

**BILL NO. 2020-7**

**ORDINANCE NO. 6729**

AN ORDINANCE TO AMEND LVMC 6.50.250 TO MAKE TAVERN-LIMITED ALCOHOLIC BEVERAGE LICENSES AVAILABLE THROUGHOUT THE DOWNTOWN LAS VEGAS OVERLAY DISTRICT; AMEND VARIOUS PROVISIONS OF THE UNIFORM DEVELOPMENT CODE ADOPTED AS TITLE 19 TO MAKE CORRESPONDING LAND USE-RELATED ADJUSTMENTS; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Brian Knudsen

Summary: Amends LVMC 6.50.250 to make tavern-limited alcoholic beverage licenses available throughout the Downtown Las Vegas Overlay District, and amends various provisions of the Uniform Development Code adopted as Title 19 to make corresponding land use-related adjustments.

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

SECTION 1: Title 6, Chapter 50, Section 250, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**6.50.250:** (A) A tavern-limited license:

(1) Authorizes the sale of alcoholic beverages only for consumption on the premises where the same are sold, except as otherwise provided in Subsection (C) of this Section.

(2) May only be issued for premises that are located entirely within [Area 1 of the Downtown Las Vegas Overlay District or the Symphony Park District, as shown in Figures 2 and 3 of the Development Standards adopted in LVMC 19.10.010(B).] the Downtown Las Vegas Overlay District, as described in LVMC 19.10.110.

(3) In the case of a tavern-limited license issued under Subsection (C) of this Section, may only be issued with respect to an outdoor entertainment complex.

(4) Is not transferable, except to a location for which a new license of that type would qualify under Paragraph (2) of Section (A) above and to an operator who has been approved by the City Council.

(B) Except with respect to a tavern-limited license issued under Subsection (C) of this

1 Section, a tavern-limited license, the transfer of a license, or in the case of Paragraphs (5), (6), (7) and (8)  
2 below, the renewal of a license as well, may be conditioned upon one or more of the following:

3 (1) That the establishment be a themed establishment, the theme to be approved  
4 by the Director after submission of a written description of at least three operational elements establishing a  
5 theme.

6 (2) That the establishment provide live entertainment at least two nights per  
7 week, including, but not limited to the following:

8 (a) Music entertainment venue, with live music or disc jockey (jazz,  
9 blues, reggae, hip hop, rock'n'roll, etc.);

10 (b) Nightclub venue with dancing and live music or live disc jockey;

11 (c) Comedy entertainment venue, with live comedic performers;

12 (d) Karaoke entertainment venue, with amateur guest performers; and

13 (e) Other live entertainment venues, to be determined by the City  
14 Council for acceptability and conformity to the goals and objectives of the district in which it is located.

15 (3) That the establishment provide for outdoor seating in a number and manner  
16 approved by the City Council.

17 (4) Establishment of an annual review for conformity to the licensing standards  
18 and conditions, for a period of time to be established by the City Council.

19 (5) Submittal of a security plan, to be approved by the City; provided, however,  
20 that this condition shall be mandatory for establishments located within the Downtown Entertainment  
21 Overlay District. In the case of a mandatory security plan for establishments within the Downtown  
22 Entertainment Overlay District, the security plan must address all aspects of the establishment's operations.  
23 In particular, and in connection with the approval of such a mandatory security plan, the Director may do one  
24 or more of the following:

25 (a) Require the establishment to comply with the provisions of LVMC  
26 6.39.040 regarding the presence of minors.

1 (b) Apply to the establishment the provisions of LVMC 6.39.050(B)  
2 regarding security plans.

3 (c) Require the establishment to:

4 (i) Perform security-related searches, including searches using  
5 metal detectors or wandings and searches based on the results of those devices, and limit the types of items  
6 that can be brought into the establishment, including without limitation weapons, backpacks, bags and other  
7 carrying devices.

