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1 **BILL NO. 2016-23**

2 **ORDINANCE NO. 6522**

3 AN ORDINANCE TO AMEND LVMC TITLE 6.90 CLARIFYING THE LICENSING  
4 REQUIREMENTS AND COST OF LICENSURE FOR FARMER'S MARKET PROMOTERS AND  
VENDORS AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Bob Beers Summary: Clarifies the licensing requirements  
6 and cost of licensure for farmer's market  
promoters and vendors.

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

9 SECTION 1: Title 6, Chapter 90, Section 40, of the Municipal Code of the City of Las  
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.90.040:** [(A)] Each person acting as a market promoter must pay [the] a processing fee required  
12 by LVMC Chapter 6.02 and an annual business license fee of [one hundred dollars for the market  
13 promoter's designated primary] seventy five dollars for each market location.

14 [(B) For each farmers' market location that a market promoter promotes or operates (or  
15 both) in addition to the primary location designated pursuant to Subsection (A) of this Section, the market  
16 promoter must pay the processing fee required by LVMC Chapter 6.02 and an annual permit fee of fifty  
17 dollars.]

18 SECTION 2: Title 6, Chapter 90, Section 50, of the Municipal Code of the City of Las  
19 Vegas, Nevada, 1983 Edition, is hereby repealed.

20 SECTION 3: Title 6, Chapter 90, Section 60, of the Municipal Code of the City of Las  
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.90.060:** A farmers' market may include non-farm product vendors. It is unlawful for any non-farm  
23 product vendor to sell items at a farmers' market without first obtaining and thereafter maintaining a valid  
24 license to do so from the Department pursuant to this Chapter. Before a license to sell non-farm product  
25 consumables is issued by the Department, the applicant must obtain a health permit from the Health  
26 District, if applicable, and comply with all other applicable Health District requirements. For purposes of

1 the preceding sentence, an organization described in LVMC 6.90.090 shall not be considered a vendor.

2 SECTION 4: Title 6, Chapter 90, Section 80, of the Municipal Code of the City of Las  
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.90.080:** Each non-farm product vendor shall pay a [non-refundable annual license fee of fifty  
5 dollars for each farmers' market premises,] semi-annual license fee based upon its gross sales pursuant to  
6 LVMC 6.04.005, whether the vendor participates fully or partially during the year.

7 SECTION 5: Title 6, Chapter 90, Section 140, of the Municipal Code of the City of Las  
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.90.140:** It is unlawful for any market promoter, producer, farm product vendor or non-farm product  
10 vendor participating in a farmers' market to:

11 (A) Operate an ice cream truck contrary to the provisions of LVMC Chapter 6.47.

12 (B) Operate independent of the farmers' market without securing the proper business  
13 license pursuant to LVMC Title 6.

14 (C) Operate outside the hours the market promoter has been authorized by the City to  
15 conduct a farmers' market.

16 (D) Operate as a non-farm product vendor in violation of the provisions of this  
17 Chapter.

18 (E) [Sell secondhand items without securing a secondhand dealer's license pursuant to  
19 LVMC Chapter 6.74.] Engage in any business requiring a privileged license, without first obtaining a  
20 privileged license to operate consistent with Title 6.

21 SECTION 6: Title 6, Chapter 90, Section 140, of the Municipal Code of the City of Las  
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.90.140:** For purposes of ensuring proper licensing and determining compliance with Section  
24 6.90.040 of this Chapter, each market promoter shall [report to the Department within fifteen days  
25 following the end of each calendar quarter a list of the farm product vendors and non-farm product vendors  
26 that operated at a farmers' market during the preceding quarter.] ensure each vendor is properly licensed.

1 that each vendor has the license on site at each market and the promoter shall keep accurate records of all  
2 vendors at each market location for three years and make all such records available to the Department upon  
3 request.

4 SECTION 7: 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 8: 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.

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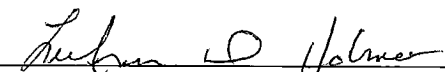
1 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,  
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983  
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 20<sup>th</sup> day of April, 2016.

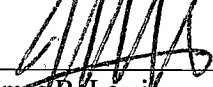
5 APPROVED:

6 By   
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9   
10 LUANN D. HOLMES, MMC  
City Clerk

11 APPROVED AS TO FORM:

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

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1 The above and foregoing ordinance was first proposed and read by title to the City Council  
2 on the 16<sup>th</sup> day of March, 2016, and referred to a committee for recommendation; hereafter  
3 the committee reported favorably on said ordinance on the 20<sup>th</sup> day of April, 2016, which  
4 as a regular meeting of said Council; that at said regular meeting, the proposed ordinance  
5 was read by title to the City Council as first introduced and adopted by the following vote:

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

8 VOTING "NAY": None

9 EXCUSED: Barlow

10 ABSTAINED: None

11  
12 APPROVED:

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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:

RECEIVED  
CITY CLERK

2016 APR 11 A 11:34

LV CITY CLERK  
495 S MAIN ST  
LAS VEGAS NV 89101

Account # 22515  
Ad Number 0000766406

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 04/07/2016 to 04/07/2016, on the following days:

04 / 07 / 16

BILL NO. 2016-23

AN ORDINANCE TO AMEND  
LVMC TITLE 6.90 CLARIFYING  
THE LICENSING REQUIREMENTS  
AND COST OF LICENSURE FOR  
FARMER'S MARKET PROMOTERS  
AND VENDORS AND TO PROVIDE  
FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob  
Beers

Summary: Clarifies the  
licensing requirements and  
cost of licensure for farmer's  
market promoters and vendors.

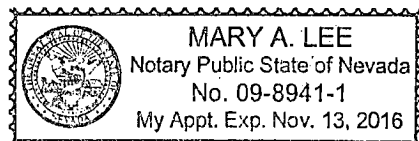
At the City Council meeting of  
March 16, 2016 BILL NO. 2016-23  
WAS READ BY TITLE AND  
REFERRED TO A  
RECOMMENDING COMMITTEE

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 7, 2016  
LV Review-Journal

151 *Eileen Gallagher*  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 6th day of April, 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 0000780580

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 04/26/2016 to 04/26/2016, on the following days:

04 / 26 / 16

BILL NO. 2016-23  
ORDINANCE NO. 6522

AN ORDINANCE TO AMEND  
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The above and foregoing  
ordinance was first proposed  
and read by title to the City  
Council on the 16th day of  
March 2016 and referred to a  
committee for  
recommendation; thereafter  
the committee reported  
favorably on said ordinance on  
the 20th day of April 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  
introduced and was adopted by  
the following vote:

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

VOTING "NAY": NONE  
EXCUSED: Councilman Barlow

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 26, 2016  
LV Review-Journal

*Eileen Gallagher*  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 26th day of April, 2016

Notary *Mary Lee*

