

City of Las Vegas

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**RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S EIGHTH FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov
NOVEMBER 17, 2009
9:00 A.M.**

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.

DUPLICATE AUDIO CDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. Bill No. 2009-45 – Amends the City's regulations pertaining to alcoholic beverages, including updates to licensing categories, standards and definitions. Sponsored by: Councilman Steve Wolfson
4. Bill No. 2009-47 – Updates the City's drought conservation measures in accordance with revisions to the Southern Nevada Water Authority's Drought Plan. Sponsored by: Councilwoman Lois Tarkanian
5. CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited
6. ADJOURNMENT

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: 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:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

CALL TO ORDER

Minutes:

COUNCILMAN BARLOW called the meeting to order at 9:07 a.m.

PRESENT: COUNCILMEN BARLOW and ANTHONY

Also Present: DEPUTY CITY MANAGER JIM NICHOLS, CHIEF DEPUTY CITY ATTORNEY VAL STEED and DEPUTY CITY CLERK DEENY ARAUJO



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

Minutes:

ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations: City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge; Clark County Government Center, 500 South Grand Central Parkway; Las Vegas Library, 833 Las Vegas Boulevard North; Grant Sawyer Building, 555 East Washington Avenue; Bulletin Board, City Hall Plaza (next to Metro Records)



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2009-45 – Amends the City’s regulations pertaining to alcoholic beverages, including updates to licensing categories, standards and definitions. Sponsored by: Councilman Steve Wolfson

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This bill will update LVMC Chapter 6.50 governing the licensing and regulation of alcoholic beverages. Among other things, the bill will add new licensing categories, standards and definitions, and will also adjust a number of other standards as deemed appropriate.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Bill No. 2009-45
2. Business Impact Statement
3. Submitted after Meeting - Bill No. 2009-45 First Amendment

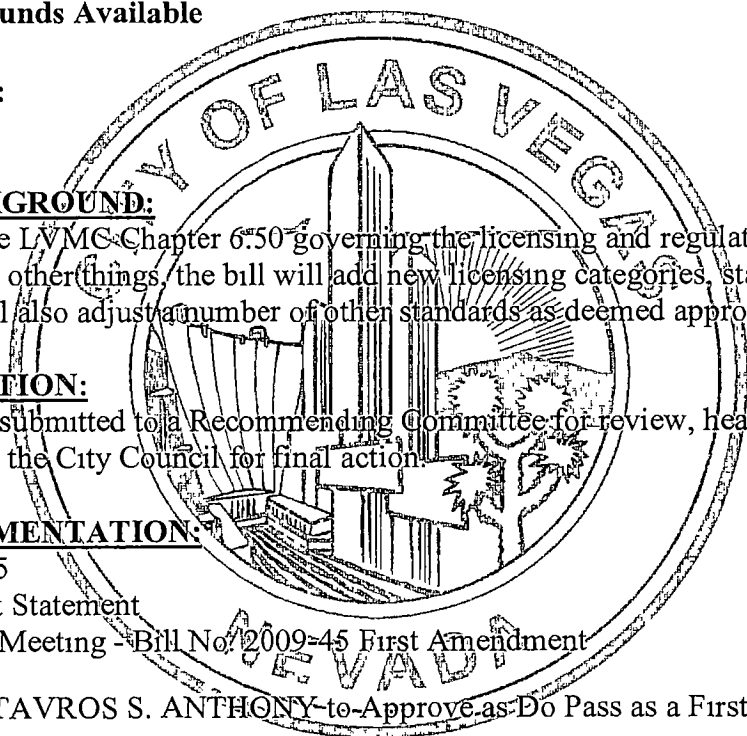
Motion made by STAVROS S. ANTHONY to Approve as Do Pass as a First Amendment

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
STAVROS S. ANTHONY, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

JIM DiFIORE, Manager of Business Services, stated the proposed ordinance was drafted with the intent to expand opportunities for the alcohol industry. He gave an overview of the following proposed changes, including some of the new license classifications that will allow for the sale of alcohol in conjunction with certain uses, such as a licensed movie theater, golf course, sports, cultural or recreational establishments MR. DiFIORE recommended the following provisions in order to address some of the issues stemming from alcohol sales: 1) add a category for an



RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

instructional wine-making facility in response to overwhelming interests in opening such a facility within the City of Las Vegas, in accordance with recently approved state law; 2) add a provision to require attendees at events held by non-profit organizations, such as the American Legion, to be a club member or to be accompanied by a club member, which will meet the original intent to allow non-profit organizations to have an affordable place to meet; 3) add a provision to allow wholesale distributors to hold wine/liquor tasting events at grocery stores; 4) add clarifying language to require that signage of businesses selling alcohol for off-premise consumption be posted no lower than 3 feet and no higher than 7 feet, making it visible to the customer that consumption cannot be within 1,000 feet of the premise, 5) add a keg beer category to allow the keg beer distributor sponsoring an event to act as bartender at such event with a permit costing \$25 instead of the former \$15 to cover related costs; 6) amend a provision to allow the World Market Center to sell alcohol year-around at activities held on-site; 7) amend work card provisions for individuals serving alcohol in the City of Las Vegas which requires individuals pouring alcohol in a restaurant to retain a work card, but waiters/waitresses that primarily serve food would not be required to obtain a work card as they do not handle the alcohol; 8) repeal the provision restricting the areas where hard alcohol may be sold as increased surveillance, monitoring and security changes in grocery stores over the years have eliminated the need for government protection of inventory; 9) add a provision to allow a corking fee for beer/wine on/off-sale to allow patrons to bring in their own wine to a restaurant and have it opened and poured in their presence; and 10) add a new license category to allow entertainment at a business with Council approval only.

COUNCILMAN BARLOW asked why so many changes and additions were being recommended in one bill, noting that there are a lot of details to consider. MR. DiFIORE answered that a lot of it is cosmetic and a compilation of matters that needed to be addressed for some time. Staff felt that it would be advantageous to include all the change recommendations to Las Vegas Municipal Code 6.50, in order to make it as comprehensive as possible.

COUNCILMAN BARLOW questioned the recommended change to eliminate the work card requirement for waiters/waitresses serving alcoholic beverages. MR. DiFIORE explained that the recommendation only pertains to waiters/waitresses who primarily serve food. If the waiter/waitress takes food and alcohol beverage orders, then he or she will still be required to retain a work card.

COUNCILMAN BARLOW regarded the numerous bill changes as being confusing for the entire work card process. He stated that he did not understand the reason for the change regarding waiters/waitresses serving alcohol with meals. MR. DiFIORE explained that the change stems from a recommendation of an assemblywoman in the industry, as well as a recommendation by the Council to review the work card rules between the County and the City after considering a work card appeal in which the appellant, who was employed by a chain restaurant and was transferred from a restaurant in the County to another in the City. She was required to obtain a work card for the restaurant located in City limits, but had not been required to do so for the same job at the restaurant in the County. Staff felt the recommended change would establish uniformity of the work card rules between the two jurisdictions and simplify the process for the industry and work card applicants.

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

COUNCILMAN BARLOW asked if the recommended changes regarding alcohol in a grocery store would allow an increase in the square footage dedicated for alcohol and in advertisement of alcohol. MR. DiFIORE was uncertain, but stated that the letter he received from Smith's Food and Drug Centers indicated that the change would allow for more creative marketing of their products than the current limitations, which are lifted during the holiday season. Smith's is asking that flexibility be permitted throughout the year. MR DiFIORE did not believe the City of North Las Vegas and the City of Henderson have such limitations, as staff was unable to find any verbiage in their codes. Clark County's provision is very similar to the City's current provision.

MR. DiFIORE indicated for COUNCILMAN BARLOW that the corking fee is to allow the industry to open wine bottles brought in by customers to be served with dinner.

RYAN ARNOLD, 2620 Regatta Drive, representing Wal-Mart, expressed concern about the inclusion of the new super center category and requested clarification for its need. MR. DiFIORE explained that major grocery store chains occupy about 90 percent of their footage with grocery items, with the ability to sell alcohol via the Internet. However, stores like Costco cannot sell alcohol via the Internet because they are classified as department stores. Staff felt it was necessary to identify the major chains differently in order to enable them to sell via the Internet as do grocery stores. The classification super center was preferred by staff. MR. ARNOLD stated his client would not want to hinder the sales ability of any business, but confirmed with MR. DiFIORE his recommendation to use an alternative classification.

MR. DiFIORE explained for COUNCILMAN ANTHONY that the recommended change to allow sale of wine at sports events is for venues such as the Ward 3 Big League Dreams multi-functional complex where various softball tournaments, games and other athletic events will be held. The complex will be different from Cashman Field, which is licensed to sell alcohol. The general on-sale alcohol beverage license is a full-scale license, but is limited to golf courses, sports facilities, recreational or cultural establishments. He indicated that during the first year of operation, the Big League Dreams complex will be limited to beer/wine. The new general on-sale alcoholic beverage license category would allow a full service facility for venues of this type. The Big Dreams complex will be permitted to sell beer/wine for the first year without a meal. COUNCILMAN ANTHONY asked if this will eventually be permitted outside of Ward 3. MR. DiFIORE presumed that as the City prospers and grows, it would.

CHIEF DEPUTY CITY ATTORNEY VAL STEED suggested the following minor amendments: 1) Section 27 - to require that business records be made available for inspection during licensees' business hours; 2) Section 36 - to include the language (or other person performing a security function), as suggested by the Las Vegas Metropolitan Police Department; and 3) add two new sections making changes to the Land Use Tables to correspond with the recommended changes. He suggested approval as a First Amendment and confirmed with the Committee members that the alternate classification for super center would be presented in a second amendment on the day this bill is considered for adoption by the Council, which would be 12/2/2009.

COUNCILMAN BARLOW declared the Public Hearing closed.

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BILL NO. 2009-45

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY'S REGULATIONS PERTAINING TO ALCOHOLIC BEVERAGES, INCLUDING UPDATES TO LICENSING CATEGORIES, STANDARDS AND DEFINITIONS, AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steve Wolfson

Summary: Amends the City's regulations pertaining to alcoholic beverages, including updates to licensing categories, standards and definitions.

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

SECTION 1: Title 6, Chapter 50, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.010: The City Council declares that this [Liquor] Alcoholic Beverage Control Chapter is an exercise of the regulatory powers delegated to the City Council pursuant to the City Charter and NRS 268.090, inter alia. The regulations contained in this Chapter involve, to the highest degree, the economic, social, physical and moral well-being of the residents and taxpayers of the City. The sale or other disposition of alcoholic beverages is not a matter of right but of privilege, which would otherwise be unlawful if it were not exercised pursuant to a license. This privilege may be denied, revoked, conditioned, suspended or subjected to any other disciplinary action by the City in the exercise of its police powers for the protection of the safety, welfare, health, peace and morals of the residents and taxpayers thereof. Businesses engaged in the sale or other disposition of alcoholic beverages must therefore comply with LVMC Chapter 6.06. Every person licensed pursuant to this Chapter shall cooperate with Department and Metro personnel in the exercise of their duties under this Chapter. Nothing in this Chapter shall be construed to confer any legitimate claim of entitlement to any benefit which might otherwise devolve upon any licensee or any person approved for suitability.

SECTION 2: Title 6, Chapter 50, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.020: Unless the context otherwise requires, the scope of all words in this Chapter shall be liberally construed in order to effectuate the purpose of this Chapter, and, in particular, the following

1 words shall have the meaning ascribed to them as follows:

2 "Alcoholic beverage" includes alcohol, spirits, liquor, wine and beer, and every liquid or solid which
3 contains alcohol, spirits, liquor, wine or beer; and which contains one-half of one percent or more of
4 alcohol by volume; and which is fit for beverage purposes, either alone or when diluted, mixed or
5 combined with other substances. Any liquid or solid containing beer or wine in combination with any
6 other alcoholic beverage shall not be construed to be beer or wine.

7 "Alcoholic beverage caterer" means a person who serves or sells alcoholic beverages only for
8 consumption on the premises where the same are dispensed, served or sold during the times, dates and
9 places specified by permit.

10 "Art gallery or art studio" means a business establishment where the general public is invited to view
11 artistic exhibitions, presentations and performances.

12 "Banquet [facility] or event establishment" means any [business] establishment which is rented by
13 individuals or groups to accommodate private [functions such as banquets, weddings, anniversaries,
14 and other similar celebrations.] or public events Such establishment may or may not include:

15 (1) Kitchen facilities for the preparation or catering of food.

16 (2) Outdoor gardens or reception facilities.

17 "Beer" means any alcoholic beverage obtained by the fermentation of any infusion or decoction of
18 barley, malt, hops or similar product, or any combination thereof, in water.

