

# City of Las Vegas

RECOMMENDING COMMITTEE MEETING  
CITY HALL, 400 STEWART AVENUE  
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR  
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>  
MONDAY, DECEMBER 16, 2002  
4:00 P.M.

THE RECOMMENDING COMMITTEE MEETING NORMALLY SCHEDULED FOR DECEMBER 30, 2002 HAS BEEN RESCHEDULED TO **JANUARY 6, 2003** AND THE MEETING SCHEDULED FOR JANUARY 13, 2003 HAS BEEN RESCHEDULED TO **JANUARY 21, 2003**

RECOMMENDING COMMITTEE: COUNCILMEN WEEKLY AND MACK

CALL TO ORDER

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL. ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME.

THE FOLLOWING BILL MAY BE ELIGIBLE FOR ADOPTION AT THE 12/18/2002 CITY COUNCIL MEETING.

1. Bill No. 2002-141 – Adjusts the ward boundaries of the City to reflect annexations and precinct adjustments Proposed by: Barbara Jo Ronemus, City Clerk

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 1/8/2002 CITY COUNCIL MEETING.

2. Bill No. 2002-137 – Annexation No A-0030-02(A) – Property location: On the south side of Grand Teton Drive, 1,030 feet east of Puli Road, Petitioned by: Charles Koras and Vangel Dimanin, Acreage 5.20 acres, Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by Councilman Michael Mack
3. Bill No. 2002-138 – Annexation No A-0036-02(A) – Property location: On the northeast corner of Craig Road and Puli Road, Petitioned by: Mr. & Mrs. Slavko Brzica; Acreage: 5.53 acres, Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown
4. Bill No. 2002-139 – Annexation No A-0039-02 (A) – Property location: On the northeast corner of Fort Apache Road and Rome Boulevard; Petitioned by: George Lee Reynolds Estate; Acreage: 5.07 acres, Zoned: R-E (County zoning), U (M-TC) (City equivalent) Sponsored by: Councilman Michael Mack
5. Bill No. 2002-140 – Revises the licensing requirements and regulations pertaining to erotic dance establishments and entertainers who perform therein Proposed by: Mark Vincent, Director of Finance and Business Services

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES

ALL INTERESTED PERSONS ARE INVITED TO ATTEND. A tape recording of all the proceedings will be kept on file in the Office of the City Clerk until final disposition is made. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

Las Vegas Library, 833 Las Vegas Boulevard North  
Senior Citizens Center, 450 E. Bonanza  
Clark County Government Center, 500 S Grand Central Parkway  
Court Clerk's Office Bulletin Board, City Hall Plaza  
City Hall Plaza, Special Outside Posting Bulletin Board

**AFFIDAVIT OF MAILING**

**(Mailing required under the provisions of NRS Chapter 241)**

STATE OF NEVADA)  
  ) ss  
COUNTY OF CLARK)

**Eva Cotton**, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 11<sup>th</sup> day of **December, 2002**, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting**, to be held on the 16<sup>th</sup> day of **December, 2002** was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.


  
\_\_\_\_\_

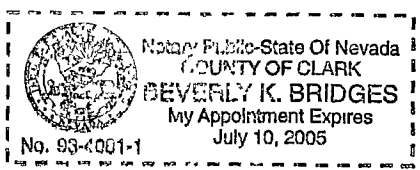
**SIGNATURE**

City Clerk  
**DEPARTMENT**

Subscribed and sworn to before me this

11<sup>th</sup> day of December, 2002

  
\_\_\_\_\_  
NOTARY PUBLIC in and for said County and State





# City of Las Vegas

## **RECOMMENDING COMMITTEE AGENDA RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002**

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

### **MINUTES:**

PRESENT: COUNCILMEN WEEKLY and MACK

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:04)

1-1

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-141** – Adjusts the ward boundaries of the City to reflect annexations and precinct adjustments. Proposed by: Barbara Jo Ronemus, City Clerk

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will adjust the ward boundaries of the City to reflect annexations and precinct adjustments.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2002-141

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-141 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CITY CLERK BARBARA JO (RONI) RONEMUS explained that this is a housekeeping measure as a result of the redistricting. The precincts being added are due to annexations. Two precincts were deleted because they were incorporated into two other precincts by the Clark County Election Department. She recommended approval.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4 04)

1 **BILL NO. 2002-141**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO ADJUST THE WARD BOUNDARIES OF THE CITY TO REFLECT  
4 ANNEXATIONS AND PRECINCT ADJUSTMENTS, AND TO PROVIDE FOR OTHER  
RELATED MATTERS.

5 Proposed by: Barbara Jo Ronemus, City Clerk      Summary: Adjusts the ward boundaries of the  
6 City to reflect annexations and precinct  
adjustments.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

8 AS FOLLOWS:

9 SECTION 1: Title 1, Chapter 16, Section 20, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **1.16.020:** Ward No. 1 shall consist of that area of the City which is encompassed within election  
12 precinct numbers 3120, 3127, 3301, 3302, 3309, 3310, 3311, 3312, 3320, 3321, 3322, 3323, 3326,  
13 3353, 3354, 3900, 3901, 4325, 4350, 4351, 4352, 4353, 4354, 4355, 4356, 4901, 5014, 6013, 6031,  
14 6034, 6333, 6351, 6352, 6353, 6354, 6355, 6360, 6361, 6362, 6363, 6364, 6365, 6370, 6371, 6372,  
15 6373, 6374, 6375, 6384, 6385, 6390, 6391, 6392, 6393, 6394, 6395, 6396, 6400, 6401, 6402 and  
16 6403.

17 SECTION 2: Title 1, Chapter 16, Section 50, of the Municipal Code of the City of  
18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **1.16.050:** Ward No. 4 shall consist of that area of the City which is encompassed within election  
20 precinct numbers 2300, 2301, 2302, 2303, 2304, 2305, 2307, 2310, 2313, 2314, 2321, 2342, 2900,  
21 3034, 3035, 3036, 3037, 3038, 3040, 3041, 3042, 3214, 3217, 3219, 3220, 3383, 3384, 3385, 3390,  
22 3391, 3392, 3393, 3394, 3395, 3396, 3400, 3401, 3402, 3403, 3404, 3405, 3410, 3411, 3412, 3413,  
23 3414, 3415, 3420, 3421, 3422, 3423, 3424, 3425, 3430, 3431, 3432, 3434, 3435, 3436, 3442, 3443,  
24 3446, 3450, 3451, 3452, 3454 and 3903.

25 SECTION 3: Title 1, Chapter 16, Section 60, of the Municipal Code of the City of  
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **1.16.060:** Ward No. 5 shall consist of that area of the City which is encompassed within election  
28 precinct numbers 2050, 2327, 2332, 2333, 2349, 2450, 2451, 2452, 2453, 4028, 4031, 4035, 4040,

1 4320, 4321, 4324, 4330, 4331, 4340, 4341, 4342, 4343, 4344, 4345, 4346, 4347, 4386, 4387, 4450,  
2 4451, 4452, 4453, 4455, 4460, 4461, 4462, 4463, 4464, 4465, 4466, [4900,] 4902, 6300, 6301, 6302,  
3 6303, 6311, 6312, 6313, 6314, 6320, 6322, 6323, 6325, 6330, 6331, 6332, 6334, 6339 and 6340.

4 SECTION 4: Title 1, Chapter 16, Section 70, of the Municipal Code of the City of  
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **1.16.070:** Ward No. 6 shall consist of that area of the City which is encompassed within election  
7 precinct numbers 2037, 2044, 2047, 2048, 2052, 2322, 2323, 2324, 2325, 2326, 2330, 2331, 2338,  
8 2341, 2344, 2345, 2346, 2350, 2351, 2352, 2353, 2354, 2355, 2454, 2455, 2460, 2462, 2901, 2902,  
9 3308, 3453, 3463, 3464, 3465, 3466, 3470, 3471, 3472, 3475, 3476, 3481, 3482, 3483, 3485, 3486,  
10 3490, 3491, 3494, 3495, 3500, 3501, 3502, 3505, 3510, 3514, 3520, 3524, 3525, 3526, 3527, 3530,  
11 [3927,] 3956, 3961, 3965, 6305, 6310, 6341 and 6342.

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

20 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,

21 ...  
22 ...  
23 ...  
24 ...  
25 ...  
26 ...  
27 ...  
28 ...