8 (ii) Provide adequate security to manage lines of patrons  
9 seeking entry.

10 (iii) Provide minimum levels of security both inside and outside  
11 the establishment, at a ratio of security to attendees that is commensurate with the size and operation of the  
12 establishment.

13 (iv) Ensure that security officers are trained in areas such as use  
14 of force, counter-terrorism and de-escalation.

15 (v) Engage special events officers of Metro for occasions and  
16 events where such a presence is deemed important by the Director.

17 (vi) Provide fully operational and adequate video surveillance  
18 for the venue especially for restroom entries, ingress/egress areas, and the front of the establishment.

19 (vii) Provide for the presence of medical personnel for events  
20 with over one thousand patrons.

21 (viii) Provide for the vetting of independent hosts, special guest  
22 DJ's, live acts, etc. through open sources.

23 (ix) Engage qualified companies or individuals on an  
24 undercover basis to monitor or audit operations for compliance, such as the use of "mystery shoppers."

25 (x) Establish, maintain in place, and implement written policies  
26 and procedures that seek to foster the public health, safety, morals, good order, and general welfare of the

1 patrons.

2 (xi) Implement a program by which employees and others  
3 retained by the establishment have received copies of, and training, regarding the written policies and  
4 procedures referred to above.

5 (xii) Ensure that the establishment's management is actively  
6 involved in oversight of operations and the implementation of the written policies and procedures referred to  
7 above.

8 (xiii) Provide a policy or plan under which the establishment  
9 would conduct background investigations on any person potentially to be hired as an employee, security  
10 provider, independent host, vendor or entertainer.

11 (6) For establishments located within the Downtown Entertainment Overlay  
12 District that will have patrons waiting outside the establishment for entry into the establishment, that the  
13 licensee organize and maintain its patrons in line in accordance with this Paragraph (6). Each outdoor patron  
14 line must be on private property or on a public sidewalk. If on a public sidewalk, an outdoor patron line shall:

15 (a) Be parallel to and against the structure of the licensed  
16 establishment;

17 (b) Be maintained so that not more than two persons are abreast (next  
18 to one another);

19 (c) Not restrict reasonable pedestrian movement on the sidewalk; and

20 (d) Not obstruct the entrance to any other establishment that is open for  
21 business.

22 (7) For establishments located within the Downtown Entertainment Overlay  
23 District, that outdoor speakers or other sound amplification devices:

24 (a) Will not be located on sidewalks or within the public right-of-way;  
25 and

26 (b) Will be directed toward the establishment's lounge or dining area

1 and away from public rights-of-way.

2 (8) For establishments located within the Downtown Entertainment Overlay  
3 District that will provide entertainment other than what has been required as a condition of City Council  
4 approval pursuant to Paragraph (2) of this Subsection (B), that such entertainment be approved in advance  
5 by the Director.

6 (9) Such other conditions as may be recommended by City staff and imposed  
7 by the City Council.

8 (C) Independent of the provisions contained in Subsection (B) of this Section, a person  
9 who owns or controls an outdoor entertainment complex, or a person who is associated with such a person  
10 by means of license or lease or other written consent to operate an outdoor entertainment complex, may only  
11 engage in the business of selling alcoholic beverages, advertise the same or permit the consumption of  
12 alcoholic beverages upon the premises of an outdoor entertainment complex by obtaining and thereafter  
13 maintaining a valid unexpired tavern-limited license specific for an outdoor entertainment complex pursuant  
14 to this Code. Unless otherwise restricted by conditions imposed on a license by the City Council, such a  
15 license authorizes the sale of alcoholic beverages for consumption at any location within an outdoor  
16 entertainment complex, but subject to compliance with the provisions of Subsections (D) and (E) of this  
17 Section.

