonprofit corporation, association or organization which has been in continual
20 existence for at least two years prior to applying for a license under this Chapter, and:

- 21 (1) Is organized or qualified to do business and operate under the laws of the State;
- 22 (2) Has tax-exempt status granted by the United States Internal Revenue Service;
- 23 (3) Maintains a membership of at least one hundred active members who are residents of
24 Southern Nevada, who are twenty-one years of age or older and who pay dues to the nonprofit corporation,
25 association, or organization; and
- 26 (4) Operates a clubhouse, clubroom or meeting room in a permanent location which it owns or

1 leases.

2 "Off-sale" means the sale of alcoholic beverages in original sealed or corked containers for consumption
3 off the premises where the same are sold.

4 "On-sale" means the sale of alcoholic beverages for consumption on the premises where the same are sold.

5 "Pedestrian mall" means an area designated in LVMC Chapter 11.68.

6 "Permanent trade show" means an event held at a permanent trade show facility where products, goods or
7 wares are displayed for the purpose of exhibitors demonstrating and soliciting orders for the wholesale of
8 or offering for wholesale of such products, goods or wares exclusively to members of a specific industry or
9 industries.

10 "Permanent trade show facility" means a parcel or contiguous parcels of land with one or more buildings
11 located thereon consisting of a minimum of two hundred fifty thousand square feet of floor space that is
12 designed and intended primarily to conduct one or more permanent trade shows annually, at which
13 members of the general public are not admitted. A "permanent trade show facility" may also be used for
14 events to which the general public is invited.

15 "Restaurant" means a place which is regularly and in a bona fide manner used and kept open for the service
16 of meals to guests for compensation; and which has suitable kitchen facilities connected therewith,
17 containing conveniences for cooking an assortment of foods which may be required for ordinary meals.

18 "Restaurant service bar" means a bar wherein alcoholic beverage drinks are prepared for service only at
19 tables in a restaurant for consumption only in connection with a meal on the premises where the same is
20 sold.

21 "Restaurant with alcohol" means a restaurant advertised and/or held out to the public to be a place where
22 the primary business is to serve meals and has meals available for service at tables or booths during all
23 times that the business is open. Alcoholic beverages may be served to adult patrons throughout the
24 premises of a restaurant with alcohol, and adults accompanying a minor into the restaurant portion of the
25 business may only be served alcohol in conjunction with meals at dining tables or booths.

26 "Sale" means the act of selling and, in connection therewith, "sell" means, for compensation or any other

1 private or public business purpose at a commercial location, to sell, serve, give away, or distribute; or to
2 cause or permit to be sold, served, given away or distributed or to possess with the intent to sell, serve,
3 permit consumption, give away or distribute; or to solicit or receive orders to sell, serve, give away or
4 distribute.

5 "Specialty drink" means a singular variety of a themed alcoholic drink that represents the culture or
6 ethnicity of the establishment; must be consistent with the ambiance, decór, and menu offerings of the
7 restaurant; and must be served in open containers for consumption only on the licensed premises of the
8 establishment. A drink does not qualify as a "specialty drink" unless it is available for consumption only
9 when the kitchen or food preparation area is open and operating. A specialty drink must be able to be
10 identified and described, in writing, by any applicant for a license that requires the sale or service of a
11 specialty drink and must describe how the drink qualifies for classification as a specialty drink.

12 "Themed establishment" means an establishment that is designed and operated so as to evoke a particular
13 culture, ethnicity, historical or fictional period, that represents such unique theme through one or more of
14 the following attributes: entertainment, activity, music, ambiance, decor, signage, cuisine, specialty drink
15 offerings or the costuming of staff.

16 "Wedding chapel" means a business establishment that performs marriages in accordance with State law.

17 "Wholesale dealer" or "wholesaler" means a person who sells alcoholic beverages for the purposes of
18 resale.

19 "Wine" means any alcoholic beverage, other than beer, obtained by the fermentation of the natural contents
20 of fruits or other agricultural products containing natural or added sugar, which contains not more than
21 twenty-two percent of alcohol by volume.

22 SECTION 10: Title 6, Chapter 50, Section 50, is hereby amended as follows:

23 **6.50.050 - Alcoholic beverage license - Beer/wine/cooler off-sale.**

24 (A) A beer/wine/cooler off-sale license authorizes the sale, to consumers only and not
25 for resale, only of beer, wine and coolers, in original sealed or corked containers, for consumption off the
26 premises where business is conducted[, and may only be issued in connection with a grocery store,

1 drugstore, convenience store, general retail store, resort hotel leased gift shop, or a restaurant that is
2 licensed for the sale of alcoholic beverages pursuant to LVMC 6.50.040].