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

4 APPROVED:

6 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

7 ATTEST:

9 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:  
11 \_\_\_\_\_  
12 *Val Steed*      *11-22-02*  
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2002, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_  
9 VOTING "NAY": \_\_\_\_\_  
10 ABSENT: \_\_\_\_\_

11  
12 APPROVED:

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14 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:  
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17 BARBARA JO RONEMUS, City Clerk

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**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS.**

**Bill No. 2002-137** – Annexation No. A-0030-02(A) – Property location: On the south side of Grand Teton Drive, 1,030 feet east of Puli Road; Petitioned by: Charles Koras and Vangel Dimanin; Acreage: 5.20 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent) Sponsored by: Councilman Michael Mack

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the south side of Grand Teton Drive, 1,030 feet east of Puli Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 17, 2003) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2002-137 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-137 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that the item was in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed

(4:05)

1 **BILL NO. 2002-137**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY  
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE  
5 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER  
6 RELATED MATTERS. (A-0030-02(A))

6 Sponsored by: Councilman Michael Mack

Summary: Annexes property described generally  
as located on the south side of Grand Teton Drive,  
1,030 feet east of Puli Road.

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

10 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby  
11 extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described  
12 real property:

13 The East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter  
14 (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Township 19 South,  
Range 59 East, M.D.M., in the County of Clark, State of Nevada.

15 SECTION 2: The City Council hereby determines that the described territory meets  
16 the requirements provided by law for annexation to the City for the following reasons:

- 17 A. The area to be annexed was contiguous to the City's boundaries at the time the  
18 annexation proceedings were instituted;
- 19 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are  
20 contiguous to the City;
- 21 C. The territory proposed to be annexed is not included within the boundaries of  
22 another incorporated city or within the boundaries of any unincorporated town  
23 as those boundaries existed as of July 1, 1983;
- 24 D. The City is eligible to annex the described territory since the landowners have  
25 signed a petition constituting one hundred percent (100%) of the owners of  
26 record of individual lots or parcels of land within the annexation area.

27 SECTION 3: The City will provide police protection through the Las Vegas  
28 Metropolitan Police Department, fire protection, street maintenance, and library services immediately

1 upon annexation. Garbage collection by the company franchised by the City, will also be provided  
2 immediately. The City sanitary sewer system will serve the proposed annexation area. Any  
3 connection to or extension of this sewer line to serve the annexation area shall be at the expense of  
4 the landowners. Other services, such as participation in the City's recreational programs, special  
5 education classes and programs, public works planning, building inspections, and other City services  
6 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided  
7 by private utility companies and other services to the area will not be affected by annexation. Street  
8 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation  
9 will be installed in the presently developed areas upon the request of the property owners and at their  
10 expense by means of special assessment districts. Such improvements will be extended into the  
11 undeveloped areas as development takes place and the need therefor arises, and will be located  
12 according to the needs of the area at that time. Such installations will also be made at the expense of  
13 the property owners, either by means of special assessment districts or as prerequisites to the approval  
14 of subdivision plats, building permits or other land use or development applications.

15 SECTION 4: The annexation of the described territory shall become effective on the  
16 17th day of January, 2003, and on that date the City will have the funds appropriated in sufficient  
17 amount to finance the extension into the described territory of police protection, fire protection, street  
18 maintenance, street sweeping, and street lighting maintenance.

19 SECTION 5: The described territory, together with the inhabitants and property  
20 thereof, shall, from and after the 17th day of January, 2003, be subject to all debts, laws, ordinances  
21 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
22 parts of the City, and shall be subject to municipal taxes levied by the City.

23 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
24 accurate map or plat of the described territory and to record the map or plat, together with a certified  
25 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
26 recording shall be done prior to the 17th day of January, 2003.

27 SECTION 7: The described territory, which previously has been zoned R-U (County  
28 of Clark classification), is hereby classified as U (PCD) (City of Las Vegas classification), which is



1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2002,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk

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U(PCD)

**PROPERTY  
TO BE  
ANNEXED**

CITY LIMITS

GRAND TETON DR

PULI DR

U(PCD)

JO MARCY DR

LARRY MCBRYDE ST

DONALD NELSON AVE

0 300 600 Feet

CASE: A-0030-02(A)



**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-138** – Annexation No. A-0036-02(A) – Property location: On the northeast corner of Craig Road and Puli Road; Petitioned by: Mr. & Mrs. Slavko Brzica; Acreage: 5.53 acres; Zoned. R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the northeast corner of Craig Road and Puli Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 17, 2003) is set by this ordinance.

NOTE: This parcel is designated as Low Density Residential in the Lone Mountain West Master Plan.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2002-138 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-138 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED indicated that the item was in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed

(4:06)

1-44

1 **BILL NO. 2002-138**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY  
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE  
5 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER  
6 RELATED MATTERS. (A-0036-02(A))

6 Sponsored by: Councilman Larry Brown

Summary: Annexes property described generally  
as located on the northeast corner of Craig Road  
and Puli Road.

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

10 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby  
11 extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described  
12 real property:

13 The West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter  
14 (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 1, Township 20 South, Range  
59 East, M.D.M., in the County of Clark, State of Nevada.

15 SECTION 2: The City Council hereby determines that the described territory meets  
16 the requirements provided by law for annexation to the City for the following reasons:

- 17 A. The area to be annexed was contiguous to the City's boundaries at the time the  
18 annexation proceedings were instituted;
- 19 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are  
20 contiguous to the City;
- 21 C. The territory proposed to be annexed is not included within the boundaries of  
22 another incorporated city or within the boundaries of any unincorporated town  
23 as those boundaries existed as of July 1, 1983;
- 24 D. The City is eligible to annex the described territory since the landowners have  
25 signed a petition constituting one hundred percent (100%) of the owners of  
26 record of individual lots or parcels of land within the annexation area.

27 SECTION 3: The City will provide police protection through the Las Vegas  
28 Metropolitan Police Department, fire protection, street maintenance, and library services immediately

1 upon annexation. Garbage collection by the company franchised by the City will also be provided  
2 immediately. The City sanitary sewer system will serve the proposed annexation area. Any  
3 connection to or extension of this sewer line to serve the annexation area shall be at the expense of  
4 the landowners. Other services, such as participation in the City's recreational programs, special  
5 education classes and programs, public works planning, building inspections, and other City services  
6 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided  
7 by private utility companies and other services to the area will not be affected by annexation. Street  
8 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation  
9 will be installed in the presently developed areas upon the request of the property owners and at their  
10 expense by means of special assessment districts. Such improvements will be extended into the  
11 undeveloped areas as development takes place and the need therefor arises, and will be located  
12 according to the needs of the area at that time. Such installations will also be made at the expense of  
13 the property owners, either by means of special assessment districts or as prerequisites to the approval  
14 of subdivision plats, building permits or other land use or development applications.

15 SECTION 4: The annexation of the described territory shall become effective on the  
16 17th day of January, 2003, and on that date the City will have the funds appropriated in sufficient  
17 amount to finance the extension into the described territory of police protection, fire protection, street  
18 maintenance, street sweeping, and street lighting maintenance.

19 SECTION 5. The described territory, together with the inhabitants and property  
20 thereof, shall, from and after the 17th day of January, 2003, be subject to all debts, laws, ordinances  
21 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
22 parts of the City, and shall be subject to municipal taxes levied by the City.

23 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
24 accurate map or plat of the described territory and to record the map or plat, together with a certified  
25 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
26 recording shall be done prior to the 17th day of January, 2003.

27 SECTION 7: The described territory, which previously has been zoned R-U (County  
28 of Clark classification), is hereby classified as U (PCD) (City of Las Vegas classification), which is

1 deemed to be the City equivalent of the County classification.

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

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

13 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2002.