19 "Commercial center" means a concentration of retail stores that:

20 (1) Contains at least eighty thousand square feet of retail space enclosed within a building
21 or buildings;

22 (2) Contains at least one anchor retail store of at least twenty thousand square feet;

23 (3) Includes a parking lot common to the retail stores; and

24 (4) Is situated on at least fifteen gross acres of land.

25 "Container," except as the context otherwise requires, means a receptacle provided by an
26 establishment (or otherwise) from which alcoholic beverages are consumed on the premises of the
27 establishment.

28 "Convenience store" means a retail establishment other than a drugstore, which:

1 (1) Offers for sale prepackaged food products, household items and other goods commonly
2 associated with those products and items, provided that not more than thirty percent of its physical
3 retail inventory on the establishment premises is devoted to alcoholic beverages; [and]

4 (2) Contains not less than one thousand-two hundred square feet, nor more than five
5 thousand square feet of floor space devoted to retail sales display, exclusive of warehouse and office
6 areas[.]; and

7 (3) Displays alcoholic beverages for sale no closer than ten feet from any public entrance
8 to the establishment

9 "Convention facility" means a structure which has at least 100,000 square feet of floor space utilized
10 for scheduling, hosting or accommodating a convention, trade show or temporary event, whether the
11 activity is open or closed to the general public. For purposes of this Chapter, the term includes a
12 stadium facility that is operated in conjunction with a convention facility, but does not include a
13 permanent trade show facility.

14 "Cooler" means any prebottled alcoholic beverage, other than beer or wine, that is a distillate obtained
15 from the fermentation of the natural contents of fruits or other agricultural products containing natural
16 or added sugar, which contains not more than ten percent of alcohol by volume.

17 "Downtown entertainment overlay district" means that area of the City bounded by Ogden Avenue
18 on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east.

19 "Drugstore" means a business establishment which occupies the entire business premises of a
20 building, or a portion of the business premises of a building which is segregated physically or spatially
21 from the rest of the business premises, where a State licensed pharmacist is present at all times the
22 pharmacy operation is open for the purpose of compounding or dispensing, or both compounding and
23 dispensing of drugs and medicines, and where a grill and fountain service is permitted as well as the
24 retail sales of sundries, including stationery, magazines, cosmetics and health items.

25 "Dues" means fees paid on a monthly, quarterly, semiannual or annual basis for the right to participate
26 in the planning of activities and the utilization of services offered by a nonprofit corporation,
27 association or organization. The term "dues" does not include fees paid for the purchase of drinks,
28 meals or other services offered by a nonprofit corporation, association or organization.

1 “Event” means private or public activity, including, but not limited to, weddings, birthdays,
2 ceremonials, commemorations, anniversaries, family reunions, fund raisers, political campaign
3 gatherings, and religious or other types of observances.

4 “Gift basket” means a receptacle or container that may be filled with food items or novelty items, and
5 alcoholic beverages in sealed or corked containers in quantities not greater than 25.4 ounces
6 (approximately 1.79 pints), measured in the English system of weights and measures, or in quantities
7 not greater than seven hundred fifty milliliters measured in the metric system of weights and measures.

8 “Groceries” means staple food stuffs, dairy products, meats and produce meant for human
9 consumption; articles used in the preparation of food; and household supplies.

10 “Grocery store” means a business establishment which occupies all of the business premises of a
11 building or a portion of the business premises of a building which is segregated physically or spatially
12 from the rest of the business premises, and which contains more than five thousand square feet of floor
13 space for the display and sale of groceries and alcoholic beverages, exclusive of warehouse and office
14 space. The term does not include an establishment in which more than thirty percent of the physical
15 retail inventory on the establishment premises consists of alcoholic beverages.

16 “Hotel lounge bar” means a bar located in a lounge area of a hotel where alcoholic beverages are sold
17 for consumption in specified areas only.

18 “Key employee” means an employee designated by a business licensee to oversee the operations of
19 the business in the absence of the licensee.

20 [“Liquor caterer” means a person who dispenses, serves or sells alcoholic beverages only for
21 consumption on the premises where the same are dispensed, served or sold during the times, dates and
22 places specified by permit.]

23 “Liquor store” means a specialty retail store which does not allow entry to minors and which deals
24 exclusively in alcoholic [liquors] beverages and related items including magazines, newspapers and
25 packaged snack foods.

26 “Malt beverage” means beer, ale, porter, stout and other similar fermented beverages of any name or
27 description, brewed or produced from malt, wholly or in part.

28 “Meal” means an assortment of food listed on a menu [or otherwise offered as] which must include

1 entrees, appetizers, side items and desserts available for purchase at various hours of the day. [The
2 term “meal” does not include food listed on a menu or otherwise offered that consists solely of
3 sandwiches or salads, or both sandwiches and salads.]

4 “Nonprofit club” means any nonprofit corporation, association or organization which has been in
5 continual existence for at least two years prior to applying for a license under this Chapter, and:

6 (1) Is organized or qualified to do business and operate under the laws of the State;
7 (2) Has tax-exempt status granted by the United States Internal Revenue Service;
8 (3) [Has] Maintains a membership of at least one hundred active members who are
9 residents of Southern Nevada, who are twenty-one years of age or older and who pay dues to the
10 nonprofit corporation, association, or organization; [and]

11 (4) Operates a clubhouse, clubroom or meeting room in a permanent location which it
12 owns or leases[.]; and

13 (5) Maintains a sign-in log that each member and the member’s guests must sign upon
14 entering the club house, clubroom or meeting room operated by the club.

15 “Off-sale” means the sale of alcoholic beverages in original sealed or corked containers for
16 consumption off the premises where the same are sold.

17 “On-sale” means the sale of alcoholic beverages for consumption on the premises where the same are
18 sold.

19 “Permanent trade show” means an event held at a permanent trade show facility where products, goods
20 or wares are displayed for the purpose of exhibitors demonstrating and soliciting orders for the
21 wholesale of or offering for wholesale of such products, goods or wares exclusively to members of
22 a specific industry or industries.

23 “Permanent trade show facility” means a parcel or contiguous parcels of land with one or more
24 buildings located thereon consisting of a minimum of two hundred-fifty thousand square feet of floor
25 space [used] that is designed and intended primarily to conduct one or more permanent trade shows
26 annually, at which members of the general public are not admitted. A “permanent trade show facility”
27 may also be used for events to which the general public is invited.

28 “Restaurant” means a place which is regularly and in a bona fide manner used and kept open for the

1 service of meals to guests for compensation; and which has suitable kitchen facilities connected
2 therewith, containing conveniences for cooking an assortment of foods which may be required for
3 ordinary meals.

4 "Restaurant service bar" means a bar wherein alcoholic beverage drinks are prepared for service only
5 at tables in a restaurant for consumption only in connection with a meal on the premises where the
6 same is sold.

7 "Sale" means the act of selling and, in connection therewith, "sell" means, for compensation or any
8 other private or public business purpose at a commercial location, to sell, serve, give away, or
9 distribute; or to cause or permit to be sold, served, given away or distributed or to possess with the
10 intent to sell, serve, permit consumption, give away or distribute; or to solicit or receive orders to sell,
11 serve, give away or distribute.

12 "Specialty merchandise store" means a retail store located within a commercial center that:

13 (1) Has at least eighteen thousand square feet of gross floor area;

14 (2) Has at least eleven thousand five hundred square feet of floor space dedicated to the
15 sale and display of furniture, glassware, kitchenware and other household goods;

16 (3) Has at least three thousand six hundred square feet of floor space dedicated to the sale
17 and display of gourmet foods and nonalcoholic beverages; and

18 (4) Maintains an inventory of beer, wine and coolers with a wholesale value of at least
19 twenty-five thousand dollars.

20 "Super center" means a business which has in excess of twenty-five thousand square feet of floor
21 space devoted for the sale of a multiple line of products, including, but not limited to groceries,
22 electronics, pharmaceuticals, home decorating and improvement supplies, office supplies, clothing
23 and similar items.

24 "Supper club" means a restaurant and bar operation with alcoholic beverage sales wherein the bar area
25 is separated from the restaurant area by a barrier sufficient to prevent access to the bar area by minors
26 and the restaurant operation is the principal portion of the business.

27 "Wedding chapel" means a business establishment that is licensed to perform marriages in accordance
28 with State law.

1 "Wholesale dealer" or "wholesaler" means a person who sells alcoholic beverages for the purposes
2 of resale.

3 "Wine" means any alcoholic beverage, other than beer, obtained by the fermentation of the natural
4 contents of fruits or other agricultural products containing natural or added sugar, which contains not
5 more than twenty-two percent of alcohol by volume.

6 SECTION 3: Title 6, Chapter 50, 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 25,
8 reading as follows:

9 **6.50.025:** An alcoholic beverage caterer license authorizes the sale of alcoholic beverages:

- 10 (A) By an alcoholic beverage caterer or the caterer's authorized employees;
11 (B) Only for consumption on the premises where the same are dispensed, served
12 or sold, and only where the premises are at a commercial or other nonresidential location; and
13 (C) Only during the times, dates and places specified in a permit to provide
14 alcoholic beverage catering services issued pursuant to LVMC 6.50.350.

15 SECTION 4: Title 6, Chapter 50, Section 30, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.50.030:** A banquet [facility] or event establishment alcoholic beverage license authorizes the
18 sale of alcoholic beverages for consumption at public or private events on the premises of a licensed
19 banquet [facility.] or event establishment.

20 SECTION 5: Title 6, Chapter 50, 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 45,
22 reading as follows:

23 **6.50.045:** A beer/wine/cooler cinema license authorizes the sale only of beer, wine and coolers
24 at a licensed movie theater whose seating accommodates in excess of one hundred at all times, and
25 only when such beverages:

- 26 (A) Are ordered and purchased by means of waiter or waitress; and
27 (B) Are consumed in an area of the theater that is designed and operated so as to
28 be inaccessible to minors except when a minor is accompanied by his or her parent or legal guardian.

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

3 **6.50.050:** A beer/wine/cooler on-sale license authorizes the sale only of beer, wine and coolers
4 for consumption only in connection with and during the consumption of a meal on the premises where
5 the same is sold, and where such beverages are served by the licensee or an authorized employee of
6 the licensee. Such a license [and may only be issued] may be issued only in connection with a
7 restaurant [in which forty-five or more people may be served with meals at any one time at tables or
8 stools.] and the actual seating available at all times for the service of meals (whether at tables,
9 counters or booths) must accommodate at least forty-five persons.

10 SECTION 7: Title 6, Chapter 50, Section 70, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.50.070:** [A beer/wine/cooler on-off-sale license authorizes the sale only of beer, wine and
13 coolers for consumption only in connection with a meal on the premises where the same is sold and
14 authorizes the sale, to consumers only and not for resale, only of beer, wine and coolers, in original
15 sealed or corked containers, for consumption off the premises where the same are sold, and may only
16 be issued in connection with a restaurant, grocery store or convenience store in which forty-five or
17 more people may be served with meals at any one time at tables or stools.]

18 A beer/wine/cooler on-off-sale license authorizes:

19 (A) The sale only of beer, wine and coolers for consumption only in connection
20 with and during the consumption of a meal on the premises where the same is sold, and where such
21 beverages are served by the licensee or an authorized employee of the licensee; and

22 (B) The sale, to consumers only and not for resale, only of beer, wine and coolers,
23 in original sealed or corked containers, for consumption off the premises where the same are sold.

24 ➡ Such a license may be issued only in connection with a restaurant, grocery store or convenience
25 store in which the actual seating available at all times for the service of meals (whether at tables,
26 counters or booths) must accommodate at least forty-five persons.

27 SECTION 8: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
28 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 95,

1 reading as follows:

2 **6.50.095:** A general on-sale license authorizes the sale of alcoholic beverages for consumption
3 on the premises of a licensed golf course establishment, sports establishment, cultural establishment,
4 recreational establishment or theme park.

5 SECTION 9: Title 6, Chapter 50, Section 100, of the Municipal Code of the City of
6 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.50.100:** (A) A gift basket limited license authorizes the sale of alcoholic beverages in
8 original sealed or corked containers in quantities not greater than twenty-five and four tenths ounces
9 (approximately one and seventy-nine hundredths pints), measured in the English system of weights
10 and measures, or in quantities not greater than seven hundred fifty milliliters, measured in the metric
11 system of weights and measures, to be packaged in a gift basket along with other assorted food items
12 or novelty items, or both, which items have a minimum retail value of thirty-five dollars apart from
13 the retail value of the alcoholic beverages; provided, however:

14 (1) The contents of the gift baskets are not sold separately but, instead, are
15 included as part of the unit retail sale price of the gift basket; and

16 (2) The alcoholic beverages are consumed off the premises where the gift
17 basket is sold.

