

1 **BILL NO. 2020-10**

2 **ORDINANCE NO. 6735**

3 AN ORDINANCE TO AMEND LVMC CHAPTER 6.50 AND PROVISIONS OF LVMC TITLE 19 TO  
4 ESTABLISH LICENSING AND ZONING REGULATIONS FOR ANCILLARY WINERIES AS  
ALLOWED BY STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Cedric Crear

Summary: Amends LVMC Chapter 6.50 and  
6 provisions of LVMC Title 19 to establish  
7 licensing and zoning regulations for ancillary  
wineries as allowed by State law.

8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS

9 FOLLOWS:

10 SECTION 1: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada,  
11 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 75, reading as  
12 follows:

13 **6.50.075:** (A) An ancillary winery alcoholic beverage license authorizes the manufacture and sale  
14 of wine beverages at an establishment, provided that the owner or operator of such establishment maintains  
15 in a primary capacity, at the same location, one of the following licenses:

- 16 (1) A tavern alcoholic beverage license pursuant to LVMC 6.50.240;  
17 (2) A tavern-limited alcoholic beverage license pursuant to LVMC 6.50.250;  
18 (3) A beer/wine room alcoholic beverage license pursuant to LVMC 6.50.080;  
19 (4) An urban lounge alcoholic beverage license pursuant to LVMC 6.50.255; or  
20 (5) A tavern-restricted alcoholic beverage license pursuant to LVMC 6.50.253.

21 (B) An ancillary winery alcoholic beverage license shall only be issued subject to the  
22 following conditions:

23 (1) The manufacture and sale of the wine beverages produced at the location  
24 shall comply with all relevant State and Federal laws regarding the manufacture and sale of wine beverages;

25 (2) The manufacture and sale of wine beverages may only occur as an ancillary  
26 activity to the activities permitted by the primary license; and

10 ✓

5 ✓

1 (3) Prior to issuance of an ancillary winery alcoholic beverage license by the  
2 City, the applicant shall present proof of State licensure of the establishment as a winery.

3 (C) Notwithstanding any provision of this Chapter that might otherwise prohibit or limit  
4 the activity, an establishment with an ancillary winery alcoholic beverage license may, pursuant to NRS  
5 597.240:

6 (1) Serve to consumers, for on-premise consumption, samples of its wine that  
7 has been produced, blended or aged at the licensed establishment; and

8 (2) Sell to consumers, for off-premise consumption, wine that has been  
9 produced, blended or aged at the licensed establishment.

10 (D) Nothing in Subsection (C) shall be deemed to authorize any activity that is not  
11 authorized (or is prohibited) by State law.

12 SECTION 2: Title 6, Chapter 50, Section 360, of the Municipal Code of the City of Las  
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.50.360:** Each licensee shall pay to the Department in advance, the semiannual license fees set forth  
15 in the following schedule:

License Category	Semiannual License Fee (Dollars)
Alcoholic beverage caterer	[\$]500.00
Ancillary	500.00 per category authorized or 1% of gross sales, whichever is greater
Ancillary brew pub	500.00 or 1% of sales to licensed wholesale dealers, whichever is greater
Ancillary craft distillery	500.00 or 1% of gross sales, whichever is greater
Ancillary lounge bar	1,200.00
Ancillary winery	500.00 or 1% of gross sales, whichever is greater
Banquet or event establishment	500.00

1	Beer and wine room	700.00
2	Plus: fee for each additional bar	400.00
3	Beer/wine/cooler on-sale	300.00
4	Beer/wine/cooler off-sale	300.00
5	General on-sale	1,200.00
6	Plus: fee for each additional bar	900.00
7	General on-sale (beer and wine)	500.00
8	Liquor manufacturer	1,000.00
9	Nonprofit club general on-sale	200.00
10	Package	750.00
11	Permanent trade show facility	2,400.00
12	Restaurant service bar	600.00
13	Restaurant with alcohol	800.00
14	Plus: fee for each additional bar	750.00
15	Tavern (one bar)	1,200.00
16	Plus: fee for each additional bar	900.00
17	Plus: fee for resort hotel owned gift shop	900.00
18	Tavern-limited (one bar)	800.00
19	Plus: fee for each additional bar	500.00
20	Urban lounge (one bar)	1,000.00
21	Plus: fee for each additional bar	750.00
22	Wholesale general	1,000.00
23		
24		
25		
26		

1 Each time-limited special event general licensee shall pay the following license fee for each day (or for each  
2 event, in the case of a multi-day event): One hundred dollars, plus seventy-five dollars for each additional  
3 bar.

4 Each time-limited special event beer/wine/cooler licensee shall pay the following license fee for each day (or  
5 for each event, in the case of a multi-day event): Fifty dollars, plus twenty-five dollars for each additional  
6 bar.