3 (B) Pursuant to its general authority to regulate the sale of alcoholic beverages, the
4 City Council declares that the public health, safety and general welfare of the City are best promoted and
5 protected by specifically limiting the type of establishments which are permitted to sell beer, wine and
6 coolers in original sealed or corked containers for consumption away from the establishment where such
7 beverages are purchased. A beer/wine/cooler off-sale license shall only be considered for the following
8 types of establishments:

9 (1) Grocery store;

10 (2) Convenience store;

11 (3) Drugstore;

12 (4) General retail store;

13 (5) Resort hotel leased gift shop; or

14 (6) a restaurant that is licensed for the sale of alcoholic beverages pursuant to
15 LVMC 6.50.040.

16 (C) Except for a [grocery store or drugstore that contains not less than twelve thousand
17 square feet of gross internal floor area,] resort hotel leased gift shop establishment, no person is entitled to
18 apply for consideration or issuance of a beer/wine/cooler off-sale license for any establishment located on
19 or adjacent to a pedestrian mall.

20 SECTION 11: Title 6, Chapter 50, Section 100, is hereby amended as follows:

21 **6.50.100 - Alcoholic beverage license – Ancillary specialty sales.**

22 (A) An ancillary license authorizes the sale of alcoholic beverages for specialty sales,
23 instruction or tasting as follows:

24 (1) Internet Sales. A person that offers alcoholic beverages for sale at a
25 grocery store [or general retail store] in excess of five thousand square feet pursuant to a package liquor
26 license may sell alcoholic beverages by delivery to a purchaser's premises pursuant to an internet purchase

1 order placed by the purchaser subject to sales and delivery restrictions in LVMC 6.50.100(B), below.

2 (2) Instructional Wine-Making. A person authorized to sell alcoholic
3 beverages pursuant to a package liquor license may instruct persons regarding the making of wine provided
4 that such licensee first acquires, and maintains in good standing, any required State license or permit.

5 (a) Wines made during the instructional process may be served by the
6 glass for consumption on the premises of the instructional establishment to those persons involved with the
7 instructional process.

8 (b) Notwithstanding the provisions of LVMC 6.50.430, persons who
9 have made wine during an instructional process pursuant to this Section may place such wine in bottles or
10 containers and remove them from the instructional establishment, but only for their personal use.

11 (3) Tasting. A person authorized to sell alcoholic beverages pursuant to a
12 package liquor, wholesale general or beer/wine/cooler off sale license may provide the tasting of [wines,
13 beers,] wines and beers, and cordials or liqueurs (if permitted pursuant to the person's license) pursuant to
14 the following conditions:

15 (a) The sample must not exceed one-half ounce per drink;

16 (b) The samples must be served on the premises of the licensee for
17 educational purposes or to promote the sale of packaged alcoholic beverages;

18 (c) The samples shall not be offered in conjunction with a meal at a
19 restaurant;

20 (d) Persons offering samples of alcoholic beverages must be
21 employees of the licensee and the person must possess a valid work card; and

22 (e) Bottles of wines, beers cordials or liqueurs opened for tasting shall
23 not be sold, otherwise distributed or given away.

24 (4) Individual Access. An owner or beneficial owner of a hotel that is
25 authorized to sell alcoholic beverages pursuant to a hotel lounge bar license, or an owner or beneficial
26 owner of a sports arena or convention center that is authorized to sell alcoholic beverages pursuant to a

1 general on-sale or a tavern license may sell alcoholic beverages by individual access pursuant to the
2 following conditions:

3 (a) For individual access in a hotel room:

4 (i) The hotel must provide a full-service restaurant that serves
5 meals no less than twelve hours every day, room service of meals to all rooms no less than twelve hours
6 every day, and no less than one full-time security guard on duty at all times;

7 (ii) The hotel must provide a secure means by which an adult
8 transient guest may control the access to the secured cabinet or refrigerator from minors that occupy the
9 hotel room; and

10 (iii) The adult transient guest shall not permit any minors that
11 are occupying the hotel room to access the secured cabinet or refrigerator.

12 (b) For individual access in a booth or viewing suite at a convention
13 center or sports arena:

14 (i) The alcoholic beverages for the booths or viewing suites
15 shall be provided to the tenant by the licensee. Notwithstanding any other provision of this Chapter, a
16 tenant of the booth or viewing suite shall not bring any alcoholic beverages into the booth or viewing suite
17 nor consume any alcohol within the booth or suite that was not provided by the licensee;

18 (ii) The booth or viewing suite must be under the operational
19 control of the licensee;

20 (iii) The licensee shall possess ultimate control of the cabinet
21 or refrigerator inside the booth or viewing suite, and the lock of the refrigerator or cabinet shall be designed
22 such that the key may not be removed from the refrigerator or cabinet without locking the refrigerator or
23 cabinet;

24 (iv) The licensee shall only deliver the key to the refrigerator
25 or cabinet to an adult utilizing the booth or viewing area; and

26 (v) The adult in receipt of the key shall not permit any minors

1 that have access to the booth or viewing area access to the key or access to the open refrigerator or cabinet
2 containing the alcoholic beverages.