18 (B) Alcoholic beverages shall comprise not more than twenty percent of the total
19 inventory of merchandise located at a premises for which a gift basket limited license has been issued
20 and shall be stored in such a manner that prevents public access.

21 (C) A gift basket limited licensee shall not display any advertising on the exterior
22 of his or her licensed premises of the fact that alcoholic beverages are maintained on the licensed
23 premises from which a customer can choose for the purposes of having the item selected included in
24 a gift basket.

25 (D) A gift basket limited licensee [~~shall not deliver any alcoholic beverage~~] may
26 deliver alcoholic beverages to a personal residence in response to a [telephone call requesting such
27 delivery.] request for such delivery, if:

28 (1) The order is placed by a person who is of legal age to make such

1 purchase; and

2 (2) Each sales transaction is documented on forms acceptable to the
3 Director, which shall include:

4 (a) The business name and address of the licensee;

5 (b) A detailed list of the number of gift baskets ordered and
6 delivered and the type of alcoholic beverages included in such gift baskets;

7 (c) The name and address of the purchaser;

8 (d) The type of identification used to prove the age of the purchaser;

9 and

10 (e) The signature of the delivery person and the purchaser.

11 SECTION 10: Title 6, Chapter 50, Section 115, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.50.115:** (A) A grocery store or super center internet sale license authorizes the off-sale of
14 alcoholic beverages [by a grocery store] for delivery to the purchaser's premises pursuant to an internet
15 purchase order placed by the purchaser, subject to the following conditions:

16 (1) Delivery of the alcoholic beverages must be in conjunction with the
17 delivery of groceries also ordered in the same internet purchase order;

18 (2) Delivery of the alcoholic beverages may only be made to the person
19 placing the internet purchase order;

20 (3) The person placing the internet purchase order must be of legal age to
21 purchase alcoholic beverages; and

22 (4) Each internet sales transaction shall have written documentation of the
23 sale and delivery on forms acceptable by the Director, which shall include at a minimum:

24 (a) The business name and address of the grocery store or super
25 center;

26 (b) A detailed list of alcoholic beverages and groceries purchased
27 in each sales transaction;

28 (c) The name and address of the purchaser;

1 (d) The type of identification used to prove the age of the purchaser;
2 and

3 (e) The signature of the delivery person and purchaser involved in
4 the sales transaction.

5 (B) A grocery store or super center internet sale license is available only if it is
6 issued to a grocery store or super center in conjunction with a package alcoholic beverage license.

7 SECTION 11: Title 6, Chapter 50, Section 130, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.50.130:** A keg beer license authorizes only the sale of beer in keg containers having a capacity
10 of at least one-quarter barrel size, and only by delivery to the premises of the purchaser. In connection
11 with such delivery to events on commercial or nonresidential premises, the licensee is also authorized
12 to provide pouring services, but only if approved pursuant to LVMC 6.50.350.

13 SECTION 12: Title 6, Chapter 50, Section 140, of the Municipal Code of the City of
14 Las Vegas, Nevada, 1983 Edition, is hereby repealed.

15 SECTION 13: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
16 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 140,
17 reading as follows:

18 **6.50.140:** (A) An instructional wine-making license authorizes the holder of a package license
19 to provide an establishment for instructing persons regarding the making of wine, provided that such
20 licensee first acquires, and maintains in good standing, any required State license or permit.

21 (B) Wines made during the instructional process may be served by the glass for
22 consumption on the premises of the instructional establishment to those persons involved with the
23 instructional process.

24 (C) Notwithstanding the provisions of LVMC 6.50.430, persons who have made
25 wine during an instructional process pursuant to this Section may place such wine in containers and
26 remove them from the instructional establishment, but only for their personal use.

27 SECTION 14: Title 6, Chapter 50, Section 150, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.50.150:** A nonprofit club general on-sale license authorizes the sale of alcoholic beverages by
2 the licensee or the licensee's authorized employees only for consumption on the premises and only
3 to bona fide members of the club who pay dues to the club, and to their bona fide guests. The club
4 member must accompany any such guests at all times when the guests are in any area in which
5 alcoholic beverages are being sold or consumed under the license described in this Section.

6 SECTION 15: Title 6, Chapter 50, Section 160, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.50.160:** (A) A nonprofit club restaurant service bar license authorizes the sale of alcoholic
9 beverages within a nonprofit club to members of the general public for consumption only in
10 connection with meals served at tables in a restaurant area of the nonprofit club where members of the
11 general public are invited to dine. A nonprofit club restaurant service bar license is available only if:

12 (1) It is issued in conjunction with a nonprofit club general on-sale license;
13 and

14 (2) The restaurant area of the nonprofit club is separated from the other
15 areas of the nonprofit club by a barrier that is sufficient to prevent members of the general public from
16 accessing those other areas.

17 (B) In connection with the ongoing operation of a nonprofit club restaurant service
18 bar:

19 (1) The barrier described in Paragraph (2) of Subsection (A) of this Section
20 must be maintained; and

21 (2) Members of the general public shall not be permitted to directly
22 purchase alcoholic beverages from a nonprofit club restaurant service bar.

23 SECTION 16: Title 6, Chapter 50, Section 170, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.50.170:** A package license authorizes the sale, to consumers only and not for resale, of alcoholic
26 beverages, in original sealed or corked containers, for consumption off the premises where the same
27 are sold; however, on-premises wine, beer, cordial and liqueur tasting is permitted at a liquor store if
28 the licensee also holds a wine, beer, cordial and liqueur tasting license for that location.

1 SECTION 17: Title 6, Chapter 50, 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 205,
3 reading as follows:

4 **6.50.205:** (A) An application for a special event general or special event beer/wine license
5 shall be filed no later than twenty calendar days before the proposed event and must disclose the
6 following information on forms provided by the Department for consideration of approval by the City
7 Council;

- 8 (1) Name and address of the applicant;
- 9 (2) Date, hours, address and description of the event;
- 10 (3) Approximate number of persons and ages expected to attend the event;
- 11 (4) Type of alcoholic beverages to be sold or served at the event;
- 12 (5) Names of the sponsors and promoters of the event; and
- 13 (6) Names and number of security personnel to be present at the event.

14 (B) Consideration of approval by the City Council may be delayed or withheld if
15 an application is incomplete.

16 (C) At any special event, there shall be at least one security person for each one
17 hundred people in attendance, plus additional security persons as determined by the Director.

18 SECTION 18: Title 6, Chapter 50, Section 210, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.50.210:** (A) A supper club license authorizes the on-premises sale of alcoholic beverages
21 within the designated bar area of the supper club for consumption only in the bar area or in connection
22 with meals served at tables in the restaurant area of the supper club.

23 (B) During all hours the bar is open to the public a cook and food server, other than
24 a bartender, must be available to prepare and serve [full-course] meals.

25 SECTION 19: Title 6, Chapter 50, Section 220, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **6.50.220:** (A) The seating area in the bar area of a supper club shall not exceed:

- 28 (1) One bar seat or stool for each eight restaurant seats; and

1 (2) One lounge seat for each three restaurant seats.

2 (B) The actual seating available at all times within the [restaurant] dining area of
3 a supper club must be able to accommodate at least one hundred twenty-five persons. For purposes
4 of the minimum-seating requirement, the "dining area" does not include bar stool seating at the bar
5 or lounge seating, but may include table or booth seating within the bar area and table seating within
6 a patio area.

7 SECTION 20: Title 6, Chapter 50, Section 270, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.50.270:** (A) A wine/beer/cordial/liqueur tasting license authorizes the offering of [free]
10 samples of packaged wines, beers, cordials and liqueurs for tasting purposes[.] to promote the sale of
11 such packaged alcoholic beverages. Such samples shall not be offered in conjunction with a meal at
12 a restaurant.

13 (B) Samples of packaged wines, beers, cordials and liqueurs for tasting purposes
14 shall not exceed one-half ounce per drink and may only be offered:

15 (1) On the premises of a licensed [packaged liquor] package alcoholic
16 beverage, wholesale general, beer/wine/cooler off-sale, or beer/wine/cooler on-off-sale establishment;
17 and

18 (2) For educational purposes.

19 (C) Persons offering samples of packaged wines, beers, cordials and liqueurs must
20 be employees of the licensed [packaged liquor] package alcoholic beverage, wholesale general,
21 beer/wine/cooler off-sale, or beer/wine/cooler on-off-sale establishment who hold a valid work card,
22 [and have successfully completed an approved liquor server awareness training program.]

23 (D) Bottles of wine, beer, cordial and liqueur opened for tasting shall not be sold
24 or otherwise distributed or given away.

25 SECTION 21: Title 6, Chapter 50, Section 310, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **6.50.310:** A person licensed for the off-sale or on-off-sale of alcoholic beverages shall post a sign
28 [at the sale counter and at the] no lower than three feet and no higher than seven feet at each sale

1 counter and at each entrance to the premises advising to the effect that, pursuant to LVMC 10.76.010,
2 it is unlawful for a person to drink an alcoholic beverage or to possess an open container of alcoholic
3 beverage which was purchased in an original sealed or corked container:

4 (A) Upon any premises, including the parking lot, of an establishment which is
5 licensed only for the off-sale or the on-off-sale of alcoholic beverages; or

6 (B) Upon property, other than residential property, located within one thousand feet
7 of an establishment which is licensed for off-sale or on-off-sale.

8 SECTION 22: Title 6, Chapter 50, Section 350, of the Municipal Code of the City of
9 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.50.350:** Applicants for a permit to provide [~~liquor catering services~~] alcoholic beverage catering
11 services, including the pouring of beer by a keg beer licensee as authorized by LVMC 6.50.130, shall
12 comply with the following provisions:

13 (A) An application for a permit may be made only by a person who holds a valid
14 unexpired [~~liquor~~] alcoholic beverage caterer license or keg beer license issued pursuant to this Title.];
15 provided, however, this restriction does not apply to a person whose liquor caterer business premises
16 are located in the City of North Las Vegas, City of Henderson, City of Boulder City or in the
17 unincorporated area of the County and who has a valid unexpired liquor caterer license issued by such
18 local government.]

19 (B) The application shall be made to the Department on forms provided or approved
20 by the Department, not less than three days prior to the proposed event unless otherwise authorized
21 by the Director or his or her designee upon the applicant showing the impracticability of his or her
22 compliance with the advance filing requirement.

23 (C) The application shall set forth the following information:
24 (1) Name and address of the applicant;
25 (2) Date, hours, address and description of the event;
26 (3) Approximate number and ages of persons to be in attendance;
27 (4) Type of alcoholic beverages to be served; [and]
28 (5) The names of the sponsors and promoters of the event[.];

1 (6) The names and number of security personnel to be present at the event;
2 and

3 (7) The names of the employees who will be working at the event including
4 their work card numbers, health card numbers and their respective expiration dates.

5 (8) If requested by the Department, a copy of any written contract by which
6 the licensee will provide catering services for the event.

7 (D) Each event requires a separate permit.

8 (E) [A nonrefundable fee of fifteen dollars for each permit requested must be paid
9 when the application for permit is filed.] A nonrefundable fee of twenty-five dollars for each permit
10 shall be paid at the time an application for permit is filed. If there is more than one bar in operation
11 at an event a nonrefundable fee of twenty-five dollars per bar shall be paid for a permit. For an
12 application that is filed later than the deadline specified in Subsection (B) and that is accepted by the
13 Department, the licensee shall pay an additional fee of fifty dollars for each day past the deadline.

14 (F) A current employee list must be submitted at the beginning of each calendar
15 quarter and such list is required to be updated in the event of changes in employment levels between
16 the date of the quarterly submission and the date an application for a new permit is filed. The updated
17 list is to be filed with the application for permit.

18 (G) The employee list referenced in Subsection (F) of this Section must be
19 maintained on the site of the event for which the permit was issued and must be made available on site
20 of the event to Metro and the Department upon their request.

21 (H) Sales of alcoholic beverages at an event are only permitted to be made by the
22 permittee or his or her employees whose names appear on the employee list referenced in Subsections
23 (F) and (G) of this Section.

24 (I) At the conclusion of an event, all alcoholic beverages must be removed from
25 the event premises unless they are the business premises of an establishment with a valid alcoholic
26 beverage license.

27 SECTION 23: Title 6, Chapter 50, Section 355, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.50.355:** (A) An exhibitor at a permanent trade show shall not sell alcoholic beverages at his
2 or her exhibit without first securing and maintaining an unexpired exhibitor alcoholic beverage permit
3 issued by the Department under a permanent trade show facility alcoholic beverage license.

4 (B) Permits shall not be issued by the Department without the written consent of
5 the permanent trade show facility alcoholic beverage licensee of the facility where the exhibit is
6 located.