18 (D) The issuance of a tavern-limited license under Subsection (C) of this Section shall  
19 be contingent upon the following:

20 (1) Submittal of a site plan for the outdoor entertainment complex that indicates  
21 all uses included within the complex, the controlled points access as required herein, locations where alcohol  
22 may be consumed within the boundaries of the complex, and any areas where minors may be segregated from  
23 persons over twenty-one years of age that are consuming alcohol, if any.

24 (2) Submittal of a business security plan that:

25 (a) Is designed to ensure that minors are not served or permitted to  
26 consume alcoholic beverages; and

1 (b) Specifically identifies how the operator of the outdoor  
2 entertainment complex will ensure that patrons will not remove alcoholic beverages from the complex.

3 (3) Submittal of an internal signage plan that, at a minimum, is designed to  
4 ensure the existence and maintenance of signage that reasonably and appropriately:

5 (a) Indicates that minors are not to be served nor consume alcohol; and

6 (b) Displays the scheduled entertainment to be provided to the public.

7 (4) Approval by the Director of the plans identified in Paragraphs (1) through  
8 (3) above, taking into account any review and recommendation of Metro regarding those plans.

9 (E) A tavern-limited license under Subsection (C) of this Section shall be conditioned  
10 upon compliance by the licensee and the operator of the outdoor entertainment complex with the following  
11 requirements:

12 (1) That at least one restaurant within the outdoor entertainment complex is  
13 open and fully operational whenever any alcoholic beverage service is available, except when the complex  
14 is closed to minors or a special event permit has been issued for an event pursuant to LVMC Chapter 12.02.

15 (2) That no alcoholic beverages are allowed to be consumed within any  
16 enclosed business establishment operating within the outdoor entertainment complex, unless the  
17 establishment has an alcoholic beverage license appropriate for the establishment.

18 (3) That patrons and guests are not allowed to leave the outdoor entertainment  
19 complex with an alcoholic beverage.

20 (4) That access into and out of the outdoor entertainment complex is controlled  
21 so that there are no more than four points of ingress and egress.

22 (5) Such other conditions as may be recommended by City staff and imposed  
23 by the City Council.

24 (F) The transfer of a license issued under Subsection (C) of this Section shall be subject  
25 to the contingencies and conditions regarding an initial license that are identified in Subsections (D) and (E)  
26 of this Section.

1 (G) Notwithstanding any other provision of this Section, no tavern-limited alcoholic  
2 beverage license is eligible to operate as a nightclub, as defined in LVMC 6.39.050, or to engage in the  
3 operation of a nightclub, as if it were a nightclub under LVMC Chapter 6.39, or to operate as a tavern-limited  
4 establishment with ancillary nightclub operation under LVMC Title 19 if the holder of the license or any  
5 principal thereof previously has had a nightclub license revoked, or an application for a temporary or  
6 permanent nightclub license denied.

7 SECTION 2: Ordinance No. 6289 and the Unified Development Code adopted as Title 19  
8 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in  
9 Sections 3 to 5, inclusive, of this Ordinance. The amendments in those sections are deemed to be amendments  
10 to Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

11 SECTION 3: Section 19.09.050.E.008.I, pertaining to Use Types for the T6 Urban  
12 General Zone, is hereby amended to indicate that the Tavern-Limited Establishment use is allowed in the T6-  
13 Urban General Zone by means of special use permit. In order to reflect that amendment, a new row shall be  
14 added to the Use Types table, under the Retail Trade category, for the Tavern-Limited Establishment use,  
15 with an "S" to be inserted for that use in the column for the T6-UG Zone and an "N" inserted for that use in  
16 the column for the T6-UG-L (Limited) Sub-zone.

17 SECTION 4: Section 19.09.050.E.012.I, pertaining to Use Types for the T5 Maker Zone,  
18 is hereby amended to indicate that the Tavern-Limited Establishment use is allowed in the T5 Maker Zone  
19 by means of special use permit. In order to reflect that amendment, a new row shall be added to the Use  
20 Types table, under the Retail Trade category, for the Tavern-Limited Establishment use, with an "S" to be  
21 inserted for that use in the column for the T5-M Zone.