3 (B) Delivery Restrictions. Delivery of alcoholic beverages pursuant to LVMC
4 6.50.100(A)(1) above may only occur pursuant to the following conditions:

5 (1) Delivery of alcoholic beverages must be in conjunction with the delivery
6 of groceries in the same purchase order;

7 (2) The person placing an order and receiving the alcoholic beverages must be
8 of legal age to purchase alcoholic beverages;

9 (3) Each sales transaction for delivery shall have written documentation of the
10 sale and delivery on forms acceptable by the Director, which shall include at a minimum:

11 (a) The business name and address of the grocery or general retail
12 store;

13 (b) A detailed list of alcoholic beverages and groceries purchased in
14 each sales transaction;

15 (c) The name and address of the purchaser;

16 (d) The type of identification used to prove the age of the purchaser;

17 and

18 (e) The signature of the delivery person and purchaser involved in the
19 sales transaction.

20 (C) Alcoholic beverages sold pursuant to this ancillary license shall be stored in such a
21 manner that prevents public access.

22 (D) Any ancillary license issued shall be approved on an individual basis indicating the
23 specialty sale allowed and accounted for based upon the fees specified in LVMC 6.50.350.

24 (E) Notwithstanding anything to the contrary, an ancillary license is nontransferable.

25 SECTION 12: Title 6, Chapter 50, Section 170, is hereby amended as follows:

26 **6.50.170 - Alcoholic beverage license—Package.**

1 (A) A package license authorizes the sale, to consumers only and not for resale, of
2 alcoholic beverages, in original sealed or corked containers, for consumption off the premises where the
3 same are sold. In addition, a liquor store that holds a package license may provide on-premises wine, beer,
4 cordial and liqueur tasting, but only if the licensee also holds an ancillary license for such location.

5 (B) Pursuant to its general authority to regulate the sale of alcoholic beverages, the
6 City Council declares that the public health, safety and general welfare of the City are best promoted and
7 protected by specifically limiting the type of establishments which are permitted to sell each and every type
8 and quality of alcoholic beverage, without regard to the alcohol by volume in any given beverage, which
9 are sold in original sealed or corked containers for consumption away from the establishment where such
10 beverages are purchased. A package license shall only be considered for the following types of
11 establishments:

- 12 (1) A grocery store as defined herein by LVMC 6.50.020;
13 (2) A liquor store as defined herein by LVMC 6.50.020; or
14 (3) An establishment for instructional wine-making pursuant to LVMC
15 6.50.100(2).

16 (C) Nothing in this Chapter prohibits a minor from entering or remaining in a [liquor]
17 store that holds a package license as long as the minor is continuously accompanied by the minor's parent
18 or legal guardian.

19 [(C)] (D) Nothing in this [Section] Chapter prohibits the holder of a package license from
20 dispensing beer or cider in a container sold or provided by a licensee, or a sanitary container provided by
21 the customer, with a maximum capacity which does not exceed one gallon subject to the following
22 conditions:

- 23 (1) The licensee or the licensee's employee fills the container at the time of
24 sale;
25 (2) The container is sealed with a plastic adhesive or tamper-evident seal; and
26 (3) The beer or cider is not consumed on the licensee's premises.

1 [(D)] (E) [Except for a grocery store or drugstore that contains not less than twelve thousand
2 square feet of gross internal floor area, no] No person is entitled to apply for consideration or issuance of a
3 package liquor license for any establishment located on or adjacent to a pedestrian mall.

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

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

18 SECTION 16: All ordinances or parts of ordinances or sections, subsections, phrases,
19 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
20 Edition, in conflict herewith are hereby repealed.

21 SECTION 17: Effect of Ordinance on Existing Establishments. Upon approval of this
22 ordinance, there will be existing establishments operating pursuant to valid Title Six alcoholic beverage
23 licenses, and because of the change in the law, such existing establishments could not receive a new Title
24 Six license to operate as such establishments currently operate. Any person operating such an existing
25 establishment may continue operating such establishment, and such license may be transferred, whether by
26 the current owner or a future transferee, pursuant to the provisions of Title Six, provided that such license

1 does not expire by its terms, the provisions of Title Six, or provided that the underlying Title 19 alcohol use
2 does not expire by its terms, the provisions of Title 19 or such Title 19 use is revoked by the City pursuant
3 to the provisions of Title 19.