7 (C) Permit applications shall be made on forms provided or approved by the
8 Department and filed with the Department by the permanent trade show facility alcoholic beverage
9 licensee not later than thirty days prior to the proposed event unless otherwise authorized by the
10 Director or his or her designee upon a showing of the impracticability of the licensee's compliance
11 with the advance filing requirement.

12 (D) The permit application shall set forth the following information and
13 documentation:

14 (1) Name and address of the applicant;

15 (2) Dates of the permanent trade show;

16 (3) Name and address of the permanent trade show facility where the
17 permanent trade show will be held;

18 (4) Written confirmation by the permanent trade show facility alcoholic
19 beverage licensee at the above-named permanent trade show facility that it consents to the applicant
20 being granted a permit under its alcoholic beverage license; and

21 (5) Types of alcoholic beverages to be served.

22 (E) Each event requires a separate permit.

23 (F) A nonrefundable fee of twenty-five dollars for each permit requested must be
24 paid when the application for a permit is filed.

25 (G) Permit applicants shall not be subject to the background and suitability approval
26 requirements of LVMC Chapter 6.06 and the work card [and alcohol awareness training] requirements
27 of this Chapter, but shall comply with all other provisions of this Chapter that are not inconsistent with
28 the provisions of this Section.

1 (H) [Applicants] Exhibitors shall sell alcoholic beverages only at the locations
2 within a permanent trade show facility and on the dates designated in their permits.

3 (I) The permanent trade show facility alcoholic beverage licensee shall be
4 responsible to monitor all the exhibitors who are issued permits under its alcoholic beverage license
5 pursuant to this Section to ensure compliance with this Chapter.

6 (J) Not later than three days prior to a permanent trade show the Department shall
7 provide the facility licensee with the approved permits for distribution to the [applicants] exhibitors
8 with the requirement that the [applicants] exhibitors post such permits at their respective exhibit sites
9 and that the facility licensee maintain at the facility premises a master list of the approved permits.

10 SECTION 24: Ordinance No. 6047 and Title 6, Chapter 50, Section 360, of the
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section
12 360 reads as follows:

13 **6.50.360:** Each licensee shall pay to the Department, in advance, the semiannual license fees set
14 forth in the following schedule, subject to the annual adjustment described in Subsection (B) of this
15 Section:

16	License Category	Semiannual License Fee (Dollars)
17	Banquet [facility] <u>or event establishment</u>	500
18	Beer/wine/cooler art event on-sale	300
19	Beer/wine/cooler on-sale	300
20	Beer/wine/cooler off-sale	300
21	Beer/wine/cooler on-off sale	600
22	Brew/pub/tavern	1,200
23	Convention facility	1,200
24	<u>General on-sale</u>	<u>1,200</u>
25	<u>General on-sale (beer and wine)</u>	<u>500</u>
26	Gift basket limited	300
27	Gift shop limited	500
28	Grocery store <u>or super center</u> internet sale	500
	Hotel lounge bar	1,200
	<u>Instructional wine making facility</u>	<u>600</u>
	Keg beer	[500] <u>200</u>

1	[Liquor] <u>Alcoholic beverage caterer</u>	500
2	Nonprofit club general <u>on-sale</u>	200
3	Nonprofit club restaurant service bar	100
4	Package	750
5	Permanent trade show facility	2,400
6	Restaurant service bar	600
7	Supper club	800
8	Plus: fee for each additional bar	750
9	Tavern (one bar)	1,200
10	Plus: fee for each additional bar	900
11	Tavern-limited	800
12	Plus: fee for each additional bar	500
13	Urban lounge	1,000
14	Plus: fee for each additional bar	750
15	Wholesale general	1,000
16	Wine, beer, cordial, liqueur tasting	600

14 Each special event general licensee shall pay a license fee of one hundred dollars per day.

15 Each special event beer/wine licensee shall pay a license fee of seventy-five dollars per day.

16 SECTION 25: Ordinance No. 6047 and Title 6, Chapter 50, Section 380, of the
 17 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section
 18 380 reads as follows:

19 **6.50.380:** (A) The origination charge listed in this Section is a one time charge which is due
 20 and payable at the time of filing an application for an alcoholic beverage license. Origination charges
 21 are as follows:

22	License Category	Origination Charge (Dollars)
23	Banquet [facility] or event establishment	20,000
24	Beer/wine/cooler art event on-sale	1,000
25	Beer/wine/cooler on-sale	2,500
26	Beer/wine/cooler off-sale	2,500
27	Beer/wine/cooler on-off sale	5,000
28	Brew/pub/tavern	75,000
	Convention facility	75,000

1	<u>General on-sale</u>	<u>75,000</u>
2	<u>General on-sale (beer and wine)</u>	<u>20,000</u>
3	Gift basket limited	1,000
4	Gift shop limited	4,000
5	Grocery store or super center internet sale	2,500
6	Hotel lounge bar	40,000
7	<u>Instructional wine making facility</u>	<u>2,500</u>
8	Keg beer	4,000
9	[Liquor] <u>Alcoholic beverage caterer</u>	4,000
10	Nonprofit club general <u>on-sale</u>	2,000
11	Nonprofit club restaurant service bar	1,000
12	Package	40,000
13	Permanent trade show facility	60,000
14	Restaurant service bar	30,000
15	Supper club	40,000
16	Tavern	75,000
17	Tavern-limited	20,000
18	Urban lounge	50,000
19	Wholesale general	10,000
20	Wine, beer, cordial, liqueur tasting	2,000

21 (B) The transfer of an alcoholic beverage license from one licensee to another is
 22 exempt from the origination charge set forth in this Section.

23 (C) In connection with the issuance of an original new City alcoholic beverage
 24 license to an existing County alcoholic beverage licensee whose business premises have been annexed
 25 into the City, the Department shall waive the origination charge at the request of the applicant.
 26 However, a license concerning which such a waiver has been granted may not be sold, transferred to
 27 a third party, or transferred to a new location, notwithstanding any provision of this Title to the
 28 contrary.

SECTION 26: Title 6, Chapter 50, Section 390, of the Municipal Code of the City of
 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.50.390:** (A) Alcoholic beverage licensees shall immediately notify the Department of
2 Planning and Development and the Department of Finance and Business Services in writing when they
3 discontinue their alcoholic beverage business operations. For a temporary discontinuance, the
4 notification shall include the reasons for the discontinuance. A temporary discontinuance shall not
5 diminish or modify the application and effect of the provisions of Title 19 pertaining to the
6 discontinuance of cessation of a use. Any licensee who desires permanently to discontinue [its
7 operation of the] the alcoholic beverage operations of a business and to sell its license may notify the
8 Department of its desire to sell such license, and the Department shall maintain a list of such
9 [licensees] licenses and make it available to any person who is interested in obtaining a license. The
10 Department is under no obligation to include the listing of a license for longer than three years, or to
11 include or retain on the list any license that has been listed as an asset in bankruptcy proceedings.

12 (B) Persons acquiring a license from a licensee shall comply with all applicable
13 requirements of this Title for the original issuance of the license being sold, assigned or transferred
14 as well as all amendments thereafter to this Title pertaining to alcoholic beverage licenses.

15 SECTION 27: Title 6, Chapter 50, Section 410, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.50.410:** It is the duty of the licensee and any principal thereof to:

18 (A) [ensure] Ensure that a person who is at least twenty-one years of age, who is
19 either an owner or employee of the licensee and who has a valid work card and [alcohol awareness
20 card] health card in his possession, is present on the premises during all times that the premises are
21 open for business.

22 (B) Maintain and make available during normal working hours for inspection by
23 Metro or the Department a list of all of licensee's current employees by name that are required to have
24 one or more of the following cards and the corresponding card numbers:

25 (1) A work card.

26 (2) A health card.

27 (C) The list referenced in Subsection (B) of this Section shall also include, in
28 addition to the names of current employees, all the names of other persons employed during the

1 previous three years.

2 SECTION 28: Title 6, Chapter 50, Section 420, of the Municipal Code of the City of
3 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.50.420:** The Department or Metro shall have jurisdiction to investigate and enforce the
5 provisions of this Chapter. The Department or Metro shall have all powers which may be necessary
6 or appropriate for a complete and effective exercise of its jurisdiction, including, but not limited to,
7 the power to enter and inspect the licensed premises at any time during the business hours of the
8 licensee, and the Department or Metro shall have the power to examine all books and records of the
9 licensee and any principal thereof. The Department or Metro is authorized to request information
10 from a licensee, any principal thereof, or a license applicant at any time in furtherance of the exercise
11 of its jurisdiction.

12 SECTION 29: Title 6, Chapter 50, Section 430, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby repealed.

14 SECTION 30: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 430,
16 reading as follows:

17 **6.50.430:** (A) Notwithstanding any other provision of this Chapter, but subject to Subsection
18 (D) of this Section, the following types of establishments may permit a customer to bring a bottle of
19 wine into the establishment for purposes of having the establishment pour and serve the wine in
20 connection with a meal served to the customer:

- 21 (1) Beer/wine/cooler on-sale;
22 (2) Beer/wine/cooler on-off-sale;
23 (3) Restaurant service bar; and
24 (4) Supper club.

25 (B) An establishment that provides the service referred to in Subsection (A) may
26 charge a fee for the service (a "corking fee").

27 (C) The licensee of an establishment that provides the service referred to in
28 Subsection (A) is responsible for ensuring that:

1 (1) The contents of the bottle of wine brought into the establishment are
2 fully consumed on the premises;

3 (2) The bottle of wine remains on the premises and is disposed of by the
4 establishment; or

5 (3) If the contents of the bottle of wine are not fully consumed and the bottle
6 is to be returned to the customer, the bottle is properly re-corked before it is returned to the customer
7 to be taken off the premises.

8 (D) This Section is a reflection of the City's authority to regulate businesses serving
9 alcoholic beverages and sets forth the parameters of regulation insofar as the City is concerned.
10 Nothing in this Section is intended to diminish or otherwise affect the application of State laws or
11 regulations governing the subject.

12 SECTION 31: Title 6, Chapter 50, Section 440, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.50.440:** It is unlawful for any of the following persons to be employed, or to engage or
15 participate, in the retail sales of alcoholic beverages for on or off premises consumption without
16 having in his or her possession a valid work card for alcoholic beverages issued pursuant to LVMC
17 Chapter 6.86:

18 (A) [A manager;] Any person employed in the management of a licensed business
19 establishment who has not been investigated and approved as a principal or key employee;

20 (B) Any [employee who pours or serves alcoholic beverages for on premises
21 consumption; or] person who pours, serves, or monitors the sale or service of, alcoholic beverages for
22 on-premises consumption, except a person whose primary function is to:

23 (1) Take orders for food in the dining area of a restaurant that is operated
24 in conjunction with a licensed supper club, restaurant service bar, or beer/wine/cooler on-sale license;
25 and

26 (2) Serve alcoholic beverages in connection with such orders;

27 (C) Any [employee] person who accepts payment for, or monitors, the sale or
28 delivery of alcoholic beverages for off premises consumption[.]; or

1 (D) Any person who performs the role of security, including the maintaining of
2 order within the business, the verification of identification, and the enforcement of other policies
3 established and maintained by the licensee.

4 SECTION 32: Title 6, Chapter 50, Section 450, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.50.450:** It is unlawful for any person to sell any alcoholic beverage:

7 (A) Without a valid unexpired license issued pursuant to this Chapter; provided,
8 however, that this prohibition does not apply to employees of persons licensed pursuant to this Chapter
9 during the course of such employment;

10 (B) To a person who is intoxicated;

11 (C) For delivery to a personal residence pursuant to a [telephone call requesting]
12 request for such delivery; provided, however, that this prohibition does not apply to deliveries of beer
13 in kegs having a capacity of not less than one quarter barrel[;] or to gift basket deliveries authorized
14 by LVMC 6.50.100;

15 (D) Through or by means of a drive-in or walk-up window, door or other opening;

16 (E) In any manner not authorized by the license under which authority the person
17 making such sale is authorized to do business; and

18 (F) At any place where persons under twenty-one years of age are present, unless
19 they are continuously accompanied by a parent or legal guardian.

20 SECTION 33: Title 6, Chapter 50, 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 455,
22 reading as follows:

23 **6.50.455:** (A) Except as otherwise provided in Subsection (B), it is unlawful for any person
24 to store alcoholic beverages on the premises of any commercial establishment subject to this Chapter
25 unless the licensee of the establishment has obtained and maintains valid alcoholic beverage-related
26 licenses that pertain to and authorize such storage.