7                   SECTION 3: 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 4 and 5 of this Ordinance. The amendments in those sections are deemed to be amendments to both  
10 Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

11                   SECTION 4: Title 19, Chapter 12, Section 70, is hereby amended by amending the  
12 description of the use "Beer/Wine/Cooler On- and Off-Sale Establishment" to read as follows:

13 **Beer/Wine/Cooler On- and Off-Sale Establishment**

14 **Description:** An establishment:

- 15 1. Whose license to sell alcoholic beverages is generally limited to:
- 16 a. The sale of beer, wine and coolers for consumption only in connection with a meal on the  
17 premises where the business is conducted; and
- 18 b. The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or  
19 corked containers, for consumption off the premises where the business is conducted; and
- 20 2. That is operated in connection with one of the following:
- 21 a. Restaurant;
- 22 b. Grocery Store;
- 23 c. General Retail store;
- 24 d. Convenience store in which 30 or more people may be served with meals at any time at  
25 tables or stools;
- 26 e. Beer wine room with an ancillary brew pub, if in accordance with LVMC 6.50.085; [or]

1 f. Beer wine room that holds a Nevada license as a brew pub, in accordance with LVMC  
2 6.50.050(B)(7)[.]; or

3 g. Ancillary winery that holds a Nevada license as a winery, in accordance with LVMC  
4 6.50.075.

5 SECTION 5: Title 19, Chapter 18, Section 20, is hereby amended by amending the  
6 definition of the term "Beer/Wine/Cooler On- and Off-Sale Establishment" to read as follows:

7 **Beer/Wine/Cooler On- and Off-Sale Establishment.** An establishment:

8 1. Whose license to sell alcoholic beverages is generally limited to:

9 a. The sale of beer, wine and coolers for consumption only in connection with a meal on the  
10 premises where the business is conducted; and

11 b. The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or  
12 corked containers, for consumption off the premises where the business is conducted; and

13 2. That is operated in connection with one of the following:

14 a. Restaurant;

15 b. Grocery Store;

16 c. General Retail store;

17 d. Convenience store in which 30 or more people may be served with meals at any time at  
18 tables or stools;

19 e. Beer wine room with an ancillary brew pub, if in accordance with LVMC 6.50.085; [or]

20 f. Beer wine room that holds a Nevada license as a brew pub, in accordance with LVMC  
21 6.50.050(B)(7)[.]; or

22 g. Ancillary winery that holds a Nevada license as a winery, in accordance with LVMC  
23 6.50.075.

24 SECTION 6: For purposes of Section 2.100(3) of the City Charter, Sections 19.12.0070  
25 and 19.18.020 are deemed to be subchapters rather than sections.

26 ...

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

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

10           SECTION 9: Whenever in this ordinance any act is prohibited or is made or declared to  
11 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required  
12 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of  
13 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon  
14 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of  
15 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation  
16 of this ordinance shall constitute a separate offense.

17 ...  
18 ...  
19 ...  
20 ...  
21 ...  
22 ...  
23 ...  
24 ...  
25 ...  
26 ...

1 SECTION 10: 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 6<sup>th</sup> day of May, 2020.

5 APPROVED:  
6 By CG Goodman  
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:  
9 Luann D. Holmes  
10 LUANN D. HOLMES, MMC  
City Clerk

11 APPROVED AS TO FORM:  
12 Val Steed 3-17-2020  
13 Val Steed, Date  
Deputy City Attorney

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1 The above and foregoing ordinance was first proposed and read by title to the City Council  
2 on the 1<sup>st</sup> day of April, 2020, and referred to a committee for recommendation; hereafter  
3 the committee reported favorably on said ordinance on the 6<sup>th</sup> day of May, 2020, which as  
4 a regular meeting of said Council; that at said regular meeting, the proposed ordinance was  
5 read by title to the City Council and adopted by the following vote:

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

8 VOTING "NAY": None

9 EXCUSED: None

10 ABSTAINED: None

11  
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

2020 MAY -5 P 5:07

LV CITY CLERK  
495 S MAIN ST  
LAS VEGAS NV 89101

Account # 22515  
Ad Number 0001102112

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 04/23/2020 to 04/23/2020, on the following days:

04 / 23 / 20

<b>BILL NO. 2020-10</b> AN ORDINANCE TO AMEND LVMC CHAPTER 6.50 AND PROVISIONS OF LVMC TITLE 19 TO ESTABLISH LICENSING AND ZONING REGULATIONS FOR ANCILLARY WINERIES AS ALLOWED BY STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS. Sponsored by: Councilman Cedric Crear Summary: Amends LVMC Chapter 6.50 and provisions of LVMC Title 19 to establish licensing and zoning regulations for ancillary wineries as allowed by State law. At the City Council meeting of April 1, 2020 BILL NO. 2020-10 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 23, 2020 LV Review-Journal
--

*Leslie McCormick*  
/s/ \_\_\_\_\_  
LEGAL ADVERTISEMENT REPRESENTATIVE

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

Notary *Linda Espinoza*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

RECEIVED  
CITY CLERK

2020 MAY 19 P 12:14

LV CITY CLERK  
495 S MAIN ST  
LAS VEGAS NV 89101

Account # 22515  
Ad Number 0001103739

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 05/09/2020 to 05/09/2020, on the following days:

05 / 09 / 20

**BILL NO. 2020-10  
ORDINANCE NO. 6735**

AN ORDINANCE TO AMEND LVMC CHAPTER 6.50 AND PROVISIONS OF LVMC TITLE 19 TO ESTABLISH LICENSING AND ZONING REGULATIONS FOR ANCILLARY WINERIES AS ALLOWED BY STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:  
Councilman Cedric Crear

Summary: Amends LVMC Chapter 6.50 and provisions of LVMC Title 19 to establish licensing and zoning regulations for ancillary wineries as allowed by State law.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of April, 2020, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 6th day of May, 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 Flore, 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: May 9, 2020  
LV Review-Journal

  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 11th day of May, 2020

Notary 