14 APPROVED:

15  
16 By \_\_\_\_\_  
17 OSCAR B. GOODMAN, Mayor

18 ATTEST:

19 BARBARA JO RONEMUS, City Clerk

20 APPROVED AS TO FORM:

21 Val Stead 11-20-02  
22 Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2002,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

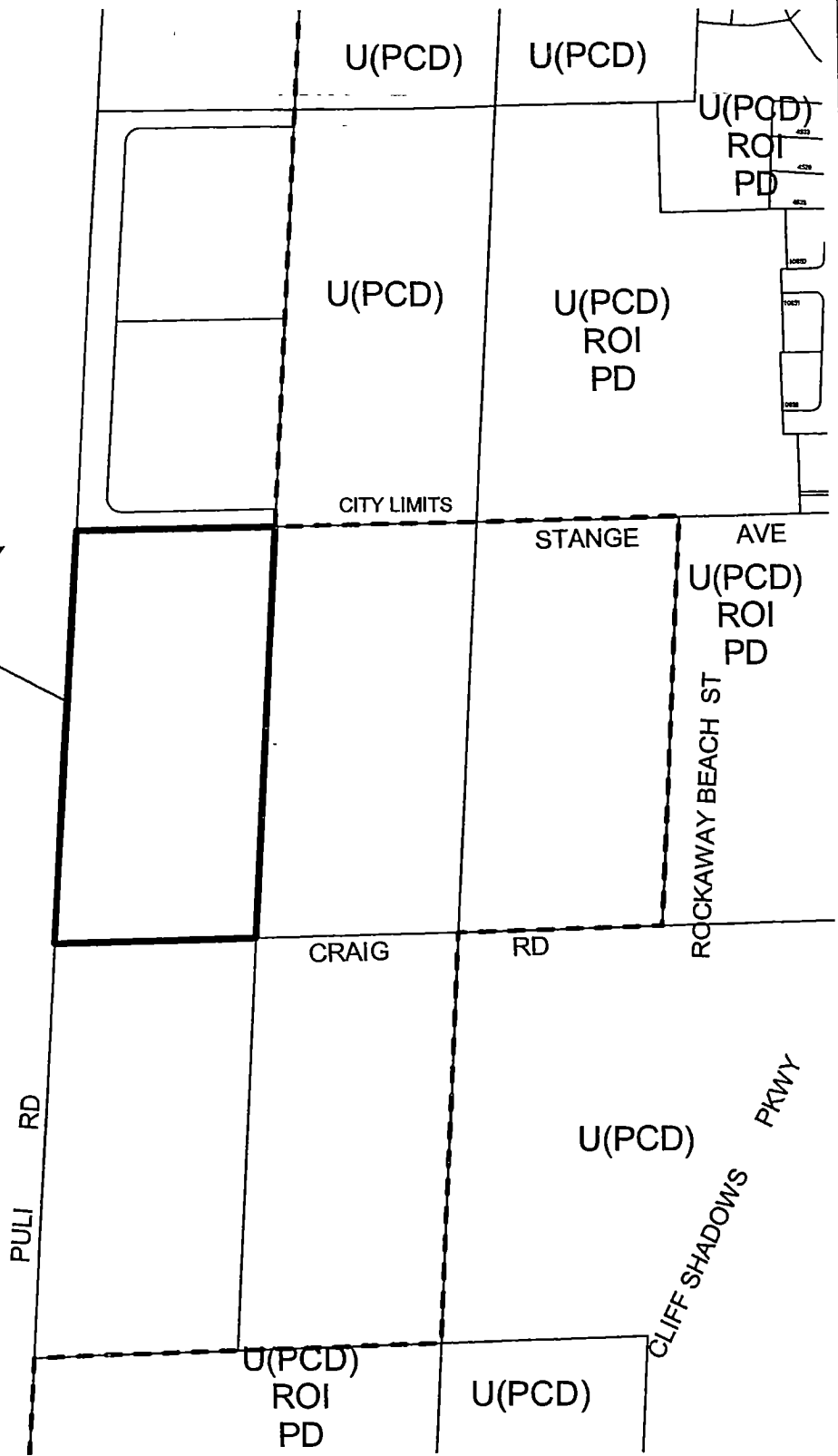
11 APPROVED:

12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk  
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**SUBJECT  
PROPERTY**



0 200 400 Feet



**CASE: A-0036-02(A)**



**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-139** – Annexation No. A-0039-02 (A) – Property location: On the northeast corner of Fort Apache Road and Rome Boulevard; Petitioned by: George Lee Reynolds Estate; Acreage: 5.07 acres; Zoned: R-E (County zoning), U (M-TC) (City equivalent). Sponsored by: Councilman Michael Mack

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the northeast corner of Fort Apache Road and Rome Boulevard. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 17, 2003) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2002-139 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-139 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that the item was in order

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed

(4.06)

1 **BILL NO. 2002-139**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY  
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE  
5 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER  
6 RELATED MATTERS. (A-0039-02(A))

6 Sponsored by: Councilman Michael Mack

Summary: Annexes property described generally  
as located on the northeast corner of Fort Apache  
Road and Rome Boulevard.

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

9 AS FOLLOWS:

10 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby  
11 extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described  
12 real property:

13 The West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Northwest Quarter  
14 (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 20, Township 19 South,  
Range 60 East, M.D.M., in the County of Clark, State of Nevada.

15 SECTION 2: The City Council hereby determines that the described territory meets  
16 the requirements provided by law for annexation to the City for the following reasons:

- 17 A. The area to be annexed was contiguous to the City's boundaries at the time the  
18 annexation proceedings were instituted;
- 19 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are  
20 contiguous to the City;
- 21 C. The territory proposed to be annexed is not included within the boundaries of  
22 another incorporated city or within the boundaries of any unincorporated town  
23 as those boundaries existed as of July 1, 1983;
- 24 D. The City is eligible to annex the described territory since the landowners have  
25 signed a petition constituting one hundred percent (100%) of the owners of  
26 record of individual lots or parcels of land within the annexation area.

27 SECTION 3: The City will provide police protection through the Las Vegas  
28 Metropolitan Police Department, fire protection, street maintenance, and library services immediately

1 upon annexation. Garbage collection by the company franchised by the City will also be provided  
2 immediately. The City sanitary sewer system will serve the proposed annexation area. Any  
3 connection to or extension of this sewer line to serve the annexation area shall be at the expense of  
4 the landowners. Other services, such as participation in the City's recreational programs, special  
5 education classes and programs, public works planning, building inspections, and other City services  
6 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided  
7 by private utility companies and other services to the area will not be affected by annexation. Street  
8 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation  
9 will be installed in the presently developed areas upon the request of the property owners and at their  
10 expense by means of special assessment districts. Such improvements will be extended into the  
11 undeveloped areas as development takes place and the need therefor arises, and will be located  
12 according to the needs of the area at that time. Such installations will also be made at the expense of  
13 the property owners, either by means of special assessment districts or as prerequisites to the approval  
14 of subdivision plats, building permits or other land use or development applications.

15 SECTION 4: The annexation of the described territory shall become effective on the  
16 17th day of January, 2003, and on that date the City will have the funds appropriated in sufficient  
17 amount to finance the extension into the described territory of police protection, fire protection, street  
18 maintenance, street sweeping, and street lighting maintenance.

19 SECTION 5: The described territory, together with the inhabitants and property  
20 thereof, shall, from and after the 17th day of January, 2003, be subject to all debts, laws, ordinances  
21 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
22 parts of the City, and shall be subject to municipal taxes levied by the City.

23 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
24 accurate map or plat of the described territory and to record the map or plat, together with a certified  
25 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
26 recording shall be done prior to the 17th day of January, 2003.

27 SECTION 7: The described territory, which previously has been zoned R-E (County  
28 of Clark classification), is hereby classified as U (M-TC) (City of Las Vegas classification), which

1 is deemed to be the City equivalent of the County classification.

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

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

13 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2002.

14 APPROVED:

15

16

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

17

18 ATTEST:

19

BARBARA JO RONEMUS, City Clerk

20

APPROVED AS TO FORM:

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Val Steel 11-20-02  
Date

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1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_ day of \_\_\_\_\_, 2002,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