27 (B) The prohibition contained in Subsection (A) does not apply to the storage of
28 alcoholic beverages in preparation for an occasional company party, but only if:

- 1 (1) The party is limited to employees and their guests; and
2 (2) The alcoholic beverages are removed from the premises before the next
3 regularly scheduled business day.

4 SECTION 34: Title 6, Chapter 50, Section 480, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.50.480:** It is unlawful for any person who is intoxicated and who is subject to the provisions
7 of this Chapter to sell or serve any alcoholic beverage.

8 SECTION 35: Title 6, Chapter 50, Section 490, of the Municipal Code of the City of
9 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.50.490:** It is unlawful for any person to employ a person under the age of twenty-one years to
11 sell or handle alcoholic beverages, or to allow a person under the age of twenty-one years to sell or
12 handle for the purpose of transacting a sale of alcoholic beverages at such person's place of business;
13 provided, however, that a person who is at least sixteen years of age may handle beer, wine and
14 coolers only, in original sealed or corked containers, while they are employed in [a grocery store,
15 convenience store or specialty merchandise store which exercises the privileges of a beer/wine/cooler
16 off-sale or package license] an on-sale, off-sale or on-off-sale licensed establishment and only when
17 they are actually being supervised by another person who is at least twenty-one years of age and who
18 himself is an owner or employee of the licensee.

19 SECTION 36: Title 6, Chapter 50, Section 510, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.50.510:** (A) It is unlawful for any person, while acting as an employee, security guard,
22 waiter, waitress, or a performer or entertainer in any live act, play, demonstration or exhibition, or for
23 any such person, while serving food or drink to any customer, to do any of the following acts on the
24 premises where alcoholic beverages are licensed to be sold:

- 25 (1) Expose his or her genitals, pubic hair, perineum, anal region or pubic
26 hair region; or
27 (2) Expose or use any device, costume or covering which gives the
28 appearance of or simulates the genitals, pubic hair, perineum, anal region or pubic hair region.

1 (B) A person shall be deemed to be a security guard, waiter, waitress, performer or
2 entertainer if such person acts in that capacity without regard to whether or not such person is paid any
3 compensation.

4 (C) It is unlawful for any licensee, or any owner, officer, director, representative,
5 manager, agent, servant or employee of a licensee to allow, cause, permit, procure, counsel or assist
6 any person to perform any of the acts set forth in Subsection (A) of this Section on the premises where
7 alcoholic beverages are licensed to be sold.

8 SECTION 37: Title 6, Chapter 50, Sections 520 through 640, inclusive, of the
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed.

10 SECTION 38: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
11 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 520,
12 reading as follows:

13 **6.50.520:** (A) Subject to the provisions of Subsection (C) of this Section, no entertainment,
14 as defined in Subsection (B), may be offered in any establishment in the following licensing categories
15 unless that form of entertainment has been approved in advance by the approval authority:

- 16 (1) Banquet or event establishment;
- 17 (2) Beer/wine/cooler on-sale;
- 18 (3) Nonprofit club general;
- 19 (4) Restaurant service bar;
- 20 (5) Supper club; or
- 21 (6) Tavern.

22 (B) For purposes of this Section:

23 (1) "Approval authority" means the City Council, if the approval is sought
24 in connection with initial licensing approval by the City Council, and the Director otherwise.

25 (2) "Entertainment" means one or more of the following:

- 26 (a) Live music (with or without dancing);
- 27 (b) Live disk jockey (with dancing);
- 28 (c) Live comedic performers; or

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(d) Karaoke entertainment.

(C) This Section applies only to establishments licensed after the effective date of the Ordinance codified in this Section.

SECTION 39: Title 6, Chapter 2, Section 125, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.125: It is unlawful for any person to sell food products without first securing and maintaining in active status all health permits and health cards required by the Health District.

SECTION 40: Title 6, Chapter 2, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 145, reading as follows:

6.02.145: (A) Except as otherwise provided in Subsection (B), it is unlawful for any person to store alcoholic beverages on the premises of any commercial establishment unless the licensee of the establishment has obtained and maintains valid alcoholic beverage-related licenses under Chapter 6.50 that pertain to and authorize such storage.

(B) The prohibition contained in Subsection (A) does not apply to the storage of alcoholic beverages in preparation for an occasional company party, but only if:

- (1) The party is limited to employees and their guests; and
- (2) The alcoholic beverages are removed from the premises before the next regularly scheduled business day.

SECTION 41: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 42: Whenever in this ordinance any act is prohibited or is made or declared

1 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
2 required or the failure to do any act is made or declared to be unlawful or an offense or a
3 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
4 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
5 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
6 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

7 SECTION 43: All ordinances or parts of ordinances or sections, subsections, phrases
8 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED and APPROVED this ____ day of _____, 2009.

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 _____
16 BEVERLY K. BRIDGES, CMC
City Clerk

17 APPROVED AS TO FORM:

18 Valsted 10-22-09
19 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2009, 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 _____, 2009, 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: _____

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APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, CMC
City Clerk

BUSINESS IMPACT STATEMENT

BILL NO. 2009-45

(Amends the City's regulations pertaining to alcoholic beverages, including updates to licensing categories, standards and definitions)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2009-45, that will amend the City's regulations pertaining to alcoholic beverages, including updates to licensing categories, standards and definitions.

1. The following constitutes a description of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

A copy of the proposed ordinance and an invitation to respond were provided to all liquor licensees in the City. Responses were received to the effect that certain reporting requirements and increased license fees would be a burden. (As it turns out, the provisions referred to are already existing.)

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

No significant additional impact on businesses anticipated

Beneficial effects:

None identified

Direct effects:

No significant additional impact on businesses anticipated

Indirect effects:

No significant additional impact on businesses anticipated.

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

None

4. The estimate of the annual cost to the local government for enforcement of the proposed rule is:

Minimal additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Dependent on applications. Potential revenue increase of approximately \$10,000

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Offset costs of administration of licensing provisions

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains why such duplicative or more stringent provisions are necessary:

N/A

Date: October 21, 2009

FIRST AMENDMENT

BILL NO. 2009-45

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY'S REGULATIONS PERTAINING TO ALCOHOLIC BEVERAGES, INCLUDING UPDATES TO LICENSING CATEGORIES, STANDARDS AND DEFINITIONS, AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steve Wolfson

Summary: Amends the City's regulations pertaining to alcoholic beverages, including updates to licensing categories, standards and definitions.

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

AS FOLLOWS

SECTION 1. Title 6, Chapter 50, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.010: The City Council declares that this [Liquor] Alcoholic Beverage Control Chapter is an exercise of the regulatory powers delegated to the City Council pursuant to the City Charter and NRS 268.090, inter alia. The regulations contained in this Chapter involve, to the highest degree, the economic, social, physical and moral well-being of the residents and taxpayers of the City. The sale or other disposition of alcoholic beverages is not a matter of right but of privilege, which would otherwise be unlawful if it were not exercised pursuant to a license. This privilege may be denied, revoked, conditioned, suspended or subjected to any other disciplinary action by the City in the exercise of its police powers for the protection of the safety, welfare, health, peace and morals of the residents and taxpayers thereof. Businesses engaged in the sale or other disposition of alcoholic beverages must therefore comply with LVMC Chapter 6.06. Every person licensed pursuant to this Chapter shall cooperate with Department and Metro personnel in the exercise of their duties under this Chapter. Nothing in this Chapter shall be construed to confer any legitimate claim of entitlement to any benefit which might otherwise devolve upon any licensee or any person approved for suitability.

SECTION 2. Title 6, Chapter 50, Section 20, of the Municipal Code of the City of

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

2 **6.50.020:** Unless the context otherwise requires, the scope of all words in this Chapter shall be
3 liberally construed in order to effectuate the purpose of this Chapter, and, in particular, the following
4 words shall have the meaning ascribed to them as follows:

5 “Alcoholic beverage” includes alcohol, spirits, liquor, wine and beer, and every liquid or solid
6 which contains alcohol, spirits, liquor, wine or beer; and which contains one-half of one percent or
7 more of alcohol by volume; and which is fit for beverage purposes, either alone or when diluted,
8 mixed or combined with other substances. Any liquid or solid containing beer or wine in
9 combination with any other alcoholic beverage shall not be construed to be beer or wine

10 “Alcoholic beverage caterer” means a person who serves or sells alcoholic beverages only for
11 consumption on the premises where the same are dispensed, served or sold during the times, dates
12 and places specified by permit.

13 “Art gallery or art studio” means a business establishment where the general public is invited to
14 view artistic exhibitions, presentations and performances.

15 “Banquet [facility] or event establishment” means any [business] establishment which is rented by
16 individuals or groups to accommodate private [functions such as banquets, weddings, anniversaries,
17 and other similar celebrations.] or public events Such establishment may or may not include:

18 (1) Kitchen facilities for the preparation or catering of food.

19 (2) Outdoor gardens or reception facilities.

20 “Beer” means any alcoholic beverage obtained by the fermentation of any infusion or decoction of
21 barley, malt, hops or similar product, or any combination thereof, in water.

22 “Commercial center” means a concentration of retail stores that:

23 (1) Contains at least eighty thousand square feet of retail space enclosed within a
24 building or buildings;

25 (2) Contains at least one anchor retail store of at least twenty thousand square feet;

26 (3) Includes a parking lot common to the retail stores; and

27 (4) Is situated on at least fifteen gross acres of land.

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1 “Container,” except as the context otherwise requires, means a receptacle provided by an
2 establishment (or otherwise) from which alcoholic beverages are consumed on the premises of the
3 establishment

4 “Convenience store” means a retail establishment other than a drugstore, which.

5 (1) Offers for sale prepackaged food products, household items and other goods
6 commonly associated with those products and items, provided that not more than thirty percent of
7 its physical retail inventory on the establishment premises is devoted to alcoholic beverages; [and]

8 (2) Contains not less than one thousand-two hundred square feet, nor more than five
9 thousand square feet of floor space devoted to retail sales display, exclusive of warehouse and office
10 areas[.]; and

11 (3) Displays alcoholic beverages for sale no closer than ten feet from any public entrance
12 to the establishment.

13 “Convention facility” means a structure which has at least 100,000 square feet of floor space utilized
14 for scheduling, hosting or accommodating a convention, trade show or temporary event, whether the
15 activity is open or closed to the general public. For purposes of this Chapter, the term includes a
16 stadium facility that is operated in conjunction with a convention facility, but does not include a
17 permanent trade show facility.

18 “Cooler” means any prebottled alcoholic beverage, other than beer or wine, that is a distillate
19 obtained from the fermentation of the natural contents of fruits or other agricultural products
20 containing natural or added sugar, which contains not more than ten percent of alcohol by volume.

21 “Downtown entertainment overlay district” means that area of the City bounded by Ogden Avenue
22 on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the
23 east

24 “Drugstore” means a business establishment which occupies the entire business premises of a
25 building, or a portion of the business premises of a building which is segregated physically or
26 spatially from the rest of the business premises, where a State licensed pharmacist is present at all
27 times the pharmacy operation is open for the purpose of compounding or dispensing, or both

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1 compounding and dispensing of drugs and medicines, and where a grill and fountain service is
2 permitted as well as the retail sales of sundries, including stationery, magazines, cosmetics and
3 health items.

4 “Dues” means fees paid on a monthly, quarterly, semiannual or annual basis for the right to
5 participate in the planning of activities and the utilization of services offered by a nonprofit
6 corporation, association or organization. The term “dues” does not include fees paid for the
7 purchase of drinks, meals or other services offered by a nonprofit corporation, association or
8 organization.

9 “Event” means private or public activity, including, but not limited to, weddings, birthdays,
10 ceremonials, commemorations, anniversaries, family reunions, fund raisers, political campaign
11 gatherings, and religious or other types of observances.

12 “Gift basket” means a receptacle or container that may be filled with food items or novelty items,
13 and alcoholic beverages in sealed or corked containers in quantities not greater than 25.4 ounces
14 (approximately 1.79 pints), measured in the English system of weights and measures, or in
15 quantities not greater than seven hundred fifty milliliters measured in the metric system of weights
16 and measures.

17 “Groceries” means staple food stuffs, dairy products, meats and produce meant for human
18 consumption; articles used in the preparation of food, and household supplies.

19 “Grocery store” means a business establishment which occupies all of the business premises of a
20 building or a portion of the business premises of a building which is segregated physically or
21 spatially from the rest of the business premises, and which contains more than five thousand square
22 feet of floor space for the display and sale of groceries and alcoholic beverages, exclusive of
23 warehouse and office space. The term does not include an establishment in which more than thirty
24 percent of the physical retail inventory on the establishment premises consists of alcoholic
25 beverages.

