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FIRST AMENDMENT

BILL NO. 2020-16

ORDINANCE NO. 6736

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF ONE OR MORE TEMPORARY PROGRAMS TO ALLOW CERTAIN TYPES OF BUSINESSES WITH AN ALCOHOLIC BEVERAGE LICENSE AND A RESTAURANT LICENSE TO OFFER AND PROVIDE THE DELIVERY OR THE CURBSIDE PICKUP OF ALCOHOLIC BEVERAGES IN CONNECTION WITH THE DELIVERY OR PICKUP OF FOOD BY A CUSTOMER WHO HAS PLACED AN ORDER THEREFOR, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Brian Knudsen

Summary: Authorizes the establishment of one or more temporary programs to allow certain types of businesses with an alcoholic beverage license and a restaurant license to offer and provide the delivery or the curbside pickup of alcoholic beverages in connection with the delivery or pickup of food by a customer who has placed an order therefor.

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

SECTION 1: Notwithstanding any prohibition or limitation contained in LVMC Chapter 6.50, the Director of Planning is authorized to establish one or more temporary programs pursuant to which certain types of businesses with an alcoholic beverage license and a restaurant license may offer and provide the delivery or the curbside pickup of alcoholic beverages in connection with the delivery or pickup of food by a customer who has placed an order therefor. The programs may include without limitation one or more of the following elements:

(A) Eligibility requirements for the programs, including requirements for businesses to have a restaurant license and particular types of alcoholic beverage licenses.

(B) Requirements that the pickup or delivery service operate from a commercial location only, and a limitation that the type of alcoholic beverages being made available corresponds to the type of alcoholic beverage license held by the business.

(C) Requirements to obtain a permit to authorize the activity, along with application

1 procedures and requirements.

2 (D) A permit fee, not to exceed one hundred dollars.

3 (E) The ability to condition a permit to expire on a particular date or to terminate upon
4 the receipt of notice from the City, along with provisions for any permissible renewals of a permit.

5 (F) The ability to condition a permit on any requirement, or subject to any limitation,
6 that is deemed necessary or appropriate, including continued conformance to eligibility requirements and
7 other requirements described in this Section.

8 (G) Provisions to ensure that those placing and picking up orders and accepting
9 deliveries pursuant to this Ordinance are of legal age to purchase alcoholic beverages.

10 (H) In the case of the off-site delivery of alcoholic beverages, requirements that:

11 (1) Alcoholic beverages to be delivered are in the manufacturer's sealed
12 container.

13 (2) Those engaged in delivery activity are owners, principals or employees of
14 the business, with no third-party delivery allowed.

15 (3) Those engaged in delivery activity have an unexpired alcohol awareness
16 card.

17 (4) Those engaged in delivery activity have an unexpired work card for alcohol,
18 unless they are owners, principals or key employees who have been approved for suitability or are otherwise
19 registered as key employees with the City.

20 SECTION 2: This Ordinance:

21 (A) Shall be deemed to ratify any temporary action taken by the Director of Planning to
22 authorize any activity described in this Ordinance pending the adoption of this Ordinance.

23 (B) Is intended to address the impact of limitations on businesses that have resulted from
24 the COVID-19 pandemic, and for that reason shall expire by limitation on January 1, 2021, unless extended
25 by subsequent ordinance.

26 SECTION 3: It is unlawful to violate any condition of a permit issued pursuant to this

Ordinance.

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

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 6th day of May, 2020.

APPROVED:

By Carolyn G. Goodman
CAROLYN G. GOODMAN, Mayor

ATTEST:

Luann D. Holmes
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 5-4-20
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 15th day of April, 2020, and referred to a committee for recommendation; thereafter
3 the said committee reported favorably on said ordinance on the 6th day of May, 2020,
4 which was a regular meeting of said Council; that at said regular meeting, the proposed
5 ordinance was read by title to the City Council as amended and adopted by the following
6 vote:

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

8 VOTING "NAY": None

9 EXCUSED: None

10 ABSTAINED: None

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APPROVED:

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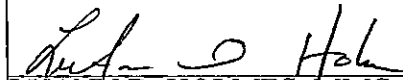
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CAROLYN G. GOODMAN, Mayor

15 ATTEST:

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LUANN D. HOLMES, MMC City Clerk

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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 0001102139**

RECEIVED
CITY CLERK

2020 MAY -5 P 5:07

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

BILL NO. 2020-16

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF ONE OR MORE TEMPORARY PROGRAMS TO ALLOW CERTAIN TYPES OF BUSINESSES WITH AN ALCOHOLIC BEVERAGE LICENSE AND A RESTAURANT LICENSE TO OFFER AND PROVIDE THE DELIVERY OR THE CURBSIDE PICKUP OF ALCOHOLIC BEVERAGES IN CONNECTION WITH THE DELIVERY OR PICKUP OF FOOD BY A CUSTOMER WHO HAS PLACED AN ORDER THEREFOR, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman Brian Knudsen

Summary: Authorizes the establishment of one or more temporary programs to allow certain types of businesses with an alcoholic beverage license and a restaurant license to offer and provide the delivery or the curbside pickup of alcoholic beverages in connection with the delivery or pickup of food by a customer who has placed an order therefor.

At the City Council meeting of
April 15, 2020

BILL NO. 2020-16 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

/S/

LEGAL ADVERTISEMENT REPRESENTATIVE

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

Notary



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 0001103744

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

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th 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 amended 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

[Signature]
LEGAL ADVERTISEMENT REPRESENTATIVE

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

[Signature]
Notary

