

FIRST AMENDMENT

BILL NO. 2019-2

ORDINANCE NO. 6674

AN ORDINANCE TO AMEND LVMC 6.40 155 TO GENERALLY PROHIBIT RESTRICTED GAMING IN ESTABLISHMENTS WITH A NONPROFIT CLUB GENERAL ON-SALE ALCOHOLIC BEVERAGE LICENSE; AMEND LVMC 6.50.150 TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ESTABLISHMENT WITH A NONPROFIT CLUB GENERAL ON-SALE ALCOHOLIC BEVERAGE LICENSE MAY ALLOW MEMBERS OF THE GENERAL PUBLIC TO ENTER THE ESTABLISHMENT FOR GAMING PURPOSES; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Michele Fiore

Summary: Amends LVMC 6.40.155 to generally prohibit restricted gaming in establishments with a nonprofit club general on-sale alcoholic beverage license, and amends LVMC 6.50.150 to clarify the circumstances under which an establishment with a nonprofit club general on-sale alcoholic beverage license may allow members of the general public to enter the establishment for gaming purposes.

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

SECTION 1. Title 6, Chapter 40, Section 155, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.155: (A) The City Council may deny any application for a gaming license if it deems the place or location for which the license is sought to be unsuitable for the conduct of gaming.

(B) No restricted gaming shall be conducted, maintained or operated in the following places or locations:

- (1) Laundromats;
- (2) Bakeries, donut shops and any other retail location, except as otherwise provided in LVMC 6.40 140 and 6.40.150;
- (3) Movie theaters and professional offices;
- (4) Fast food establishments;
- (5) Hotels with a lounge bar license;

1 (6) Locations within the Downtown Entertainment Overlay District, as
2 described in LVMC 19.10.120;

3 (7) Establishments at which a person holds a tavern-limited license[;] or a
4 nonprofit club general on-sale alcoholic beverage license.

5 (8) Beer and wine rooms; and

6 (9) Outdoor entertainment complexes.

7 (C) Locations listed in Subsection (B) that are licensed for gaming as of the date this
8 section (or any amendment thereto) was adopted may be allowed to continue their licenses so long as the
9 nature and character of the business at the location does not materially change. In addition, the savings
10 provisions of this Subsection (C) apply to restricted gaming in an establishment at which a person holds a
11 nonprofit club general on-sale alcoholic beverage license only to the extent the restricted gaming maintains
12 its valid licensing continuously

13 SECTION 2: Title 6, Chapter 50, Section 150, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.50.150:** (A) A nonprofit club general on-sale license authorizes the sale of alcoholic beverages
16 by the licensee or the licensee's authorized employees only for consumption on the premises and only to
17 bona fide dues-paying members of the club, and to a member's bona fide guests. [A club member must at
18 all times accompany any guests in any area where alcoholic beverages are sold, poured, served or
19 consumed] A key employee must be on the premises during all hours when a bar is open and alcoholic
20 beverages are available for service. Such club shall maintain [an] accurate sign-in [log] logs that each
21 member, [and] the member's guests, and those who are entering under the authority of Subsection (C) must
22 sign upon entering the club house, clubroom or meeting room operated by the club. The names in the [log]
23 logs must be legible, verifiable and available at all times to Metro or City personnel.

24 (B) Except as otherwise provided by Subsection (C), a club member must at
25 all times accompany that member's guests in any area where alcoholic beverages are sold, poured, served
26 or consumed

1 (C) In order to comply with the requirements of State law and regulations, a
2 nonprofit club that has been approved for restricted gaming activities in accordance with Subsections (B) and
3 (C) of LVMC 6 40 155 may permit entry to members of the general public for purposes of allowing access
4 to gaming activities, without regard to membership in the club or status as a member's guest, but only if the
5 club submits to, and obtains approval by, the Director of a security plan that includes, without limitation,
6 measures to ensure that:

7 (1) A separate sign-in log is kept for those persons admitted for gaming
8 purposes under the authority of this Subsection (C), showing the date and the time of arrival and departure
9 for each such person admitted;

10 (2) The club's onsite key employee is responsible for monitoring the
11 activities of persons admitted for gaming purposes under the authority of this Subsection (C) as long as those
12 persons are on the premises.