26 “Hotel lounge bar” means a bar located in a lounge area of a hotel where alcoholic beverages are
27 sold for consumption in specified areas only

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1 “Key employee” means an employee designated by a business licensee to oversee the operations of
2 the business in the absence of the licensee.

3 [“Liquor caterer” means a person who dispenses, serves or sells alcoholic beverages only for
4 consumption on the premises where the same are dispensed, served or sold during the times, dates
5 and places specified by permit.]

6 “Liquor store” means a specialty retail store which does not allow entry to minors and which deals
7 exclusively in alcoholic [liquors] beverages and related items including magazines, newspapers and
8 packaged snack foods.

9 “Malt beverage” means beer, ale, porter, stout and other similar fermented beverages of any name or
10 description, brewed or produced from malt, wholly or in part

11 “Meal” means an assortment of food listed on a menu [or otherwise offered as] which must include
12 entrees, appetizers, side items and desserts available for purchase at various hours of the day [The
13 term “meal” does not include food listed on a menu or otherwise offered that consists solely of
14 sandwiches or salads, or both sandwiches and salads]

15 “Nonprofit club” means any nonprofit corporation, association or organization which has been in
16 continual existence for at least two years prior to applying for a license under this Chapter, and:

17 (1) Is organized or qualified to do business and operate under the laws of the State;

18 (2) Has tax-exempt status granted by the United States Internal Revenue Service,

19 (3) [Has] Maintains a membership of at least one hundred active members who
20 are residents of Southern Nevada, who are twenty-one years of age or older and who pay dues to the
21 nonprofit corporation, association, or organization; [and]

22 (4) Operates a clubhouse, clubroom or meeting room in a permanent location which it
23 owns or leases[], and

24 (5) Maintains a sign-in log that each member and the member’s guests must sign upon
25 entering the club house, clubroom or meeting room operated by the club

26 “Off-sale” means the sale of alcoholic beverages in original sealed or corked containers for
27 consumption off the premises where the same are sold

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1 “On-sale” means the sale of alcoholic beverages for consumption on the premises where the same
2 are sold.

3 “Permanent trade show” means an event held at a permanent trade show facility where products,
4 goods or wares are displayed for the purpose of exhibitors demonstrating and soliciting orders for
5 the wholesale of or offering for wholesale of such products, goods or wares exclusively to members
6 of a specific industry or industries

7 “Permanent trade show facility” means a parcel or contiguous parcels of land with one or more
8 buildings located thereon consisting of a minimum of two hundred-fifty thousand square feet of
9 floor space [used] that is designed and intended primarily to conduct one or more permanent trade
10 shows annually, at which members of the general public are not admitted. A “permanent trade
11 show facility” may also be used for events to which the general public is invited

12 “Restaurant” means a place which is regularly and in a bona fide manner used and kept open for the
13 service of meals to guests for compensation; and which has suitable kitchen facilities connected
14 therewith, containing conveniences for cooking an assortment of foods which may be required for
15 ordinary meals.

16 “Restaurant service bar” means a bar wherein alcoholic beverage drinks are prepared for service
17 only at tables in a restaurant for consumption only in connection with a meal on the premises where
18 the same is sold.

19 “Sale” means the act of selling and, in connection therewith, “sell” means, for compensation or any
20 other private or public business purpose at a commercial location, to sell, serve, give away, or
21 distribute, or to cause or permit to be sold, served, given away or distributed or to possess with the
22 intent to sell, serve, permit consumption, give away or distribute, or to solicit or receive orders to
23 sell, serve, give away or distribute

24 “Specialty merchandise store” means a retail store located within a commercial center that:
25 (1) Has at least eighteen thousand square feet of gross floor area;
26 (2) Has at least eleven thousand five hundred square feet of floor space dedicated to the
27 sale and display of furniture, glassware, kitchenware and other household goods;

1 (3) Has at least three thousand six hundred square feet of floor space dedicated to the
2 sale and display of gourmet foods and nonalcoholic beverages; and

3 (4) Maintains an inventory of beer, wine and coolers with a wholesale value of at least
4 twenty-five thousand dollars.

5 “Super center” means a business which has in excess of twenty-five thousand square feet of floor
6 space devoted for the sale of a multiple line of products, including, but not limited to groceries,
7 electronics, pharmaceuticals, home decorating and improvement supplies, office supplies, clothing
8 and similar items.

9 “Supper club” means a restaurant and bar operation with alcoholic beverage sales wherein the bar
10 area is separated from the restaurant area by a barrier sufficient to prevent access to the bar area by
11 minors and the restaurant operation is the principal portion of the business.

12 “Wedding chapel” means a business establishment that is licensed to perform marriages in
13 accordance with State law.

14 “Wholesale dealer” or “wholesaler” means a person who sells alcoholic beverages for the purposes
15 of resale.

16 “Wine” means any alcoholic beverage, other than beer, obtained by the fermentation of the natural
17 contents of fruits or other agricultural products containing natural or added sugar, which contains
18 not more than twenty-two percent of alcohol by volume

19 SECTION 3 Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
20 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 25,
21 reading as follows.

22 **6.50.025:** An alcoholic beverage caterer license authorizes the sale of alcoholic beverages

23 (A) By an alcoholic beverage caterer or the caterer’s authorized employees,

24 (B) Only for consumption on the premises where the same are dispensed, served
25 or sold, and only where the premises are at a commercial or other nonresidential location; and

26 (C) Only during the times, dates and places specified in a permit to provide
27 alcoholic beverage catering services issued pursuant to LVMC 6.50.350.

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1 SECTION 4. Title 6, Chapter 50, Section 30, of the Municipal Code of the City of
2 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.50.030:** A banquet [facility] or event establishment alcoholic beverage license authorizes the
4 sale of alcoholic beverages for consumption at public or private events on the premises of a licensed
5 banquet [facility.] or event establishment.

6 SECTION 5 Title 6, Chapter 50, 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 45,
8 reading as follows.

9 **6.50.045:** A beer/wine/cooler cinema license authorizes the sale only of beer, wine and coolers
10 at a licensed movie theater whose seating accommodates in excess of one hundred at all times, and
11 only when such beverages:

12 (A) Are ordered and purchased by means of waiter or waitress; and

13 (B) Are consumed in an area of the theater that is designed and operated so as to
14 be inaccessible to minors except when a minor is accompanied by his or her parent or legal guardian.

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

17 **6.50.050:** A beer/wine/cooler on-sale license authorizes the sale only of beer, wine and coolers
18 for consumption only in connection with and during the consumption of a meal on the premises
19 where the same is sold, and where such beverages are served by the licensee or an authorized
20 employee of the licensee Such a license [and may only be issued] may be issued only in
21 connection with a restaurant [in which forty-five or more people may be served with meals at any
22 one time at tables or stools.] , and the actual seating available at all times for the service of meals
23 (whether at tables, counters or booths) must accommodate at least forty-five persons

24 SECTION 7: Title 6, Chapter 50, Section 70, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.50.070:** [A beer/wine/cooler on-off-sale license authorizes the sale only of beer, wine and
27 coolers for consumption only in connection with a meal on the premises where the same is sold and

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1 authorizes the sale, to consumers only and not for resale, only of beer, wine and coolers, in original
2 sealed or corked containers, for consumption off the premises where the same are sold, and may
3 only be issued in connection with a restaurant, grocery store or convenience store in which
4 forty-five or more people may be served with meals at any one time at tables or stools]

5 A beer/wine/cooler on-off-sale license authorizes

6 (A) The sale only of beer, wine and coolers for consumption only in connection
7 with and during the consumption of a meal on the premises where the same is sold, and where such
8 beverages are served by the licensee or an authorized employee of the licensee; and

9 (B) The sale, to consumers only and not for resale, only of beer, wine and coolers,
10 in original sealed or corked containers, for consumption off the premises where the same are sold.

11 Such a license may be issued only in connection with a restaurant, grocery store or convenience
12 store in which the actual seating available at all times for the service of meals (whether at tables,
13 counters or booths) must accommodate at least forty-five persons

14 SECTION 8: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 95,
16 reading as follows:

17 **6.50.095:** A general on-sale license authorizes the sale of alcoholic beverages for consumption
18 on the premises of a licensed golf course establishment, sports establishment, cultural
19 establishment, recreational establishment or theme park.

20 SECTION 9: Title 6, Chapter 50, Section 100, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows.

22 **6.50.100:** (A) A gift basket limited license authorizes the sale of alcoholic beverages in
23 original sealed or corked containers in quantities not greater than twenty-five and four tenths ounces
24 (approximately one and seventy-nine hundredths pints), measured in the English system of weights
25 and measures, or in quantities not greater than seven hundred fifty milliliters, measured in the metric
26 system of weights and measures, to be packaged in a gift basket along with other assorted food items
27 or novelty items, or both, which items have a minimum retail value of thirty-five dollars apart from
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1 the retail value of the alcoholic beverages; provided, however

2 (1) The contents of the gift baskets are not sold separately but, instead,
3 are included as part of the unit retail sale price of the gift basket; and

4 (2) The alcoholic beverages are consumed off the premises where the gift
5 basket is sold.

6 (B) Alcoholic beverages shall comprise not more than twenty percent of the total
7 inventory of merchandise located at a premises for which a gift basket limited license has been
8 issued and shall be stored in such a manner that prevents public access

9 (C) A gift basket limited licensee shall not display any advertising on the exterior
10 of his or her licensed premises of the fact that alcoholic beverages are maintained on the licensed
11 premises from which a customer can choose for the purposes of having the item selected included in
12 a gift basket

13 (D) A gift basket limited licensee [shall not deliver any alcoholic beverage] may
14 deliver alcoholic beverages to a personal residence in response to a [telephone call requesting such
15 delivery.] request for such delivery, if

16 (1) The order is placed by a person who is of legal age to make such
17 purchase, and

18 (2) Each sales transaction is documented on forms acceptable to the
19 Director, which shall include

20 (a) The business name and address of the licensee.

21 (b) A detailed list of the number of gift baskets ordered and
22 delivered and the type of alcoholic beverages included in such gift baskets;

23 (c) The name and address of the purchaser.

24 (d) The type of identification used to prove the age of the
25 purchaser; and

26 (e) The signature of the delivery person and the purchaser.

27 SECTION 10· Title 6, Chapter 50, Section 115, of the Municipal Code of the City of

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

2 **6.50.115:** (A) A grocery store or super center internet sale license authorizes the off-sale of
3 alcoholic beverages [by a grocery store] for delivery to the purchaser's premises pursuant to an
4 internet purchase order placed by the purchaser, subject to the following conditions:

5 (1) Delivery of the alcoholic beverages must be in conjunction with the
6 delivery of groceries also ordered in the same internet purchase order;

7 (2) Delivery of the alcoholic beverages may only be made to the person
8 placing the internet purchase order;

9 (3) The person placing the internet purchase order must be of legal age to
10 purchase alcoholic beverages, and

11 (4) Each internet sales transaction shall have written documentation of
12 the sale and delivery on forms acceptable by the Director, which shall include at a minimum.

13 (a) The business name and address of the grocery store or super
14 center,

15 (b) A detailed list of alcoholic beverages and groceries purchased
16 in each sales transaction,

17 (c) The name and address of the purchaser;

18 (d) The type of identification used to prove the age of the
19 purchaser; and

20 (e) The signature of the delivery person and purchaser involved
21 in the sales transaction

22 (B) A grocery store or super center internet sale license is available only if it is
23 issued to a grocery store or super center in conjunction with a package alcoholic beverage license.

24 SECTION 11: Title 6, Chapter 50, Section 130, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.50.130:** A keg beer license authorizes only the sale of beer in keg containers having a
27 capacity of at least one-quarter barrel size, and only by delivery to the premises of the purchaser. In

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1 connection with such delivery to events on commercial or nonresidential premises, the licensee is
2 also authorized to provide pouring services, but only if approved pursuant to LVMC 6.50.350.

3 SECTION 12: Title 6, Chapter 50, Section 140, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby repealed

5 SECTION 13: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
6 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
7 140, reading as follows:

8 **6.50.140:** (A) An instructional wine-making license authorizes the holder of a package
9 license to provide an establishment for instructing persons regarding the making of wine, provided
10 that such licensee first acquires, and maintains in good standing, any required State license or
11 permit

12 (B) Wines made during the instructional process may be served by the glass for
13 consumption on the premises of the instructional establishment to those persons involved with the
14 instructional process.

15 (C) Notwithstanding the provisions of LVMC 6.50.430, persons who have made
16 wine during an instructional process pursuant to this Section may place such wine in containers and
17 remove them from the instructional establishment, but only for their personal use.