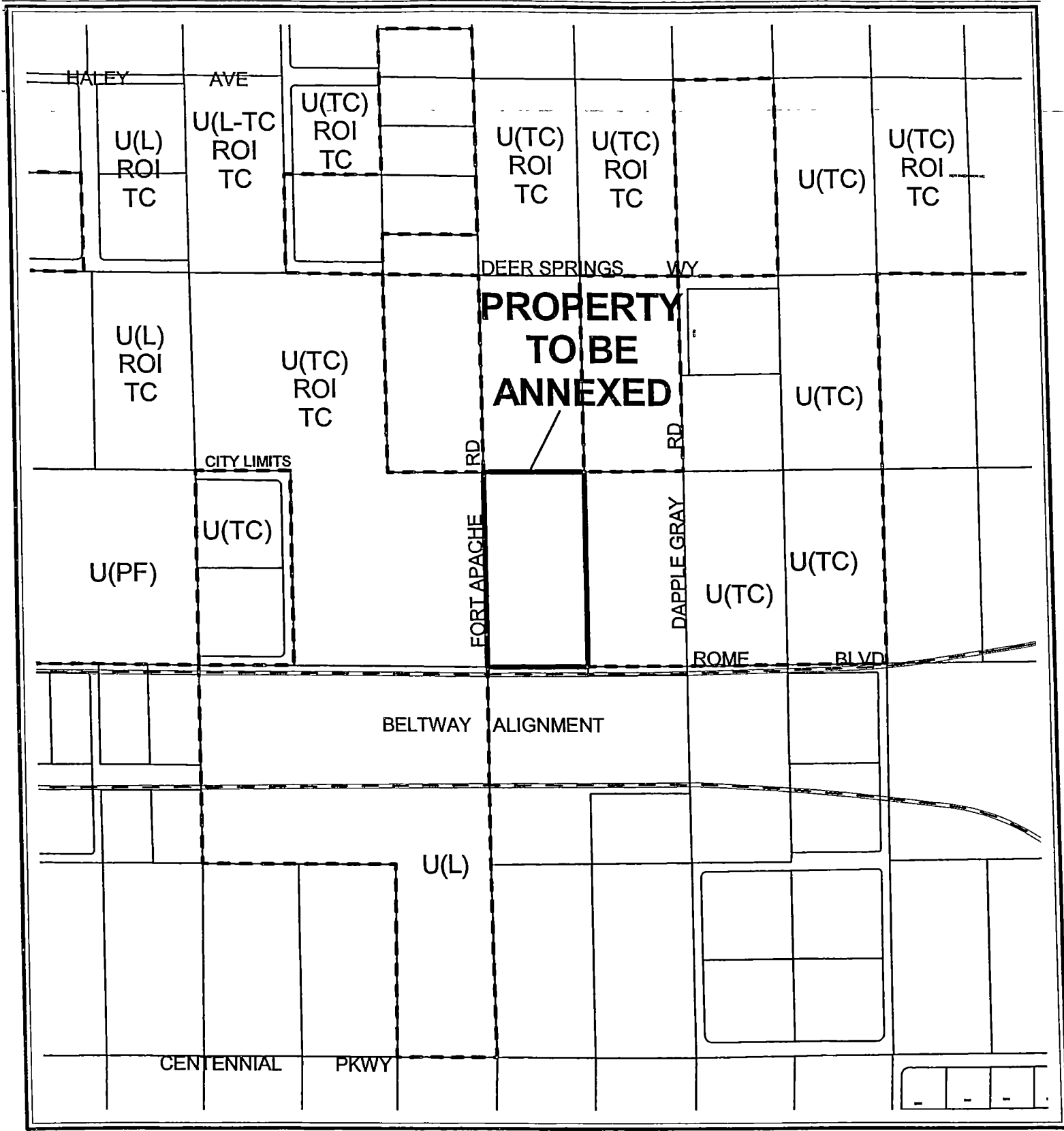
11 APPROVED:

12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

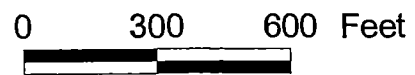
15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk

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CASE: A-0039-02(A)



**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-140** – Revises the licensing requirements and regulations pertaining to erotic dance establishments and entertainers who perform therein. Proposed by: Mark Vincent, Director of Finance and Business Services

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill represents the efforts of the City's licensing staff over the last number of years, in cooperation with the Las Vegas Metropolitan Police Department and the erotic dance industry, to update the City's licensing regulations that apply to that industry. The bill requires entertainers to obtain a business license instead of a work card. The bill also clarifies certain limitations on the operation of erotic dance establishments and the types of conduct that may occur therein.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2002-140

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-140 be held in abeyance to the 1/6/2003 Recommending Committee meeting. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

JIM DiFIORE, Business Services Manager, requested that discussion of this item be held until January 6, 2003. A commitment has been made to meet with the industry to review their concerns.

RECOMMENDING COMMITTEE MEETING OF DECEMBER 16 2002

City Attorney

Item 5– Bill No. 2002-140

**MINUTES – Continued:**

DR. JEFFREY ARENSWALD, dermatologist, 5120 S. Pecos Road, appeared to express his opposition to the rules and regulations adopted by the County and to urge the City not to do the same. Many of the girls are his patients and they are not coming to Las Vegas any longer. This type of action impacts others within the community. Anything that makes it difficult for dancers to come into town at a moment's notice diminishes the town's economy. Further these types of regulations make Las Vegas a target of ridicule and bad publicity. It is important for the City to understand the difference between acting sexy versus a sex act. Rather than harassing these dancers, the community should be offering incentives such as free bus service.

COUNCILMAN MACK complimented MR. DiFIORE for providing for input from the industry and allowing for a buy-in by the dance industry. DR. ARENSWALD protested that the buy-in is by the attorneys representing the clubs and not by the dancers, the customers or the people that live in the community. The club owners will agree with anything just to keep from being shut down.

COUNCILMAN WEEKLY pointed out that there will be another public hearing on this matter on January 6, 2003, but this was just to establish a record. Before the City moves forward, it will reach out to the industry. There may be language or changes based on feedback from the dancers. All parties will be involved.

TOM McGOWAN observed that the doctor was well spoken on the issue. He recommended research and clarification of the type of dance involved. The crux of the matter is the broad range of the impact of this type of regulation. Full input from all parties must be obtained in order for the elected officials to maintain their integrity. There is a lot of work necessary for this before it goes to the Council.

COUNCILMAN WEEKLY stressed that the things that are most appreciated about MR. DiFIORE is his fairness, capability and that he does his homework.

ANDREA HACKETT, President of the Las Vegas Dancers Alliance, stated that her organization represents nearly 1,000 dancers in the Valley. It is not surprising that the clubs support this regulation, as it would add credibility to their argument that dancers are independent contractors and not employees of the clubs. That creates a sweet tax deal. But the reality is that the clubs dictate schedule, hours, clothing and everything else the same as with any other employer/employee arrangement. The organization is absolutely opposed to this work tax. A word card process already requires an FBI background check. This proposed regulation will not improve that background check. It was also pointed out that the Las Vegas Metropolitan Police Department (Metro) is already enforcing this regulation, even though it has not yet been passed.

RECOMMENDING COMMITTEE MEETING OF DECEMBER 162002

City Attorney

Item 5– Bill No. 2002-140

**MINUTES – Continued:**

Metro is offering the entertainer card, threatening women with arrest and ticketing them and demanding \$35 for this new card, regardless of whether the existing work card has expired. The organization, along with the ACLU, is willing to file suit against this regulation. She summarized a packed meeting held the previous day on this matter addressing the situation. This is a town that sells booze, gambling and dancing. She outlined the lack of restrictions for dancers elsewhere in the country.

DR. ARENSWALD added a comment that the security of the dancers needs to be considered. The licensing process could reduce their anonymity.

COUNCILMAN WEEKLY repeated that the sensitive matter required additional time and industry/community input and apologized for the inconvenience to those who appeared at this meeting. COUNCILMAN MACK also offered to make his office available for appointments for additional discussion on this matter.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:07)

1-73

1 **BILL NO. 2002-140**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO REVISE THE LICENSING REQUIREMENTS AND REGULATIONS  
4 PERTAINING TO EROTIC DANCE ESTABLISHMENTS AND ENTERTAINERS WHO  
PERFORM THEREIN, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Mark Vincent,  
6 Director of Finance and Business Services

Summary: Revises the licensing requirements  
and regulations pertaining to erotic dance  
establishments and entertainers who perform  
therein.

7  
8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
9 AS FOLLOWS:

10 SECTION 1: Title 6, Chapter 35, Section 10, of the Municipal Code of the City of  
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.35.010:** The Las Vegas City Council finds that:

13 (A) Erotic dance establishments, if unregulated, will likely lead to an increase in  
14 prostitution, venereal disease, drug and alcohol offenses, fraud and other criminal activity;

15 (B) Erotic dance establishments sometimes are fronts for or operated by persons  
16 associated with organized criminal activities, and the need to scrutinize such dance [studios]  
17 establishments is thereby enhanced;

18 (C) The law enforcement resources available for responding to problems associated  
19 with or created by erotic dance establishments are limited and are best conserved by regulating and  
20 licensing erotic dance establishments and those associated with them; and

21 (D) The public health, safety and welfare require that erotic dance establishments  
22 and their employees be regulated and licensed in order to reduce the potential for harm.

23 SECTION 2: Title 6, Chapter 35, Section 30, of the Municipal Code of the City of  
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.35.030:** In this Chapter the following definitions and those in Title 6 shall apply unless the  
26 context clearly requires otherwise[;] :

27 [(A) "Council" means the Las Vegas City Council.

28 (B) "Dancer" means a person who dances, models, personally solicits drinks or otherwise

1 performs for an erotic dance establishment and who seeks to arouse or excite the patrons' sexual  
2 desires.]

3 “Adult-oriented business” means:

4 (A) An erotic dance establishment, escort bureau, or outcall entertainment referral  
5 service as defined in this Title;

6 (B) A sexually oriented business as defined in Title 19; or

7 (C) Any other business that operates or has operated outside the limits of the City  
8 and that would qualify under Subsection (A) or Subsection (B) if it were located within the City.

9 [(C)] “Department” means the Department of Finance and Business Services.