13 (3) Persons who are admitted for gaming purposes under the authority
14 of this Subsection (C):

15 (a) Do not purchase or consume alcoholic beverages on the
16 premises;

17 (b) Are admitted solely for purposes of active play and leave
18 the premises upon the conclusion of active play;

19 (c) Are restricted to the location of the gaming area or areas
20 and do not access areas used for nongaming club activities, such as areas where food or beverages (other than
21 water) are served or provided;

22 (d) Are issued a name tag, clothing item, safety vest, or other
23 similar identifier by which such persons may be identified as persons admitted for gaming purposes, and
24 which identifier is visible from a distance of at least ten feet: and

25 (e) Wear or prominently display the tag or other identifier that
26 has been provided for their use

1 (D) It is unlawful and a basis for license discipline for the nonprofit club general
2 on-sale licensee, or its principals or employees, to violate or fail to comply with any requirement of the
3 security plan described in Subsection (C).

4 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
5 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
6 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
7 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
8 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
9 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
10 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

11 SECTION 4: 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 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 16th day of January, 2019, and referred to a committee for recommendation;
3 thereafter the said committee reported favorably on said ordinance on the 6th day of
4 February, 2019, 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, Anthony, Coffin,
Fiore, Seroka and Crear

8 VOTING "NAY": None

9 EXCUSED: Tarkanian

10 ABSTAINED: None

11 THOSE NOT VOTING: 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 0001030151

RECEIVED
CITY CLERK

2019 JAN 28 A 10:42

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 01/24/2019 to 01/24/2019, on the following days

01 / 24 / 19

BILL NO. 2019-2

AN ORDINANCE TO AMEND LVMC 6.40.155 TO GENERALLY PROHIBIT RESTRICTED GAMING IN ESTABLISHMENTS WITH A NONPROFIT CLUB GENERAL ALCOHOLIC BEVERAGE LICENSE; AMEND LVMC 6.50.150 TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ESTABLISHMENT WITH A NONPROFIT CLUB GENERAL ON-SALE ALCOHOLIC BEVERAGE LICENSE MAY ALLOW MEMBERS OF THE GENERAL PUBLIC TO ENTER THE ESTABLISHMENT FOR GAMING PURPOSES; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilwoman Michele Fiore

Summary: Amends LVMC 6.40.155 to generally prohibit restricted gaming in establishments with a nonprofit club general alcoholic beverage license, and amends LVMC 6.50.150 to clarify the circumstances under which an establishment with a nonprofit club general on-sale alcoholic beverage license may allow members of the general public to enter the establishment for gaming purposes.

At the City Council meeting of
January 16, 2019

BILL NO. 2019-2 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 24, 2019
LV Review-Journal


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 24th day of January, 2019

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 000103333

RECEIVED
CITY CLERK

2019 FEB 19 A 11:56
FIRST AMENDMENT

BILL NO. 2019-2
ORDINANCE NO. 6674

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 02/09/2019 to 02/09/2019, on the following days

02 / 09 / 19

AN ORDINANCE TO AMEND LVMC 6.40.155 TO GENERALLY PROHIBIT RESTRICTED GAMING IN ESTABLISHMENTS WITH A NONPROFIT CLUB GENERAL ON-SALE ALCOHOLIC BEVERAGE LICENSE; AMEND LVMC 6.50.150 TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ESTABLISHMENT WITH A NONPROFIT CLUB GENERAL ON-SALE ALCOHOLIC BEVERAGE LICENSE MAY ALLOW MEMBERS OF THE GENERAL PUBLIC TO ENTER THE ESTABLISHMENT FOR GAMING PURPOSES; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman
Michele Fiore

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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 January, 2019, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 6th day of February, 2019, 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 Anthony, Coffin, Seroka, Fiore and Crear
VOTING "NAY": NONE
EXCUSED: Councilwoman Tarkanian

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. 9, 2019
LV Review-Journal


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 11th day of February, 2019

Notary