18 SECTION 14: Title 6, Chapter 50, Section 150, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.50.150:** A nonprofit club general on-sale license authorizes the sale of alcoholic beverages by
21 the licensee or the licensee's authorized employees only for consumption on the premises and only
22 to bona fide members of the club who pay dues to the club, and to their bona fide guests. The club
23 member must accompany any such guests at all times when the guests are in any area in which
24 alcoholic beverages are being sold or consumed under the license described in this Section.

25 SECTION 15: Title 6, Chapter 50, Section 160, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **6.50.160:** (A) A nonprofit club restaurant service bar license authorizes the sale of alcoholic
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1 beverages within a nonprofit club to members of the general public for consumption only in
2 connection with meals served at tables in a restaurant area of the nonprofit club where members of
3 the general public are invited to dine. A nonprofit club restaurant service bar license is available
4 only if:

5 (1) It is issued in conjunction with a nonprofit club general on-sale
6 license; and

7 (2) The restaurant area of the nonprofit club is separated from the other
8 areas of the nonprofit club by a barrier that is sufficient to prevent members of the general public
9 from accessing those other areas.

10 (B) In connection with the ongoing operation of a nonprofit club restaurant
11 service bar.

12 (1) The barrier described in Paragraph (2) of Subsection (A) of this
13 Section must be maintained, and

14 (2) Members of the general public shall not be permitted to directly
15 purchase alcoholic beverages from a nonprofit club restaurant service bar.

16 SECTION 16. Title 6, Chapter 50, Section 170, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.50.170:** A package license authorizes the sale, to consumers only and not for resale, of
19 alcoholic beverages, in original sealed or corked containers, for consumption off the premises where
20 the same are sold, however, on-premises wine, beer, cordial and liqueur tasting is permitted at a
21 liquor store if the licensee also holds a wine, beer, cordial and liqueur tasting license for that
22 location.

23 SECTION 17: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
24 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
25 205, reading as follows:

26 **6.50.205:** (A) An application for a special event general or special event beer/wine license
27 shall be filed no later than twenty calendar days before the proposed event and must disclose the

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1 following information on forms provided by the Department for consideration of approval by the
2 City Council,

- 3 (1) Name and address of the applicant
- 4 (2) Date, hours, address and description of the event;
- 5 (3) Approximate number of persons and ages expected to attend the
6 event;
- 7 (4) Type of alcoholic beverages to be sold or served at the event;
- 8 (5) Names of the sponsors and promoters of the event, and
- 9 (6) Names and number of security personnel to be present at the event

10 (B) Consideration of approval by the City Council may be delayed or withheld if
11 an application is incomplete

12 (C) At any special event, there shall be at least one security person for each one
13 hundred people in attendance, plus additional security persons as determined by the Director.

14 SECTION 18 Title 6, Chapter 50, Section 210, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.50.210:** (A) A supper club license authorizes the on-premises sale of alcoholic beverages
17 within the designated bar area of the supper club for consumption only in the bar area or in
18 connection with meals served at tables in the restaurant area of the supper club.

19 (B) During all hours the bar is open to the public a cook and food server, other
20 than a bartender, must be available to prepare and serve [full-course] meals.

21 SECTION 19. Title 6, Chapter 50, Section 220, of the Municipal Code of the City of
22 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.50.220** (A) The seating area in the bar area of a supper club shall not exceed:

- 24 (1) One bar seat or stool for each eight restaurant seats; and
- 25 (2) One lounge seat for each three restaurant seats.

26 (B) The actual seating available at all times within the [restaurant] dining area of
27 a supper club must be able to accommodate at least one hundred twenty-five persons For purposes

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1 of the minimum-seating requirement, the “dining area” does not include bar stool seating at the bar
2 or lounge seating, but may include table or booth seating within the bar area and table seating within
3 a patio area

4 SECTION 20: Title 6, Chapter 50, Section 270, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows

6 **6.50.270:** (A) A wine/beer/cordial/liqueur tasting license authorizes the offering of [free]
7 samples of packaged wines, beers, cordials and liqueurs for tasting purposes[.] to promote the sale
8 of such packaged alcoholic beverages Such samples shall not be offered in conjunction with a
9 meal at a restaurant.

10 (B) Samples of packaged wines, beers, cordials and liqueurs for tasting purposes
11 shall not exceed one-half ounce per drink and may only be offered:

12 (1) On the premises of a licensed [packaged liquor] package alcoholic
13 beverage, wholesale general, beer/wine/cooler off-sale, or beer/wine/cooler on-off-sale
14 establishment, and

15 (2) For educational purposes.

16 (C) Persons offering samples of packaged wines, beers, cordials and liqueurs
17 must be employees of the licensed [packaged liquor] package alcoholic beverage, wholesale
18 general, beer/wine/cooler off-sale, or beer/wine/cooler on-off-sale establishment who hold a valid
19 work card, [and have successfully completed an approved liquor server awareness training
20 program]

21 (D) Bottles of wine, beer, cordial and liqueur opened for tasting shall not be sold
22 or otherwise distributed or given away

23 SECTION 21: Title 6, Chapter 50, Section 310, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows.

25 **6.50.310:** A person licensed for the off-sale or on-off-sale of alcoholic beverages shall post a
26 sign [at the sale counter and at the] no lower than three feet and no higher than seven feet at each sale
27 counter and at each entrance to the premises advising to the effect that, pursuant to LVMC

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1 10 76.010, it is unlawful for a person to drink an alcoholic beverage or to possess an open container
2 of alcoholic beverage which was purchased in an original sealed or corked container.

3 (A) Upon any premises, including the parking lot, of an establishment which is
4 licensed only for the off-sale or the on-off-sale of alcoholic beverages; or

5 (B) Upon property, other than residential property, located within one thousand
6 feet of an establishment which is licensed for off-sale or on-off-sale.

7 SECTION 22 Title 6, Chapter 50, Section 350, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows.

9 **6.50.350:** Applicants for a permit to provide [liquor catering services] alcoholic beverage
10 catering services, including the pouring of beer by a keg beer licensee as authorized by LVMC
11 6.50 130, shall comply with the following provisions:

12 (A) An application for a permit may be made only by a person who holds a valid
13 unexpired [liquor] alcoholic beverage caterer license or keg beer license issued pursuant to this
14 Title.]; provided, however, this restriction does not apply to a person whose liquor caterer business
15 premises are located in the City of North Las Vegas, City of Henderson, City of Boulder City or in
16 the unincorporated area of the County and who has a valid unexpired liquor caterer license issued by
17 such local government.]

18 (B) The application shall be made to the Department on forms provided or
19 approved by the Department, not less than three days prior to the proposed event unless otherwise
20 authorized by the Director or his or her designee upon the applicant showing the impracticability of
21 his or her compliance with the advance filing requirement.

22 (C) The application shall set forth the following information

- 23 (1) Name and address of the applicant,
24 (2) Date, hours, address and description of the event,
25 (3) Approximate number and ages of persons to be in attendance;
26 (4) Type of alcoholic beverages to be served, [and]
27 (5) The names of the sponsors and promoters of the event[.];

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1 (6) The names and number of security personnel to be present at the
2 event; and

3 (7) The names of the employees who will be working at the event
4 including their work card numbers, health card numbers and their respective expiration dates.

5 (8) If requested by the Department, a copy of any written contract by
6 which the licensee will provide catering services for the event.

7 (D) Each event requires a separate permit.

8 (E) [A nonrefundable fee of fifteen dollars for each permit requested must be paid
9 when the application for permit is filed]A nonrefundable fee of twenty-five dollars for each permit
10 shall be paid at the time an application for permit is filed. If there is more than one bar in operation
11 at an event a nonrefundable fee of twenty-five dollars per bar shall be paid for a permit. For an
12 application that is filed later than the deadline specified in Subsection (B) and that is accepted by the
13 Department, the licensee shall pay an additional fee of fifty dollars for each day past the deadline.

14 (F) A current employee list must be submitted at the beginning of each calendar
15 quarter and such list is required to be updated in the event of changes in employment levels between
16 the date of the quarterly submission and the date an application for a new permit is filed. The
17 updated list is to be filed with the application for permit.

18 (G) The employee list referenced in Subsection (F) of this Section must be
19 maintained on the site of the event for which the permit was issued and must be made available on
20 site of the event to Metro and the Department upon their request.

21 (H) Sales of alcoholic beverages at an event are only permitted to be made by the
22 permittee or his or her employees whose names appear on the employee list referenced in
23 Subsections (F) and (G) of this Section.

24 (I) At the conclusion of an event, all alcoholic beverages must be removed from
25 the event premises unless they are the business premises of an establishment with a valid alcoholic
26 beverage license

27 SECTION 23 Title 6, Chapter 50, Section 355, of the Municipal Code of the City of

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

2 **6.50.355:** (A) An exhibitor at a permanent trade show shall not sell alcoholic beverages at
3 his or her exhibit without first securing and maintaining an unexpired exhibitor alcoholic beverage
4 permit issued by the Department under a permanent trade show facility alcoholic beverage license.

5 (B) Permits shall not be issued by the Department without the written consent of
6 the permanent trade show facility alcoholic beverage licensee of the facility where the exhibit is
7 located.

8 (C) Permit applications shall be made on forms provided or approved by the
9 Department and filed with the Department by the permanent trade show facility alcoholic beverage
10 licensee not later than thirty days prior to the proposed event unless otherwise authorized by the
11 Director or his or her designee upon a showing of the impracticability of the licensee's compliance
12 with the advance filing requirement.

13 (D) The permit application shall set forth the following information and
14 documentation.

15 (1) Name and address of the applicant;

16 (2) Dates of the permanent trade show,

17 (3) Name and address of the permanent trade show facility where the
18 permanent trade show will be held,

19 (4) Written confirmation by the permanent trade show facility alcoholic
20 beverage licensee at the above-named permanent trade show facility that it consents to the applicant
21 being granted a permit under its alcoholic beverage license, and

22 (5) Types of alcoholic beverages to be served.

23 (E) Each event requires a separate permit.

24 (F) A nonrefundable fee of twenty-five dollars for each permit requested must be
25 paid when the application for a permit is filed.

26 (G) Permit applicants shall not be subject to the background and suitability
27 approval requirements of LVMC Chapter 6.06 and the work card [and alcohol awareness training]

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1 requirements of this Chapter, but shall comply with all other provisions of this Chapter that are not
2 inconsistent with the provisions of this Section

3 (H) [Applicants] Exhibitors shall sell alcoholic beverages only at the locations
4 within a permanent trade show facility and on the dates designated in their permits

5 (I) The permanent trade show facility alcoholic beverage licensee shall be
6 responsible to monitor all the exhibitors who are issued permits under its alcoholic beverage license
7 pursuant to this Section to ensure compliance with this Chapter

8 (J) Not later than three days prior to a permanent trade show the Department
9 shall provide the facility licensee with the approved permits for distribution to the
10 [applicants] exhibitors with the requirement that the [applicants] exhibitors post such permits at
11 their respective exhibit sites and that the facility licensee maintain at the facility premises a master
12 list of the approved permits

13 SECTION 24 Ordinance No. 6047 and Title 6, Chapter 50, Section 360, of the
14 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that
15 Section 360 reads as follows

16 **6.50.360:** Each licensee shall pay to the Department, in advance, the semiannual license fees
17 set forth in the following schedule, subject to the annual adjustment described in Subsection (B) of
18 this Section:

License Category	Semiannual License Fee (Dollars)
Banquet [facility] <u>or event establishment</u>	500
Beer/wine/cooler art event on-sale	300
Beer/wine/cooler on-sale	300
Beer/wine/cooler off-sale	300
Beer/wine/cooler on-off sale	600

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1	Brew/pub/tavern	1,200
2	Convention facility	1,200
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4	<u>General on-sale</u>	<u>1,200</u>
5	<u>General on-sale (beer and wine)</u>	<u>500</u>
6	Gift basket limited	300
7	Gift shop limited	500
8		
9	Grocery store <u>or super center internet sale</u>	500
10	Hotel lounge bar	1,200
11	<u>Instructional wine making facility</u>	<u>600</u>
12		
13	Keg beer	[500] <u>200</u>
14	[Liquor] <u>Alcoholic beverage caterer</u>	500
15	Nonprofit club general <u>on-sale</u>	200
16	Nonprofit club restaurant service bar	100
17		
18	Package	750
19	Permanent trade show facility	2,400
20	Restaurant service bar	600
21		
22	Supper club	800
23	Plus: fee for each additional bar	750
24	Tavern (one bar)	1,200
25		
26	Plus: fee for each additional bar	900

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1	Tavern-limited	800
2	Plus: fee for each additional bar	500
3	Urban lounge	1,000
4	Plus: fee for each additional bar	750
5	Wholesale general	1,000
6	Wine, beer, cordial, liqueur tasting	600

9 Each special event general licensee shall pay a license fee of one hundred dollars per day

10 Each special event beer/wine licensee shall pay a license fee of seventy-five dollars per day

11 SECTION 25: Ordinance No 6047 and Title 6, Chapter 50, Section 380, of the
 12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that
 13 Section 380 reads as follows:

14 **6.50.380:** (A) The origination charge listed in this Section is a one time charge which is due
 15 and payable at the time of filing an application for an alcoholic beverage license. Origination
 16 charges are as follows.

