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BILL NO. 2019-45

ORDINANCE NO. 6717

AN ORDINANCE TO AMEND LVMC CHAPTER 6.50 TO PROVIDE AN EXCEPTION TO CERTAIN WORK CARD REQUIREMENTS FOR CONVENIENCE STORES THAT SELL ALCOHOLIC BEVERAGES, CLARIFY WORK CARD REQUIREMENTS FOR PERSONS PROVIDING SECURITY IN CERTAIN ALCOHOLIC BEVERAGE ESTABLISHMENTS, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Stavros S. Anthony

Summary: Amends LVMC Chapter 6.50 to provide an exception to certain work card requirements for convenience stores that sell alcoholic beverages, and clarify work card requirements for persons providing security in certain alcoholic beverage establishments.

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

SECTION 1: Title 6, Chapter 50, Section 410, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.410: (A) Except as otherwise specified in Subsection (C), [It] it is the duty of [the] each licensee and any principal thereof to:

[(A)] (1) Ensure that a person who is at least twenty-one years of age, who is either an owner or employee of the licensee and who has a valid work card and health card in his possession, is present on the premises during all times that the premises are open for business.

[(B)] (2) Maintain and make available during the licensee's business hours for inspection by Metro or the Department a list of all of licensee's current employees by name that are required to have one or more of the following cards and the corresponding card numbers:

[(1)] (a) A work card.

[(2)] (b) A health card.

[(C)] (B) The list referenced in [Subsection (B)] Paragraph (2) of Subsection (A) of this Section shall also include, in addition to the names of current employees, all the names of other persons employed during the previous three years.

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1 (C) The work card requirement in Subsection (A) does not apply to a convenience store
2 at any particular time if and to the extent that at least one qualified person is on the premises or is available
3 for immediate contact. In order for this exception to apply, the contact information of the qualified person
4 must be available on the premises and must be immediately accessible to the Department and Metro. For
5 purposes of this Subsection (C), "qualified person" means a principal or key employee who has been
6 approved for suitability pursuant to LVMC 6.06.060.

7 SECTION 2: Title 6, Chapter 50, Section 440, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.50.440:** (A) It is unlawful for any of the following persons to be employed in, engage in,
10 participate in, or supervise the retail sales of alcoholic beverages for on or off premises consumption without
11 having in his or her possession a valid work card for alcoholic beverages issued pursuant to LVMC Chapter
12 6.86:

13 (1) Any person employed in the management of a licensed business
14 establishment who has not been investigated and approved as a principal or key employee, unless such
15 employment has been approved by the Director under a temporary license during the pendency of such
16 temporary license;

17 (2) Any person who exercises supervision and control of, and establishes
18 policies for, an alcoholic beverage establishment;

19 (3) Any person who pours alcoholic beverages for on-premises consumption,
20 or who serves as a bartender or its functional equivalent;

21 (4) Any employee of an alcoholic beverage caterer licensed under Section
22 6.50.025 who is authorized by the licensee to exercise supervision and control of, and to establish policies
23 for, a catered event;

24 (5) Any person authorized to supervise the sale or distribution of alcoholic
25 beverages in connection with a time-limited special event license pursuant to Section 6.50.200 or 6.50.205;

26 or

1 (6) Except as otherwise provided in Subsections (B) and (C), any person who
2 performs the role of security, including the maintaining of order within the business, the verification of
3 identification, and the enforcement of other policies established and maintained by the licensee.

4 (B) Those bartenders, alcohol servers and security employees that are registered with
5 the Nevada State Gaming Board for nonrestricted gaming at the location employed are exempt from the work
6 card requirement. The employer is responsible for maintaining and making available a Nevada State Gaming
7 Board registry on the premises for inspection by the Department or Metro.

8 (C) Those security employees that are licensed or registered under NRS 648.060 are
9 exempt from the work card requirement, but such persons must have their State-issued [registration work]
10 license or registration (work) card that includes a photo ID on their person during the act of performing
11 security duties at the [erotic dance establishment] location where employed. The employer is responsible for
12 maintaining, and making available for inspection by the Department or Metro, or both, a list of such
13 employees, including names, registry numbers and registration expiration dates.

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

21 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to
22 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
23 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
24 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
25 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
26 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation

1 of this ordinance shall constitute a separate offense.


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

5 PASSED, ADOPTED and APPROVED this 18th day of December, 2019.


6 APPROVED:

7
8 By 
CAROLYN G. GOODMAN, Mayor
9 Michele Fiore, Mayor Pro-Tem

9 ATTEST:

10 
11 LUANN D. HOLMES, MMC
City Clerk

12 APPROVED AS TO FORM:

13  11-4-19
14 Val Steed, Date
Deputy City Attorney

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of November, 2019, and referred to a committee for recommendation; hereafter the committee reported favorably on said ordinance on the 18th day of December, 2019, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council and adopted by the following vote:

VOTING "AYE": Mayor Pro Tem Fiore and Councilmembers Anthony, Crear, Knudsen, Seaman and Diaz
VOTING "NAY": None
EXCUSED: Mayor Goodman
ABSTAINED: None

APPROVED:

MICHELE FIORE, Mayor Pro Tem

ATTEST:

LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2019 DEC 10 A 11: 27

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001080910

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 12/05/2019 to 12/05/2019, on the following days:

12 / 05 / 19

BILL NO. 2019-45

AN ORDINANCE TO AMEND LVMC CHAPTER 6.50 TO PROVIDE AN EXCEPTION TO CERTAIN WORK CARD REQUIREMENTS FOR CONVENIENCE STORES THAT SELL ALCOHOLIC BEVERAGES, CLARIFY WORK CARD REQUIREMENTS FOR PERSONS PROVIDING SECURITY IN CERTAIN ALCOHOLIC BEVERAGE ESTABLISHMENTS, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman Stavros S. Anthony

Summary: Amends LVMC Chapter 6.50 to provide an exception to certain work card requirements for convenience stores that sell alcoholic beverages, and clarify work card requirements for persons providing security in certain alcoholic beverage establishments.

At the City Council meeting of
November 20, 2019

BILL NO. 2019-45, WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

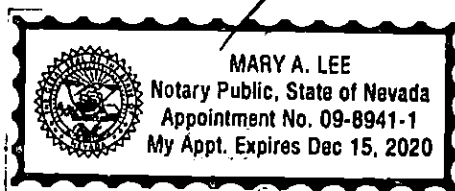
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: Dec. 5, 2019
LV Review-Journal

[Signature]
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 5th day of December, 2019

Notary *[Signature]*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2019 DEC 30 A 11: 27

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001083843

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 12/21/2019 to 12/21/2019, on the following days:

12 / 21 / 19

**BILL NO. 2019-45
ORDINANCE NO. 6717**

AN ORDINANCE TO AMEND LVMC CHAPTER 6.50 TO PROVIDE AN EXCEPTION TO CERTAIN WORK CARD REQUIREMENTS FOR CONVENIENCE STORES THAT SELL ALCOHOLIC BEVERAGES, CLARIFY WORK CARD REQUIREMENTS FOR PERSONS PROVIDING SECURITY IN CERTAIN ALCOHOLIC BEVERAGE ESTABLISHMENTS, AND PROVIDE FOR OTHER RELATED MATTERS.

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of November, 2019, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 18th day of December, 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 first introduced and adopted by the following vote:

VOTING "AYE": Mayor Pro Tem Flore and Councilmembers Anthony, Crear, Knudsen, Seaman and Diaz
VOTING "NAY": NONE
EXCUSED: Mayor Goodman

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: Dec. 21, 2020
LV Review-Journal



LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 23rd day of December, 2019

Notary 