10 [(D)] “Director” means the Director of [the Department of] Finance and Business Services.

11 “Dance area” means an area within an erotic dance establishment that is designated for dancing  
12 or performance by entertainers. No dance area may be visible from street or sidewalk areas outside  
13 the building. Any dance area must be immediately accessible to representatives of the Department  
14 and officers of Metro, without any restrictions to entry. Any dance area must also be visible  
15 immediately and completely, without obstruction, from one or more of the following areas, either by  
16 direct observation or by means of electronic monitors that provide instant real-time visibility:

17 (A) Upon entrance to the premises or from the entry room;

18 (B) From at least one security station that has a fixed location; or

19 (C) From a service bar area located on the premises.

20 “Employ” means to employ or hire a person, either as a traditional employee or as an  
21 independent contractor, to render services in connection with the operation of an erotic dance  
22 establishment, whether or not the individual is compensated by the operator of the establishment.

23 “Employee” means an individual who is employed by an erotic dance establishment, either  
24 as a traditional employee or as an independent contractor, and who works in, or renders services in  
25 connection with the operation of, an erotic dance establishment, whether or not the individual is  
26 compensated by the operator of the establishment.

27 “Entertainer” means an employee of an erotic dance establishment who provides live  
28 entertainment, whether or not a fee, tip or other consideration is charged or accepted for the

1 entertainment.

2 [(E)] "Erotic dance establishment" means a fixed place of business which emphasizes and  
3 seeks, through one or more [dancers,] entertainers, to arouse or excite the patrons' sexual desires.  
4 Erotic dance establishments are deemed to be places of public accommodation.

5 "Manager" means an individual who provides on-site management, direction or administration  
6 of the operation of an erotic dance establishment, or of any service or entertainment provided therein.  
7 The term includes any assistant manager who is working with or under the direction of a manager to  
8 provide such management, direction or administration.

9 "Premises" means the entire parcel upon which an erotic dance establishment is located,  
10 including parking areas and the interior and exterior of all structures.

11 "Specified crime," for purposes of this Chapter only, means grand larceny, embezzlement, any  
12 crime involving intent to defraud, or prostitution.

13 "Specified sexual activity" means one or more of the following activities, whether or not any  
14 device, prop, toy, novelty or instrument is used in the activity:

15 (A) Any ultimate sex act, whether actual or simulated, including intercourse, oral  
16 copulation or sodomy;

17 (B) Masturbation; or

18 (C) The fondling or other erotic touching of another's genitals, pubic region,  
19 buttock or female breast.

20 [(F)] "Security guard" means a person who acts as a doorman or bouncer or who performs  
21 a function described in NRS 648.016.

22 SECTION 3: Title 6, Chapter 35, Section 40, of the Municipal Code of the City of  
23 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.35.040:** It shall be prima facie evidence that a business is an erotic dance establishment when  
25 one or more [dancers] entertainers displays or exposes, with less than a full opaque covering, that  
26 portion of the female breast lower than the upper edge of the areola, or entices or persuades a patron  
27 to purchase a beverage sold in the establishment.

28 SECTION 4: Title 6, Chapter 35, Section 60, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **6.35.060:** (A) Application for an erotic dance establishment license shall be made to the  
3 Director[.] on a form approved by the Director.

4 (B) An application for an erotic dance establishment license shall be [verified by  
5 the applicant] submitted by the principals of the proposed establishment and shall contain or set forth  
6 the following information:

7 (1) The name, address, telephone number, [principal] primary occupation  
8 and age of [the applicant;] each principal, as the term is defined in LVMC 6.02.010, including any sole  
9 proprietor, partner (whether general, limited or silent), officer, director, member or shareholder who  
10 holds more than ten percent of the outstanding shares;

11 (2) [The name, address and principal occupation of the managing agent or  
12 agents of the business;

13 (3)] The business name, business address and business telephone number  
14 of the [establishment or] proposed establishment, together with a description of the nature of the  
15 business and magnitude thereof;

16 [(4)](3) Whether the business or proposed business is the undertaking of a sole  
17 proprietorship, partnership or corporation. If a sole proprietorship, the application shall set forth the  
18 name, address, telephone number and [principal] primary occupation of the sole proprietor. If a  
19 partnership, the application shall set forth the [names, addresses, telephone numbers, principal  
20 occupations and] respective ownership shares of each partner, whether general, limited or silent. If  
21 a corporation[, ] or other business association, the application shall set forth the [corporate] entity's  
22 name, a copy of the articles of incorporation[, ] or other document creating the organization, and the  
23 [names, addresses, telephone numbers and principal occupations of every officer, director and  
24 shareholder (having more than ten percent of the outstanding shares) and the] number of shares held  
25 by each[;] officer, member, director, or shareholder (having more than ten percent of the outstanding  
26 shares);

27 [(5)](4) The names, addresses, telephone numbers and principal occupations of  
28 every person, partnership or corporation having any interest in the real or personal property utilized

1 or to be utilized by the [business or proposed business;] proposed establishment;

2 [(6)](5) A description of all other business enterprises (sales or services) which  
3 shall occur on the premises;

4 [(7)](6) Whether the applicant[,]; anyone having a ten-percent interest in the  
5 business or proposed business[, or]; anyone having an interest in the [real property or] personal  
6 property utilized or to be utilized by the business or proposed business; [or] anyone having a right to  
7 ten percent of the proceeds of the business, other than utilities; or, to the applicant's knowledge,  
8 anyone having an interest in the real property utilized or to be utilized by the business or proposed  
9 business has:

10 (a) Ever been arrested for, convicted of or forfeited bail for any  
11 specified crime[, excluding minor traffic offenses] and, if so, the application shall [state the person  
12 involved, the charge, date, court, and disposition of the charges,] identify, in connection therewith,  
13 the person who was arrested, convicted or forfeited bail; a description of the crime; the date of each  
14 such arrest, conviction or bail forfeiture; and the name of the court,

15 (b) Ever had a business license [denied,] for a privileged business  
16 or an adult-oriented business denied for cause, revoked or charges filed [therefor,] in connection  
17 therewith, and if so, the application shall state the person involved, the name of the business, date,  
18 jurisdiction, and outcome of any hearing,

19 (c) Ever [owner,] owned or operated [an escort service, an outcall  
20 promoter establishment, a brothel or adult nightclub theater,] a brothel or adult-oriented business in  
21 any jurisdiction, and if so, the name of the business, dates involved and position or interest therein.

22 (C) The [applicants] principals of the proposed erotic dance establishment shall  
23 present themselves to [the Metropolitan Police] Metro for investigation and fingerprinting, [and shall  
24 pay such investigation and fingerprint fee as is required by LVMC 6.86,] shall pay to Metro the costs  
25 thereof, and shall reveal to [the Metropolitan Police] Metro such information as is required to properly  
26 identify the [applicant] principals; to enable the investigation of [the applicant's arrests and  
27 convictions,] their criminal history, licensing and litigation record; and to verify the accuracy and  
28 completeness of the application.

1 (1) In all cases where the applicant for a license is a corporation, it shall be  
2 necessary for all of the principal officers of such corporation to present themselves for investigation  
3 and fingerprinting. All stockholders above ten percent or who exercise management of the  
4 corporation are required to present themselves for investigation and fingerprinting.

5 (D) [Applications] An application shall be accompanied by a nonrefundable [fee  
6 of twenty-five dollars.] investigation fee deposit of two hundred dollars.

7 [(E) An erotic dance establishment license shall be a semiannual license renewable  
8 by payment of semiannual license fees as found in LVMC 6.35.120(A).]

9 SECTION 5: Title 6, Chapter 35, Section 70, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.35.070:** (A) The Director [of the Department of Finance and Business Services shall issue]  
12 shall approve or deny [the license to the applicant] a license within thirty days [from] after receipt of  
13 a complete application and the payment of all required fees. [upon compliance with all the  
14 requirements of this Section and any applicable provisions of Title 6 of this Code.] Failure of the  
15 Director to approve or deny the license application within the thirty days shall [result in the license  
16 being granted. .

17 (1) That upon the expiration of the thirty days] be deemed to be approval  
18 of the license, and the applicant may [demand a license and] begin operating the erotic dance  
19 establishment for which a license is sought, [, unless and until the Director notifies the applicant of  
20 a denial of the license application and states the reason for the denial. (This provision shall not create  
21 a reliance or estoppel situation as to this license or any other provisions of this code.)]

22 (B) The Director shall consider the application by examination of:

23 (1) The information provided within the submitted application;

24 (2) The circumstances of the applicant's [criminal reputation, association]  
25 relevant criminal history, whether or not reported in the application, and business history;

26 (3) The proposed business operation of the applicant;

27 (4) The reports of [zoning, building, fire and health department as  
28 applicable.] departments or agencies responsible for the enforcement of zoning, building, fire and

1 health ordinances and regulations.

