

2 BILL NO. 2021-17

3 ORDINANCE NO. 6779

4 AN ORDINANCE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF ORIGINATION
5 CHARGES FOR CERTAIN TYPES OF NEW ALCOHOLIC BEVERAGE LICENSES FOR
6 QUALIFYING BUSINESSES TO BE LOCATED WITHIN A DOWNTOWN AREA REFERRED TO AS
LAS VEGAS BREWERY ROW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

7 Sponsored by: Councilwoman Olivia Díaz

Summary: Authorizes, on a temporary basis, the
8 waiver of origination charges for certain types of
9 new alcoholic beverage licenses for qualifying
businesses to be located within a downtown area
referred to as Las Vegas Brewery Row.

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

12 SECTION 1: In order to encourage the opening of certain types of new businesses within
13 a particular downtown area of Las Vegas, and in accordance with the provisions of this Ordinance, the
14 Department of Planning may waive origination charges otherwise chargeable under LVMC 6.50.380 for
15 qualifying businesses that propose to operate in that downtown area under specified types of alcoholic
16 beverage licenses. One of the objectives of this Ordinance is to provide an incentive to qualifying businesses
17 to incorporate into their business locations various forms of visual artistic expression, whether interior or
18 exterior to the business structure and whether or not incorporated into structural elements. For purposes of
19 this Section 1 and this Ordinance:

20 (A) The particular downtown area that is the focus of this Ordinance is referred to as Las
21 Vegas Brewery Row.

22 (B) The description of the location of Las Vegas Brewery Row is set forth in Section 2
23 of this Ordinance.

24 (C) "Qualifying new businesses" are as set forth in Section 3 of this Ordinance.

25 (D) The types of alcoholic beverage licenses to which this Ordinance applies are as
26 described in Section 4 of this Ordinance.

1 SECTION 2: For purposes of this Ordinance, Las Vegas Brewery Row consists of an area
2 that is generally described as bounded by the right-of-way line of the Union Pacific Railroad on the west,
3 Bonneville Avenue on the north, Las Vegas Boulevard South on the east, and Oakey Boulevard on the south.
4 However, a more particular and precise description of the area is as shown in the map that is attached and
5 incorporated as Exhibit A.

6 SECTION 3: Qualifying new businesses concerning which a waiver may be granted
7 pursuant to Section 1 are the following:

8 (A) A brew pub licensed pursuant to NRS Chapter 369 and operating under NRS
9 597.230;

10 (B) A craft distillery licensed pursuant to NRS Chapter 369 and operating under NRS
11 597.230;

12 (C) A winery licensed pursuant to NRS Chapter 369 and operating under NRS 597.240;
13 and

14 (D) A person licensed to manufacture alcoholic beverages pursuant to NRS Chapter 369.

15 SECTION 4: The types of alcoholic beverage licenses to which this Ordinance applies
16 are:

17 (A) Beer/wine/cooler off-sale, pursuant to LVMC 6.50.050(D);

18 (B) Beer wine room, pursuant to LVMC 6.50.080;

19 (C) Liquor manufacturer, pursuant to LVMC 6.50.145;

20 (D) Tavern-limited, pursuant to LVMC 6.50.250; and

21 (E) Urban lounge, pursuant to LVMC 6.50.255, but only if located within the boundaries
22 of the Las Vegas Arts District, as shown in Figure 3 of the Development Standards adopted in LVMC
23 19.10.110(B), and as amended from time to time.

24 SECTION 5: A waiver referred to in Section 1 of this Ordinance may be granted pursuant
25 to a qualifying waiver application that is filed with the Department between the effective date of this
26 Ordinance and two years thereafter. The granting of a waiver is at the discretion of the Department, taking

1 into account the application's compliance with the requirements of this Ordinance and the extent to which
2 the application proposes to incorporate elements of visual artistic expression in order to further the objectives
3 of this Ordinance. Any such waiver shall be conditioned upon activation of the business license within the
4 following time periods after the submittal of a qualifying waiver application:

- 5 (A) One year, for a business to be located within an existing structure; or
- 6 (B) Two years, otherwise.