4 PASSED, ADOPTED and APPROVED this 3rd day of February, 2016.

5 APPROVED:

6 By CS Goodman
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 Luann D. Holmes
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12 James B. Lewis 2-3-16
13 James B. Lewis, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 6th day of January, 2016, and referred to a committee for recommendation;
3 thereafter the said committee reported favorably on said ordinance on the 3rd day of
4 February, 2016, which was a regular meeting of said Council; that at said regular meeting,
5 the proposed ordinance was read by title to the City Council as amended and adopted by
6 the following vote:

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

8 VOTING "NAY": None

9 EXCUSED: None

10 ABSTAINED: None

11 DID NOT VOTE: None

12 APPROVED:

13 
14 CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 
17 LUANN D. HOLMES, 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 0000713516

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CITY CLERK

2016 JAN 25 A 11:24

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 01/21/2016 to 01/21/2016, on the following days:

01 / 21 / 16

BILL NO. 2016-5

AN ORDINANCE TO AMEND LVMC 6.50 AND CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT CODE (TITLE 19) TO CLARIFY ALCOHOL LAND USE AND LICENSING REQUIREMENTS AND REGULATIONS AND TO SPECIFICALLY DELINEATE THE TYPES OF PROPOSED ESTABLISHMENTS THAT ARE ENTITLED TO APPLY FOR LAND USE ENTITLEMENTS AND ALCOHOLIC BEVERAGE LICENSES PERMITTING THE SALE OF PACKAGE LIQUOR, AND ALSO THE TYPES OF ESTABLISHMENTS THAT ARE ENTITLED TO SELL ALL TYPES OF ALCOHOLIC BEVERAGES, INCLUDING HARD LIQUOR, AND THE TYPES OF ESTABLISHMENTS THAT ARE LIMITED TO THE SALE OF BEER, WINE AND COOLERS ONLY, AND FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Lois Tarkanian

Summary: Amends LVMC 6.50 and certain sections of the Unified Development Code (Title 19) to clarify alcohol land use and licensing requirements and regulations and to specifically delineate the types of proposed establishments that are entitled to apply for land use entitlements and alcoholic beverage licenses permitting the sale of package liquor, and also the types of establishments that are entitled to sell all types of alcoholic beverages, including hard liquor, and the types of establishments that are limited to the sale of beer, wine and coolers only.

At the City Council meeting of January 6, 2016

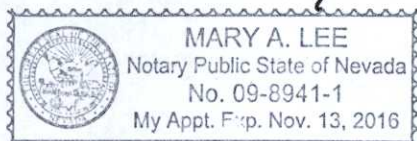
BILL NO. 2016-5 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

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: January 21, 2016
LV Review-Journal

IS/ Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 21st day of January, 2016

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 0000724853

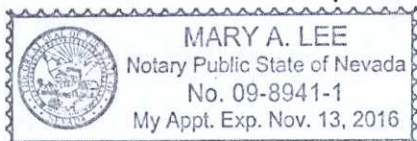
Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy 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 02/06/2016 to 02/06/2016, on the following days:

02 / 06 / 16

/s/ Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 8th day of February, 2016

Notary Mary Lee



FIRST AMENDMENT
BILL NO. 2016-5
ORDINANCE NO. 6505

AN ORDINANCE TO AMEND LVMC 6.50 AND CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT CODE (TITLE 19) TO CLARIFY ALCOHOL LAND USE AND LICENSING REQUIREMENTS AND REGULATIONS AND TO SPECIFICALLY DELINEATE THE TYPES OF PROPOSED ESTABLISHMENTS THAT ARE ENTITLED TO APPLY FOR LAND USE ENTITLEMENTS AND ALCOHOLIC BEVERAGE LICENSES PERMITTING THE SALE OF PACKAGE LIQUOR, AND ALSO THE TYPES OF ESTABLISHMENTS THAT ARE ENTITLED TO SELL ALL TYPES OF ALCOHOLIC BEVERAGES, INCLUDING HARD LIQUOR, AND THE TYPES OF ESTABLISHMENTS THAT ARE LIMITED TO THE SALE OF BEER, WINE AND COOLERS ONLY, AND FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Lois Tarkanian
Summary: Amends LVMC 6.50 and certain sections of the Unified Development Code (Title 19) to clarify alcohol land use and licensing requirements and regulations and to specifically delineate the types of proposed establishments that are entitled to apply for land use entitlements and alcoholic beverage licenses permitting the sale of package liquor, and also the types of establishments that are entitled to sell all types of alcoholic beverages, including hard liquor, and the types of establishments that are limited to the sale of beer, wine and coolers only.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of January, 2016, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 3rd day of February, 2016, 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 adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Ross, Tarkanian, Barlow, Anthony, Coffin, and Beers
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: Feb. 6, 2016
LV Review-Journal