2 (C) The Director shall not grant the license if:

3 (1) The applicant, [whether an individual or any of the stockholders,  
4 officers or directors, if a corporation or any of the partners, if a partnership, including limited partners,  
5 or the manager or other person principally in charge of the operation of the business, or any person  
6 receiving, or having a right to receive any sum from, or percentage of the profits due to an interest in  
7 or sale of the business, has] any principal, or any person listed in the application has committed, or  
8 been convicted within a five-year period immediately prior to the date of the application of, any  
9 [crimes of embezzlement; or any crime involving fraud, consumer fraud or intent to defraud,  
10 prostitution, solicitation of prostitution; or has violated the law regarding fraudulent advertising;]  
11 specified crime;

12 (2) The operation as proposed by the applicant would not comply with all  
13 applicable laws, including, but not limited to, this Title and the City's building, zoning, fire and health  
14 regulations;

15 (3) The applicant, [or any ten-percent corporation shareholder or a corporate  
16 officer has had a revocation of a business license for violations of code regulations pursuant to LVMC  
17 6.06A (Adult Bookstores), 606B (Adult Nightclub Establishments), 6.36 (Escort Bureau and  
18 Personnel), 6.57 (Outcall Entertainment), 19.74 (Sexually Oriented Businesses) and this Chapter,  
19 within the preceding two years.] any principal, or any person listed in the application, within the two-  
20 year period immediately preceding the license application, has had a license for a privileged business  
21 or an adult-oriented business suspended or revoked.

22 (D) If the [applicant] application is denied, the Director shall notify the applicant  
23 [with the reason(s) stated for denial.] of the denial, along with a statement of the reasons therefor.  
24 Notification shall be sent by certified[, United states] mail, return receipt requested, to the address  
25 provided on the license application, which shall be considered the correct address. Each applicant has  
26 the burden to furnish any change of address to the [director of business license, by United States]  
27 Director by certified mail, return receipt requested.

28 (E) In the event that an application is denied, the applicant may file or cause to be

1 filed in the district court a petition for judicial examination of the validity of the denial of the erotic  
2 dance establishment license as provided by Chapter 34 of NRS. If the district court has not decided  
3 the validity of the denial within thirty days after the petition is filed, the Director shall issue a  
4 temporary license. The temporary license shall remain in effect only until the district court has  
5 rendered its opinion concerning the validity of the denial.

6 SECTION 6: Title 6, Chapter 35, of the Municipal Code of the City of Las Vegas,  
7 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 73,  
8 reading as follows:

9 **6.35.073:** (A) No person shall act as an entertainer at an erotic dance establishment within the  
10 City without first obtaining and thereafter maintaining a valid entertainer license. An application for  
11 an entertainer license must be made on a form approved the Director, and must include the following:

12 (1) The applicant's legal name, and any and all aliases, stage names and  
13 previous names used by the applicant;

14 (2) The applicant's date and place of birth;

15 (3) The applicant's current residence address and mailing address;

16 (4) The applicant's residence and business telephone numbers;

17 (5) The applicant's driver license number and the issuing state;

18 (6) Whether the applicant holds another license under this Chapter, a license  
19 for a privileged business, or a license for any other adult-oriented business; and, if so, the name and  
20 address of each such business;

21 (7) Whether the applicant, within the three-year period immediately  
22 preceding the license application, has been denied a license under this Chapter, a license for a  
23 privileged business, or a license for any other adult-oriented business, or has had disciplinary action  
24 taken against any such license held by him or her; and, if so, a listing of the type and location of  
25 license, the business name, the jurisdiction responsible, the reason for the action taken, the date of the  
26 action taken, and the status of any appeal;

27 (8) Whether the applicant, within the five-year period immediately  
28 preceding the license application, has been arrested for, has committed, or has been convicted of a

1 specified crime; and, if so, the nature of the crime and the date, location, nature and status of any  
2 proceedings taken; and

3 (9) The name and address of each erotic dance establishment at which the  
4 applicant will work as an entertainer, if known to the applicant.

5 (B) The applicant shall submit to Metro for investigation and fingerprinting, shall  
6 pay the costs of such investigation and fingerprinting fees, and shall reveal to Metro such information  
7 as is required to properly identify the applicant; to enable the investigation of the applicant's criminal  
8 history, licensing and litigation record; and to verify the accuracy and completeness of the application.

9 (C) At the time an application is referred to Metro for investigation the Director will  
10 issue a temporary license subject to the provisions of Section 6.02.070, but only if the erotic dance  
11 establishment at which the applicant will be working has a valid unexpired license. A temporary  
12 license shall be valid until the investigation by Metro is complete, at which time the Director will  
13 approve and issue a permanent license or deny the license. Unless otherwise specified, a temporary  
14 license shall be non-restrictive as to the location of its use.

15 (D) An applicant for, or holder of, a license under this Section shall modify or  
16 supplement any and all information on a license application that changes materially from what is  
17 contained in the application on file.

18 (E) No license issued under this Section may be assigned or transferred as part of  
19 a transaction, including without limitation a sale, exchange or establishment of a trust.

20 SECTION 7: Title 6, Chapter 35, of the Municipal Code of the City of Las Vegas,  
21 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 77,  
22 reading as follows:

23 **6.35.077:** (A) The Director may deny an application for an entertainer license if:

24 (1) The applicant is under the age of eighteen;

25 (2) The applicant has failed to provide all information and submittals  
26 required by this Chapter and by the Director;

27 (3) The applicant knowingly made a false, misleading or fraudulent  
28 omission or representation of material fact, either on the license application or by failing to modify

1 or supplement the application in accordance with Section 6.35.073;

2 (4) The applicant, within the five-year period immediately preceding the  
3 license application, has committed or been convicted of a specified crime; or

4 (5) Disciplinary action in the form of revocation or suspension has been  
5 taken against a license for a privileged business or adult-oriented business held by the applicant, either  
6 in the City or in another jurisdiction.

7 (B) If an application is denied, the Director shall notify the applicant of the denial,  
8 along with a statement of the reasons therefor. Notification shall be sent by certified mail, return  
9 receipt requested, to the address provided on the license application, which shall be considered the  
10 correct address. Each applicant has the burden to furnish any change of address to the Director by  
11 certified mail, return receipt requested.

12 (C) In the event that an application is denied, the applicant may file or cause to be  
13 filed in the district court a petition for judicial examination of the validity of the denial of the  
14 entertainer license as provided by Chapter 34 of NRS. If the district court has not decided the validity  
15 of the denial within thirty days after the petition is filed, the Director shall issue a temporary license.  
16 The temporary license shall remain in effect only until the district court has rendered its opinion  
17 concerning the validity of the denial.

18 SECTION 8: Title 6, Chapter 35, Section 80, of the Municipal Code of the City of  
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.35.080:** No person who is required pursuant to Section 6.35.090 to obtain a work card shall  
21 work at an erotic dance establishment without a valid work card.

22 SECTION 9. Title 6, Chapter 35, Section 90, of the Municipal Code of the City of  
23 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.35.090:** (A) Each [license and any dancer, bar personnel, waiters/waitresses or managers,]  
25 manager of, and each person who serves alcoholic beverages within, an erotic dance establishment  
26 that is licensed to sell alcoholic beverages, whether a full- or part-time employee or independent  
27 contractor, [who works or renders services in a licensed erotic dance establishment business or  
28 facility] shall obtain prior to the [issuance of the license or the] commencement of work, and keep in

1 force during the term of [his license or] employment, a work [identification] card for erotic dance  
2 establishment issued under [LVMC 6.86 and 6.35. The investigation for issuance of a work  
3 identification card will include a fingerprint check by the Federal Bureau of Investigation.] this  
4 Chapter and Chapter 6.86. Work cards applied for pursuant to this Chapter shall be issued [on the  
5 eleventh working day following application therefor unless denied within ten working days from  
6 application.

7 (1) Within twenty-four] within seventy-two hours of the receipt of a work  
8 card application, [by a dancer, the Las Vegas Metropolitan Police Department] Metro shall issue a  
9 temporary work card, subject to completion of the investigation described herein, unless it is  
10 determined that the applicant is under eighteen years of age, [or] is currently wanted for criminal  
11 activity, or cannot establish identification.