7 SECTION 6: Notwithstanding any provision of Title 6 of the Las Vegas Municipal Code
8 to the contrary, a business license concerning which a waiver has been granted pursuant to this Ordinance
9 and which has been activated:

- 10 (A) May not be sold or transferred to a third party, which includes any change of
11 ownership or change of principal; and
- 12 (B) May not be transferred to a new location unless the location is within Las Vegas
13 Brewery Row, the location is approved in accordance with the requirements of LVMC Title 19, and the
14 license holder remains the same.

15 SECTION 7: For purposes of Sections 5 and 6 of this Ordinance:

- 16 (A) "Activation of a business license" means that the license has been issued and the
17 business authorized by the license has opened for business operation.
- 18 (B) "Qualifying waiver application" means an application for waiver that:
 - 19 (1) Is submitted in connection with a business license application;
 - 20 (2) Includes in detail the elements of visual artistic expression that are or will
21 be included as part of the business location; and
 - 22 (3) Is accompanied by a copy of one of the following documents:
 - 23 (a) An application for a special use permit that has been filed with the
24 Department of Planning pursuant to LVMC Title 19, if a special use permit is required;
 - 25 (b) A conditional use verification that has been filed with the
26 Department of Planning pursuant to LVMC Title 19, if the use is one that is permitted as a conditional use;

1 or

2 (c) Written verification from the Department of Planning that the use is
3 permitted as a matter of right pursuant to LVMC Title 19.

4 SECTION 8: 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 9: All ordinances or parts of ordinances or sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
13 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this 19th day of May, 2021.


15 APPROVED:

16 By 
17 CAROLYN G. GOODMAN, Mayor

18 ATTEST:

19 
20 LUANN D. HOLMES, MMC
City Clerk

21 APPROVED AS TO FORM:

22  5-19-21
23 Val Steed, Date
Deputy City Attorney

24
25
26

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 21st day of April, 2021, and referred to a committee for recommendation; thereafter
3 the said committee reported favorably on said ordinance on the 19th day of May, 2021,
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 Anthony, Crear,
Knudsen, Seaman and Diaz
8 VOTING "NAY": None
9 EXCUSED: Fiore
10 ABSTAINED: None
11 THOSE NOT VOTING: None

