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BILL NO. 2016-75

ORDINANCE NO. 6565

AN ORDINANCE TO AMEND THE BUSINESS LICENSE FEE APPLICABLE TO TRANSPORTATION NETWORK COMPANIES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney Summary: Amends the business license fee applicable to transportation network companies.

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

SECTION 1: Title 6, Chapter 4, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.04.030: Businesses or business locations within the following licensing categories shall pay an annual license fee of one hundred dollars:

Tobacco dealer, which is any person licensed pursuant to NRS Chapter 370 to sell tobacco. The fee amount shall be charged for each sales location, whether a machine, retail location, or warehouse facility.

Motor carrier and transportation services, which is any business operating as a common motor carrier as defined in NRS Chapter 706 that provides trucking, passenger transportation service including limousine and sightseeing for hire over fixed or non-fixed routes. An applicant for this license must furnish a certificate of public convenience and necessity from the Transportation Services Authority in accordance with NRS Chapter 706, or evidence of exemption from the certificate requirement. The fee amount of one hundred dollars shall be charged for each vehicle operated as part of the business, except that any vehicle which is devoted exclusively to public transportation as designated by a local government within Clark County is exempt from the license fee requirement.

[Transportation network company, which is any business entity that uses a digital network or software application service to connect a passenger to a driver who can provide transportation services to the passenger as defined by NRS Title 58. An applicant for this license must furnish a certificate or other proof of registration with the Transportation Services Authority. The required one hundred dollar annual fee

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1 shall be paid on a semi-annual basis of fifty dollars, and the fee shall be charged to the transportation
2 network company for each active driver, as calculated based on the number of active drivers in each month
3 of a license period, with each month being added together and then divided by the number of months in the
4 license period.

5 For the purposes of calculating such fee, "driver" means a natural person that operates, regardless of
6 ownership, a motor vehicle that is the subject of an agreement with a transportation network company to
7 receive connections to potential passengers and related services from a transportation network company in
8 exchange for the payment of a fee to the transportation network company, and "active driver" means a
9 driver who has provided service in response to one or more prearranged requests for service from a
10 transportation network company in any thirty-day period. The transportation network company shall
11 provide a report to the Department listing the company's identification number of each active driver prior
12 to the end of each month.]

13 **Truck rental agency**, which is any business that offers trucks for rent. The fee amount shall be charged
14 for each truck available for rental.

15 SECTION 2: Title 6, Chapter 4, of the Municipal Code of the City of Las Vegas,
16 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 155,
17 reading as follows:

18 **6.04.155:** Businesses within the following licensing category shall pay an annual license fee of
19 seventeen thousand five hundred dollars:

20 **Transportation network company**, which is any business entity that uses a digital network or software
21 application service to connect a passenger to a driver who can provide transportation services to the
22 passenger as defined by NRS Title 58. The fee is intended to cover all company operations and no
23 additional fee per-driver fee shall be imposed on the company or any individual driver.

24 SECTION 3: Title 6, Chapter 2, Section 115, of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.02.115:** (A) The Department may collect license fees and issue business licenses for the City

1 and any other jurisdiction participating in a multi-jurisdictional business license program authorized by
2 LVMC 6.02.060(D) and an appropriate interlocal agreement between the parties participating in such a
3 program.

4 (B) The following license categories are eligible for multi-jurisdictional business
5 licensing:

- 6 (1) Express delivery service pursuant to LVMC 6.04.020;
- 7 (2) Contractor pursuant to LVMC 6.04.050;
- 8 (3) Professional business pursuant to LVMC 6.04.060;
- 9 (4) Residential property maintenance provider pursuant to LVMC 6.04.040;

10 and

- 11 (5) Transportation network company pursuant to LVMC [6.04.030.] 6.04.155.

12 (C) Notwithstanding any provision in this Chapter to the contrary, the City shall not
13 accept license fees nor renew a multi-jurisdictional business license in a participating jurisdiction upon
14 receipt of a written notice by a participating jurisdiction directing the City not to renew such license in its
15 jurisdiction. In this capacity, the City is merely acting as the conduit for non-renewal by the non-renewing
16 participating jurisdiction, and any review or appeal of such decision to not renew the license by the City
17 must occur at the jurisdiction directing the non-renewal of the license. The City shall not hear any review
18 or appeal of such non-renewal.

19 (D) Notwithstanding any provision in this Chapter to the contrary, the City shall
20 suspend or revoke a multi-jurisdictional business license in a participating jurisdiction upon receipt of a
21 written notice by a participating jurisdiction directing the City to suspend or revoke such license in its
22 jurisdiction. In this capacity, the City is merely acting as the conduit for suspension or revocation by the
23 participating jurisdiction, and any review or appeal of such decision to suspend or revoke the license by the
24 City must occur at the jurisdiction directing the suspension or revocation of the license. The City shall not
25 hear any review or appeal of such suspension or revocation.

26 (E) Subsections (C) and (D) only permit the City to act to levy disciplinary action

1 against a multi-jurisdictional business licensee in a jurisdiction other than the City at the direction of
2 another participating jurisdiction. Such provisions do not permit the City to levy disciplinary action against
3 any licensee doing business within the City's jurisdiction without following the provisions for disciplinary
4 action provided by this Chapter.

5 (F) Notwithstanding any provisions to the contrary, if a business possessing a multi-
6 jurisdictional business license issued by the City permanently closes its primary fixed business within the
7 boundaries of the City, renewal fees shall not be accepted and such license shall not be renewed by the
8 City.

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

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SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this 4th day of January, 2017.

APPROVED:

By 
CAROLYN G. GOODMAN, Mayor

ATTEST:


 LUANN D. HOLMES, MMC
 City Clerk

APPROVED AS TO FORM:

Val Steed, 12-12-16
Deputy City Attorney Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 21st day of December, 2016, and referred to a committee for recommendation;
3 hereafter the committee reported favorably on said ordinance on the 4th day of January,
4 2017, which as a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council as first introduced and adopted by
6 the following vote:

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

9 VOTING "NAY": None

10 EXCUSED: None

11 ABSTAINED: None

12
13 APPROVED:

14 
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 
18 LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS

RECEIVED
CITY CLERK

2016 DEC 28 P 12:11

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0000882301

Leslie McCormick, being 1st duly sworn, deposes and says That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/22/2016 to 12/22/2016, on the following days

12 / 22 / 16

BILL NO. 2016-75

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Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends the business license fee applicable to transportation network companies.

At the City Council meeting of December 21, 2016

BILL NO. 2016-75 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: December 22, 2016
LV Review-Journal



/s/ 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 22nd day of December, 2016

Notary 

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 0000885315

2017 JAN 17 P 12:00

Leslie McCormick, 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 01/07/2017 to 01/07/2017, on the following days

01 / 07 / 17

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Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends the business license fee applicable to transportation network companies.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21st day of December, 2016, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 4th day of January, 2017, 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 first introduced 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: January 7, 2017
LV Review-Journal


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 9th day of January, 2017

Notary 