12 (B) [The Las Vegas Metropolitan Police Department] Metro shall deny the issuance  
13 or renewal of a work [identification] card [for] required under this Chapter only if:

14 (1) The application is not complete or if the applicant has made false,  
15 misleading or fraudulent statements with respect to any material fact contained in the application for  
16 a work [identification] card;

17 (2) The applicant has committed [any crimes involving fraud, consumer  
18 fraud or intent to defraud, prostitution, solicitation of prostitution, or has violated the law regarding  
19 fraudulent advertising] or been convicted of any crime of moral turpitude within two years of  
20 application for this specific work card; or

21 (3) The applicant has violated [code regulations, as set out within] any  
22 provision of LVMC 6.35.100, or has had a business license revoked pursuant to this Title, or the  
23 issuance or renewal thereof has been denied by the City of Las Vegas or any other government entity  
24 within one year of the date of the application for any reason set out in this subsection.

25 (C) Suspension--Revocation. Any work [identification] card issued [for] pursuant  
26 to this Chapter shall only be suspended or revoked for grounds set forth in Subsection (B) of this  
27 Section pursuant to the procedures set forth in LVMC 6.86.

28 (D) In the event that an applicant's work card is denied, suspended or revoked, the

1 applicant may cause an appeal to be filed to the City Council, by filing a written appeal with the  
2 [Director] City Clerk within ten days of notice of denial, suspension or revocation. A public hearing  
3 shall be held before the [board held thereafter before the] City Council pursuant to LVMC 6.86.150.  
4 [; or the applicant may file or cause to be filed in the district court a petition for judicial review of the  
5 denial, suspension or revocation pursuant to NRS 34 et seq.]

6 SECTION 10: Title 6, Chapter 35, Section 100, of the Municipal Code of the City of  
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.35.100:** (A) No person, firm, partnership, corporation or other entity shall advertise, or cause  
9 to be advertised, as an erotic dance establishment without a valid erotic dance establishment license  
10 issued pursuant to this Chapter.

11 (B) [No later than the fifteenth day of the month succeeding the semiannual license  
12 period, an erotic dance establishment licensee shall file a verified report with the Department showing  
13 the licensee's gross receipts and amounts paid to dancers for the preceding semiannual period.

14 (C)] An erotic dance establishment licensee shall maintain and retain for a period of  
15 three years the [names, addresses, a copy of each dancer's work card, new and renewal, and ages of all  
16 persons employed as dancers by the licensee.] name of each employee who is required by this Chapter  
17 to have a work card or an entertainer license, together with the number and expiration date of that  
18 employee's work card or entertainer license.

19 [(D) No erotic dance establishment licensee shall employ as a dancer a person under  
20 the age of eighteen years or a person is not licensed pursuant to this Chapter and LVMC 6.86.]

21 (C) No erotic dance establishment shall employ a person who is required by this  
22 Chapter to have a license or work card and who does not possess a valid license or work card, as  
23 applicable.

24 (D) No erotic dance establishment shall employ as an entertainer any person under  
25 the age of eighteen years.

26 (E) No person under the age of eighteen years shall be admitted to [a nonalcoholic  
27 erotic dance establishment. No patron under the age of twenty-one shall be admitted to an alcoholic  
28 erotic dance establishment.] an erotic dance establishment that is not licensed to sell alcoholic

1 beverages, and no person under the age of twenty-one years shall be admitted to an erotic dance  
2 establishment that is licensed to sell alcoholic beverages.

3 (F) No erotic dance establishment licensee shall serve, sell, distribute or suffer the  
4 consumption or possession of any intoxicating liquor, or any beverage represented as containing any  
5 alcohol upon the premises of the licensee without a valid liquor license.

6 (G) An erotic dance establishment licensee shall conspicuously display all the  
7 licenses [required by this Chapter.] that it is required to have under this Chapter.

8 (H) [Dancing shall take place within an area which is visible immediately upon  
9 entrance to the establishment premises, is visible immediately from the entry room, is visible  
10 immediately from one fixed staffed security station, or is visible immediately from a service bar area  
11 of the establishment's premises; however, no erotic dancing shall be visible to the outside sidewalk or  
12 street areas. Dance areas must not be obscured by any curtain or door that restricts view from one of  
13 the above-described areas. Patrons will not be allowed to enter private rooms with dancers.]

14 No entertainer shall:

- 15 (1) Dance or perform in any location other than a dance area;  
16 (2) Solicit or commit an act of prostitution;  
17 (3) Engage in any specified sexual activity with another entertainer  
18 or a patron; or  
19 (4) In the company of one or more patrons, enter a room that does  
20 not qualify as a dance area.

21 (I) No [dancer shall fondle or caress any patron, and no patron shall fondle or caress  
22 any dancer.] patron shall:

- 23 (1) Enter a stage area during a dance or performance, except when the patron  
24 is engaged in a dance or performance as part of a temporary special event or amateur contest, and no  
25 entertainer is present on the stage area during the event or contest;  
26 (2) In the company of a one or more entertainers, enter a room that does not  
27 qualify as a dance area; or  
28 (3) Engage in any specified sexual activity with an entertainer.

1 (J) Any erotic dance establishment [which does not have a liquor license issued by  
2 the Department and which uses the] that is not licensed to sell alcoholic beverages and that uses words  
3 that imply the availability of alcoholic [liquor] beverages on the premises, such as "bar," "lounge" or  
4 "saloon," in any advertisement or place name must state in all such advertisements that alcoholic  
5 beverages are not sold or allowed on the premises.

6 (K) All erotic dance establishments that are not licensed to sell alcoholic beverages  
7 pursuant to LVMC Chapter 6.50 but are licensed pursuant to this Chapter shall post on each entrance  
8 door and not more than five inches above each entrance door, and in at least three places behind the  
9 bar a sign with letters not less than three inches high stating:

10 "ALCOHOLIC LIQUOR IS NOT SOLD HERE"

11 "PROSTITUTION IS UNLAWFUL"

12 (L) All erotic dance establishments that are licensed to sell alcoholic beverages  
13 pursuant to LVMC Chapter 6.50 and are licensed pursuant to this Chapter shall post on each entrance  
14 door and not more than five inches above each entrance door, and in at least three places behind the  
15 bar a sign with letters not less than three inches high stating:

16 "PROSTITUTION IS UNLAWFUL"

17 (M) With regard to the signs described in Subsections (K) and (L) of this Section,  
18 [The] the letters must be black on a [yellow] background of a solid color other than black, and the sign  
19 on each entrance door and behind the bar must be between four and six feet above floor level. Each  
20 sign must be located and illuminated sufficient to be visible by a person with normal eyesight corrected  
21 to 20/20, thirty feet from the sign.

22 [(L)] (N) No erotic dance establishment shall employ a security guard, or allow a security  
23 guard to work on the premises, unless such security guard has obtained a work [identification] card  
24 pursuant to [LVMC 6.86.] Section 6.35.130.

25 (O) The management of an erotic dance establishment may evict a patron who  
26 violates Paragraph (3) of Subsection (I) of this Section.

27 SECTION 11: Title 6, Chapter 35, Section 110, of the Municipal Code of the City of  
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.35.110:** [All books and records required to be kept pursuant to this Chapter shall be open to  
2 inspection by the Las Vegas Metropolitan Police Department or Department of Finance and Business  
3 Services] Each erotic dance establishment shall maintain a list of the entertainers who perform at the  
4 establishment and are required to be licensed under this Chapter, as well as a list of its employees who  
5 are required to obtain a work card under this Chapter. The lists must be made available for inspection  
6 by Metro or the Department during the hours when the erotic dance establishment is open for business.  
7 The purpose of such inspection shall be to determine [whether the books and records meet] compliance  
8 with the requirements of this Title.

9 SECTION 12: Title 6, Chapter 35, Section 120, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

11 SECTION 13: Title 6, Chapter 35, of the Municipal Code of the City of Las Vegas,  
12 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 120,  
13 reading as follows:

14 **6.35.120:** (A) The license fee for an erotic dance establishment shall be one thousand five  
15 hundred dollars, to be paid annually on the first day of the annual billing cycle.

16 (B) The license fee for an entertainer is one hundred fifty dollars, to be paid annually  
17 on the first day of the billing cycle.

18 (C) Any licensee who fails to fully pay the license fees imposed by this Chapter  
19 within fifteen days after the due date is subject to a penalty of fifteen percent of the amount due. All  
20 licenses for which the fees have not been paid within thirty days after the due date automatically expire.  
21 Any such expired license shall not be reinstated until the license fee and penalty have been paid in full.

22 SECTION 14: Title 6, Chapter 35, Section 130, of the Municipal Code of the City of  
23 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.35.130:** All security guards working in or employed by an erotic dance establishment must  
25 obtain a work [identification card.] card pursuant to Chapter 6.86. [Security] Such security guards [in  
26 exotic dance studios] shall not carry firearms, nightsticks, clubs or chemical or electronic weapons.