12 APPROVED:
13 
14 _____
15 CAROLYN G. GOODMAN, Mayor


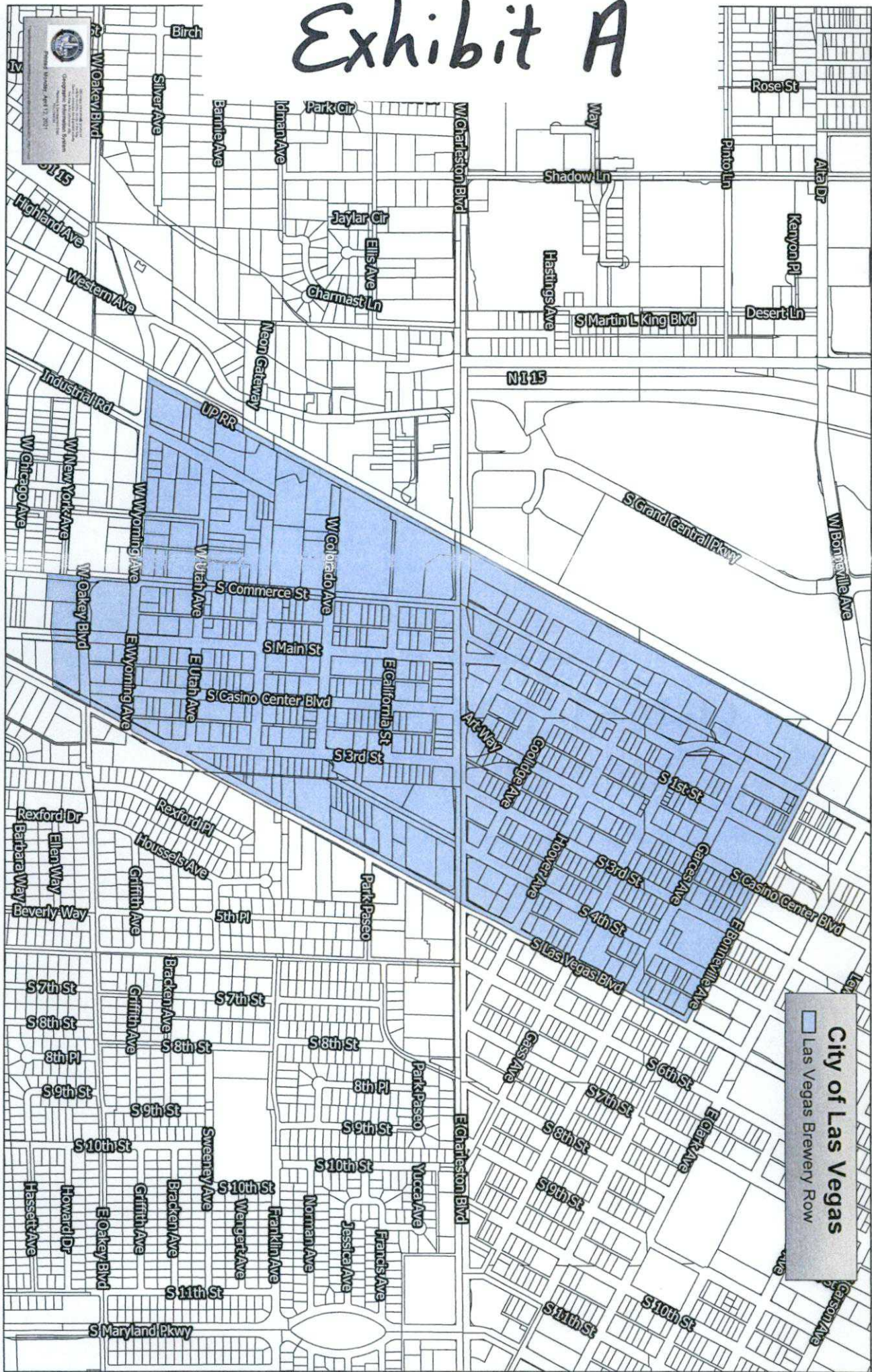
16 ATTEST:
17 
DUANN D. HOLMES, MMC City Clerk

Exhibit A



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2021 MAY 11 P 12:13

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001146692

Eileen Gallagher, 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 05/06/2021 to 05/06/2021, on the following days:

05 / 06 / 21

First Amendment
BILL NO. 2021-17

AN ORDINANCE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF ORIGINATION CHARGES FOR CERTAIN TYPES OF NEW ALCOHOLIC BEVERAGE LICENSES FOR QUALIFYING BUSINESSES TO BE LOCATED WITHIN A DOWNTOWN AREA REFERRED TO AS LAS VEGAS BREWERY ROW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilwoman Olivia Díaz

Summary: Authorizes, on a temporary basis, the waiver of origination charges for certain types of new alcoholic beverage licenses for qualifying businesses to be located within a downtown area referred to as Las Vegas Brewery Row.

At the City Council meeting of
April 21, 2021

BILL NO. 2021-17 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: May 6, 2021
LV Review-Journal

Eileen Gallagher

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 7th day of May, 2021

Notary *Mary Lee*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2021 JUN -1 P 12:30

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001148620

Eileen Gallagher, 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 05/22/2021 to 05/22/2021, on the following days:

05 / 22 / 21

SECOND AMENDMENT

BILL NO. 2021-17
ORDINANCE NO. 6779

AN ORDINANCE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF ORIGINATION CHARGES FOR CERTAIN TYPES OF NEW ALCOHOLIC BEVERAGE LICENSES FOR QUALIFYING BUSINESSES TO BE LOCATED WITHIN A DOWNTOWN AREA REFERRED TO AS LAS VEGAS BREWERY ROW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilwoman Olivia Diaz

Summary: Authorizes, on a temporary basis, the waiver of origination charges for certain types of new alcoholic beverage licenses for qualifying businesses to be located within a downtown area referred to as Las Vegas Brewery Row.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21st day of April, 2021, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 19th day of May, 2021, 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, Crear, Knudsen, Seaman, and Diaz

VOTING "NAY": NONE

EXCUSED: Councilwoman Fiore

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 22, 2021
LV Review-Journal

Eileen Gallagher

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 24th day of May, 2021

Notary *Mary Lee*