22 SECTION 5: Section 19.09.050.E.016.I, pertaining to Use Types for the T5 Corridor  
23 Zone, is hereby amended to indicate that the Tavern-Limited Establishment use is allowed in the T5 Corridor  
24 Zone by means of special use permit. In order to reflect that amendment, a new row shall be added to the  
25 Use Types table, under the Retail Trade category, for the Tavern-Limited Establishment use, with an "S" to  
26 be inserted for that use in the column for the T5-C Zone.

1 SECTION 6: For purposes of Section 2.100(3) of the City Charter, Section 19.09.050 is  
2 deemed to be a subchapter rather than a section.

3 SECTION 7: The Department of Planning is authorized and directed to incorporate into  
4 the Unified Development Code the amendments set forth in Sections 3 to 5, inclusive, of this Ordinance.

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

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

15 PASSED, ADOPTED and APPROVED this 18<sup>th</sup> day of March, 2020.

16 APPROVED:

17 By   
18 CAROLYN G. GOODMAN, Mayor

19 ATTEST:

20   
21 LUANN D. HOLMES, MMC  
City Clerk

22 APPROVED AS TO FORM:

23  2-6-2020  
24 Val Steed, Date  
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council  
2 on the 19<sup>th</sup> day of February, 2020, and referred to a committee for recommendation;  
3 hereafter the committee reported favorably on said ordinance on the 18<sup>th</sup> day of March,  
4 2020, 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 and adopted by the following  
6 vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Fiore, Anthony, Crear,  
8 Knudsen, Seaman and Diaz

9 VOTING "NAY": None

10 EXCUSED: None

11 ABSTAINED: None

12  
13  
14 APPROVED:

15   
16 CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18   
19 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 0001095714

2020.03.05 A 10:19

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 03/05/2020 to 03/05/2020, on the following days:

03 / 05 / 20

BILL NO. 2020-7

AN ORDINANCE TO AMEND LVMC 6.50.250 TO MAKE TAVERN-LIMITED ALCOHOLIC BEVERAGE LICENSES AVAILABLE THROUGHOUT THE DOWNTOWN LAS VEGAS OVERLAY DISTRICT; AMEND VARIOUS PROVISIONS OF THE UNIFORM DEVELOPMENT CODE ADOPTED AS TITLE 19 TO MAKE CORRESPONDING LAND USE-RELATED ADJUSTMENTS; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:  
Councilman Brian Knudsen

Summary: Amends LVMC 6.50.250 to make tavern-limited alcoholic beverage licenses available throughout the Downtown Las Vegas Overlay District, and amends various provisions of the Uniform Development Code adopted as Title 19 to make corresponding land use-related adjustments.

At the City Council meeting of  
February 19, 2020

BILL NO. 2020-7 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

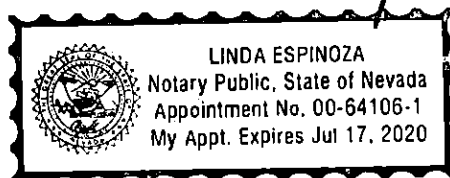
PUB: March 5, 2020  
LV Review-Journal

/S/

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 5th day of March, 2020

Notary



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

RECEIVED  
CITY CLERK

2020 MAR 31 P 5:37

LV CITY CLERK  
495 S MAIN ST  
LAS VEGAS NV 89101

Account # 22515  
Ad Number 0001099667

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 03/21/2020 to 03/21/2020, on the following days:

03 / 21 / 20

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ORDINANCE NO. 6729.**

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of February, 2020, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 18th day of March, 2020, 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 Fiore, Anthony, Crear, Knudsen, Seaman and Diaz

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: March 21, 2020  
LV Review-Journal

  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 23rd day of March, 2020

Notary