27 SECTION 15: Title 6, Chapter 35, Sections 140 and 150, of the Municipal Code of the  
28 City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

1                   SECTION 16: Title 6, Chapter 35, of the Municipal Code of the City of Las Vegas,  
2 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 140,  
3 reading as follows:

4 **6.35.140:**     (A)    The City Council shall not act to revoke or suspend an erotic dance  
5 establishment license or entertainer license until after:

6                             (1)    The licensee is given at least ten days' written notice of the specific  
7 charges;

8                             (2)    A hearing is held before the City Council at which time the licensee may  
9 present such evidence and defense as may bear upon the question.

10                   (B)    An erotic dance establishment license shall be revoked or suspended if the  
11 licensee maintains or conducts business in any building or structure which is structurally unsafe, or  
12 does not provide adequate egress, or which constitutes a fire hazard, or which is otherwise dangerous  
13 to human life or safety, or which in relation to existing use constitutes a hazard to safety or health, or  
14 public welfare by reasons of inadequate maintenance, dilapidation or obsolescence.

15                   (C)    An erotic dance establishment license or entertainer license shall be revoked or  
16 suspended if:

17                             (1)    Any false, misleading or fraudulent statement of material fact has been  
18 made in the application for the license at issue or in any record required to be kept pursuant to Section  
19 6.35.100;

20                             (2)    The licensee has knowingly caused or suffered another to furnish such  
21 false, misleading or fraudulent information or withhold such required information on the licensee's  
22 behalf, or has violated any other provision of Section 6.35.100; or

23                             (3)    The licensee has committed or been convicted of a specified crime.

24                   (D)    In the event an erotic dance establishment license or entertainer license is  
25 suspended or revoked, the license suspension or revocation shall be stayed for fourteen days from the  
26 date of the written notice to the licensee for the licensee to seek judicial review. If the licensee seeks  
27 judicial review in a timely manner, the license suspension or revocation shall be stayed until the court  
28 orders otherwise or issues a dispositive ruling. The licensee may waive the stay provision in writing,

1 or the City may seek sooner to enforce the suspension or revocation by filing in the district court a  
2 petition for judicial review as provided by NRS 43.100 or by seeking alternative relief pursuant to  
3 Chapter 34 of NRS.

4 SECTION 17: Title 6, Chapter 35, of the Municipal Code of the City of Las Vegas,  
5 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 150,  
6 reading as follows:

7 **6.35.150:** Shows that take place in the showrooms of a hotel/casino containing over three hundred  
8 rooms which is subject to the casino entertainment tax defined in NRS 463.401 are exempt from the  
9 license fee provisions of Section 6.35.120(A). Establishments operating and approved for adult uses  
10 pursuant to Title 19 or that have been deemed a nonconforming use pursuant to that Title prior to the  
11 dates specified therein are exempt from Subsection (A) of Section 6.35.050, but must comply with all  
12 other applicable provisions of this Code, including Section 6.35.100. Establishments which do not  
13 conform to the requirements of LVMC 6.35.100, as amended by Section 10 of this Ordinance, shall  
14 have a period of six months to comply. Any alteration necessary to bring an existing erotic dance  
15 establishment into compliance with the provisions of this Chapter shall not require a variance if the  
16 establishment is a nonconforming use under Title 19.

17 SECTION 18: Title 6, Chapter 35, Section 160, of the Municipal Code of the City of  
18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.35.160:** The holder of an erotic dance establishment license is responsible for the acts of its  
20 employees and independent contractors or subcontractors, including but not limited to attendants,  
21 servers, security guards, managers and [~~dancers.~~] entertainers. An erotic dance establishment license  
22 may be revoked for acts of such agent, employee or subcontractor or independent contractor which  
23 violates any provision of this Chapter. It is the duty of the licensee to prevent fraud, prostitution and  
24 the solicitation of prostitution upon its licensed premises.

25 SECTION 19: Title 6, Chapter 35, Section 170, of the Municipal Code of the City of  
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **6.35.170:** It is unlawful for any person or business entity to engage in business as an erotic dance  
28 establishment, [manager, dancer or as attendant and/or server within the City of Las Vegas] or

1 entertainer, or to act as an employee, without first obtaining a license or [permit] work card therefor  
2 as [provided] required in this Chapter. It is unlawful for [a dancer] an entertainer to dance in a place  
3 or manner prohibited in this Chapter. Any person, firm or corporation violating this Section shall be  
4 guilty of a misdemeanor and each such person, firm or corporation shall be deemed guilty of a separate  
5 offense for each and every day during which the violation is committed, continued or permitted, and  
6 upon conviction of such violation, such person, firm or corporation shall be punished by a fine of not  
7 less than two hundred fifty dollars for the first offense; not less than five hundred dollars for the second  
8 offense; not less than nine hundred fifty dollars for the third offense; and a fine of one thousand dollars  
9 plus not less than one week imprisonment for the fourth or additional offenses. In no case shall any  
10 sentence exceed more than a one thousand dollar fine and/or six months imprisonment; provided, no  
11 person shall be deemed guilty of any violation of this Chapter is acting in an investigative capacity  
12 pursuant to the request of [the Metropolitan Police Department or director.] Metro or the Director.

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

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

28 SECTION 22: All ordinances or parts of ordinances or sections, subsections, phrases,

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

4 APPROVED:

5  
6 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8  
9 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed      11-20-02  
12 \_\_\_\_\_      Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2002, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2002, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_  
9 VOTING "NAY": \_\_\_\_\_  
10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

14 ATTEST:  
15  
16 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

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M/RE Cite with 31/4 Mon, 16 Dec, '02 (806 PL) (Cous. M. Mack) (Cous. M. Mack)

\* Tom Mc Gowan, LA's Vets Resident

Cite with

1. The recent and well-publicized "clean sweep" by city marshalls and unit 4

west side Downtown Community Police station sited at the Southwest corner of 5th St. and East Fremont Street, in the Downtown Entertainment District (72B)

is both commendable and appalling, and multiple grounds:

(A) Commendable, ~ from the standpoint that it was a sincerely well-intended effort to seize notice of the explicit intent to aggressively address and reduce the presence of Daves, vice and violent crime in the Downtown Entertainment District!

but:

(B) Applicable, ~ in view of the compound fact that:

(1) It took place in extremely-mixed circumstances on violation of construction rights!

(2) It made no mention of the proximal co-occurrence of the decades-long realization of Downtown property owners' cumulative contribution to the onset and perpetuation of Daves, vice and violent crime along the under-developed

(and) plagued East Fremont St. Corridor!

(3) It gave no explanation for the apparent absence in the District of either the city's code-enforcement unit, Metro PD, or in the City Marshalls,

throughout the protracted period of time preceding the 'Land Sweep' on 12 Dec, '02!

(4) It ignored completely the abundance of Plaintiff's 'travelling violations' (notably occurred) files (5) days of early work by attorneys, judges, Plaintiff, Defendants and other persons naming from 'Bank-and-station' to 'Rave-and-fife', separate to and from various parks in the County

Courthouse, the Law Library, the Bank of America Building, Jitens Car Wash, The Government Cafe and other destinations of choice sited within the

Downtown Central Business District offices come inclusive of So. Third St., Cassid Ave., Duques Ave, and Leves Ave, and East (West) 1st Street

and of South on Green Street, etc.

(5)

(6)

(over)

(5) Aside from the Board in "Trunking" gives the City, "Historically, fails to collect from violators within the Downtown Central Office area, its request that "Operation Clean Sweep" is not considered of the fact that a viable alternative is available of vastly superior address in terms of time, quality and cost effective reduction in Dues, Vice and violent crime in the Downtown Entertainment District as well as elsewhere City-wide. In the form of the "Economic Initiative" and "600 South" elements of my proposal for the development of the Downtown Entertainment District, - which I'll discuss with Councilmen weekly during our scheduled meetings, and at his discretion.

Thank You.

(2.)

# City of Las Vegas

## **RECOMMENDING COMMITTEE AGENDA RECOMMENDING COMMITTEE MEETING OF: DECEMBER 16, 2002**

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

### **MINUTES:**

TOM McGOWAN, Las Vegas resident, read and submitted his written comments, a copy of which is made a part of the Final Minutes, regarding the clean-sweep efforts of the Las Vegas Metropolitan Police Department as being commendable as a well-intended effort to address crime downtown but appalling as a violation of constitutional rights. He also thanked COUNCILMAN WEEKLY for scheduling an appointment to discuss this proposal.

(4:22 – 4:26)

1-571

**THE MEETING ADJOURNED AT 4:26 P.M.**

Respectfully submitted:

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GABRIELA S. PORTILLO-BRENNER  
December 19, 2002