17	License Category	Origination Charge (Dollars)
18	<u>Banquet [facility] or event establishment</u>	20,000
19	Beer/wine/cooler art event on-sale	1,000
20	Beer/wine/cooler on-sale	2,500
21	Beer/wine/cooler off-sale	2,500
22	Beer/wine/cooler on-off sale	5,000
23	Brew/pub/tavern	75,000
24	Convention facility	75,000
25	<u>General on-sale</u>	<u>75,000</u>
26	<u>General on-sale (beer and wine)</u>	<u>20,000</u>
27	Gift basket limited	1,000

1	Gift shop limited	4,000
2	Grocery store <u>or super center internet sale</u>	2,500
3	Hotel lounge bar	40,000
4	<u>Instructional wine making facility</u>	<u>2,500</u>
5	Keg beer	4,000
6	[Liquor] <u>Alcoholic beverage caterer</u>	4,000
7	Nonprofit club general <u>on-sale</u>	2,000
8	Nonprofit club restaurant service bar	1,000
9	Package	40,000
10	Permanent trade show facility	60,000
11	Restaurant service bar	30,000
12	Supper club	40,000
13	Tavern	75,000
14	Tavern-limited	20,000
15	Urban lounge	50,000
16	Wholesale general	10,000
17	Wine, beer, cordial, liqueur tasting	2,000

18 (B) The transfer of an alcoholic beverage license from one licensee to another is
 19 exempt from the origination charge set forth in this Section.

20 (C) In connection with the issuance of an original new City alcoholic beverage
 21 license to an existing County alcoholic beverage licensee whose business premises have been
 22 annexed into the City, the Department shall waive the origination charge at the request of the
 23 applicant. However, a license concerning which such a waiver has been granted may not be sold,
 24 transferred to a third party, or transferred to a new location, notwithstanding any provision of this
 25 Title to the contrary.

26 SECTION 26: Title 6, Chapter 50, Section 390, of the Municipal Code of the City of
 27 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.50.390:** (A) Alcoholic beverage licensees shall immediately notify the Department of
2 Planning and Development and the Department of Finance and Business Services in writing when
3 they discontinue their alcoholic beverage business operations. For a temporary discontinuance, the
4 notification shall include the reasons for the discontinuance. A temporary discontinuance shall not
5 diminish or modify the application and effect of the provisions of Title 19 pertaining to the
6 discontinuance of cessation of a use. Any licensee who desires permanently to discontinue [its
7 operation of the] the alcoholic beverage operations of a business and to sell its license may notify the
8 Department of its desire to sell such license, and the Department shall maintain a list of such
9 [licensees] licenses and make it available to any person who is interested in obtaining a
10 license. The Department is under no obligation to include the listing of a license for longer than
11 three years, or to include or retain on the list any license that has been listed as an asset in bankruptcy
12 proceedings.

13 (B) Persons acquiring a license from a licensee shall comply with all applicable
14 requirements of this Title for the original issuance of the license being sold, assigned or transferred
15 as well as all amendments thereafter to this Title pertaining to alcoholic beverage licenses.

16 SECTION 27 Title 6, Chapter 50, Section 410, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.50.410:** It is the duty of the licensee and any principal thereof to

19 (A) [ensure] Ensure that a person who is at least twenty-one years of age, who is
20 either an owner or employee of the licensee and who has a valid work card and [alcohol awareness
21 card] health card in his possession, is present on the premises during all times that the premises are
22 open for business.

23 (B) Maintain and make available during the licensee's business hours for
24 inspection by Metro or the Department a list of all of licensee's current employees by name that are
25 required to have one or more of the following cards and the corresponding card numbers:

26 (1) A work card.

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(2) A health card

(C) The list referenced in Subsection (B) of this Section shall also include, in addition to the names of current employees, all the names of other persons employed during the previous three years.

SECTION 28: Title 6, Chapter 50, Section 420, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.420: The Department or Metro shall have jurisdiction to investigate and enforce the provisions of this Chapter. The Department or Metro shall have all powers which may be necessary or appropriate for a complete and effective exercise of its jurisdiction, including, but not limited to, the power to enter and inspect the licensed premises at any time during the business hours of the licensee, and the Department or Metro shall have the power to examine all books and records of the licensee and any principal thereof. The Department or Metro is authorized to request information from a licensee, any principal thereof, or a license applicant at any time in furtherance of the exercise of its jurisdiction

SECTION 29. Title 6, Chapter 50, Section 430, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed.

SECTION 30 Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 430, reading as follows

6.50.430: (A) Notwithstanding any other provision of this Chapter, but subject to Subsection (D) of this Section, the following types of establishments may permit a customer to bring a bottle of wine into the establishment for purposes of having the establishment pour and serve the wine in connection with a meal served to the customer

- (1) Beer/wine/cooler on-sale,
- (2) Beer/wine/cooler on-off-sale,
- (3) Restaurant service bar, and

1 (4) Supper club.

2 (B) An establishment that provides the service referred to in Subsection (A) may
3 charge a fee for the service (a “corking fee”).

4 (C) The licensee of an establishment that provides the service referred to in
5 Subsection (A) is responsible for ensuring that

6 (1) The contents of the bottle of wine brought into the establishment are
7 fully consumed on the premises;

8 (2) The bottle of wine remains on the premises and is disposed of by the
9 establishment; or

10 (3) If the contents of the bottle of wine are not fully consumed and the
11 bottle is to be returned to the customer, the bottle is properly re-corked before it is returned to the
12 customer to be taken off the premises.

13 (D) This Section is a reflection of the City’s authority to regulate businesses
14 serving alcoholic beverages and sets forth the parameters of regulation insofar as the City is
15 concerned. Nothing in this Section is intended to diminish or otherwise affect the application of
16 State laws or regulations governing the subject

17 SECTION 31. Title 6, Chapter 50, Section 440, of the Municipal Code of the City of
18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.50.440:** It is unlawful for any of the following persons to be employed, or to engage or
20 participate, in the retail sales of alcoholic beverages for on or off premises consumption without
21 having in his or her possession a valid work card for alcoholic beverages issued pursuant to LVMC
22 Chapter 6 86

23 (A) [A manager;] Any person employed in the management of a licensed
24 business establishment who has not been investigated and approved as a principal or key employee.

25 (B) Any [employee who pours or serves alcoholic beverages for on premises
26 consumption, or] person who pours, serves, or monitors the sale or service of, alcoholic beverages

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1 for on-premises consumption, except a person whose primary function is to:

2 (1) Take orders for food in the dining area of a restaurant that is operated
3 in conjunction with a licensed supper club, restaurant service bar, or beer/wine/cooler on-sale
4 license, and

5 (2) Serve alcoholic beverages in connection with such orders.

6 (C) Any [employee] person who accepts payment for, or monitors, the sale or
7 delivery of alcoholic beverages for off premises consumption[]; or

8 (D) Any person who performs the role of security, including the maintaining of
9 order within the business, the verification of identification, and the enforcement of other policies
10 established and maintained by the licensee.

11 SECTION 32 Title 6, Chapter 50, Section 450, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows

13 **6.50.450:** It is unlawful for any person to sell any alcoholic beverage:

14 (A) Without a valid unexpired license issued pursuant to this Chapter, provided,
15 however, that this prohibition does not apply to employees of persons licensed pursuant to this
16 Chapter during the course of such employment,

17 (B) To a person who is intoxicated;

18 (C) For delivery to a personal residence pursuant to a [telephone call
19 requesting] request for such delivery; provided, however, that this prohibition does not apply to
20 deliveries of beer in kegs having a capacity of not less than one quarter barrel[,] or to gift basket
21 deliveries authorized by LVMC 6 50 100;

22 (D) Through or by means of a drive-in or walk-up window, door or other
23 opening;

24 (E) In any manner not authorized by the license under which authority the person
25 making such sale is authorized to do business; and

26 (F) At any place where persons under twenty-one years of age are present, unless

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1 they are continuously accompanied by a parent or legal guardian.

2 SECTION 33: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
3 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
4 455, reading as follows:

5 **6.50.455:** (A) Except as otherwise provided in Subsection (B), it is unlawful for any person
6 to store alcoholic beverages on the premises of any commercial establishment subject to this
7 Chapter unless the licensee of the establishment has obtained and maintains valid alcoholic
8 beverage-related licenses that pertain to and authorize such storage

9 (B) The prohibition contained in Subsection (A) does not apply to the storage of
10 alcoholic beverages in preparation for an occasional company party, but only if:

11 (1) The party is limited to employees and their guests; and

12 (2) The alcoholic beverages are removed from the premises before the
13 next regularly scheduled business day.

14 SECTION 34: Title 6, Chapter 50, Section 480, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.50.480:** It is unlawful for any person who is intoxicated and who is subject to the provisions
17 of this Chapter to sell or serve any alcoholic beverage

18 SECTION 35 Title 6, Chapter 50, Section 490, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.50.490:** It is unlawful for any person to employ a person under the age of twenty-one years to
21 sell or handle alcoholic beverages, or to allow a person under the age of twenty-one years to sell or
22 handle for the purpose of transacting a sale of alcoholic beverages at such person's place of
23 business; provided, however, that a person who is at least sixteen years of age may handle beer, wine
24 and coolers only, in original sealed or corked containers, while they are employed in [a grocery
25 store, convenience store or specialty merchandise store which exercises the privileges of a
26 beer/wine/cooler off-sale or package license] an on-sale, off-sale or on-off-sale licensed

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1 establishment and only when they are actually being supervised by another person who is at least
2 twenty-one years of age and who himself is an owner or employee of the licensee.

3 SECTION 36: Title 6, Chapter 50, Section 510, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.50.510:** (A) It is unlawful for any person, while acting as an employee, security guard (or
6 other person performing a security function), waiter, waitress, or a performer or entertainer in any
7 live act, play, demonstration or exhibition, or for any such person, while serving food or drink to any
8 customer, to do any of the following acts on the premises where alcoholic beverages are licensed to
9 be sold:

10 (1) Expose his or her genitals, pubic hair, perineum, anal region or pubic
11 hair region; or

12 (2) Expose or use any device, costume or covering which gives the
13 appearance of or simulates the genitals, pubic hair, perineum, anal region or pubic hair region.

14 (B) A person shall be deemed to be a security guard (or other person performing a
15 security function), waiter, waitress, performer or entertainer if such person acts in that capacity
16 without regard to whether or not such person is paid any compensation.

17 (C) It is unlawful for any licensee, or any owner, officer, director, representative,
18 manager, agent, servant or employee of a licensee to allow, cause, permit, procure, counsel or assist
19 any person to perform any of the acts set forth in Subsection (A) of this Section on the premises
20 where alcoholic beverages are licensed to be sold.

21 SECTION 37: Title 6, Chapter 50, Sections 520 through 640, inclusive, of the
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed.

23 SECTION 38. Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
24 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
25 520, reading as follows

26 **6.50.520:** (A) Subject to the provisions of Subsection (C) of this Section, no entertainment,
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1 as defined in Subsection (B), may be offered in any establishment in the following licensing
2 categories unless that form of entertainment has been approved in advance by the approval
3 authority.

- 4 (1) Banquet or event establishment;
- 5 (2) Beer/wine/cooler on-sale,
- 6 (3) Nonprofit club general;
- 7 (4) Restaurant service bar;
- 8 (5) Supper club, or
- 9 (6) Tavern.

10 (B) For purposes of this Section:

- 11 (1) "Approval authority" means the City Council, if the approval is
12 sought in connection with initial licensing approval by the City Council, and the Director otherwise
- 13 (2) "Entertainment" means one or more of the following:
 - 14 (a) Live music (with or without dancing),
 - 15 (b) Live disk jockey (with dancing),
 - 16 (c) Live comedic performers, or
 - 17 (d) Karaoke entertainment.

18 (C) This Section applies only to establishments licensed after the effective date of
19 the Ordinance codified in this Section

20 SECTION 39. Title 6, Chapter 2, Section 125, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows

22 **6.02.125:** It is unlawful for any person to sell food products without first securing and
23 maintaining in active status all health permits and health cards required by the Health District.

24 SECTION 40. Title 6, Chapter 2, of the Municipal Code of the City of Las Vegas,
25 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
26 145, reading as follows:

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1 **6.02.145:** (A) Except as otherwise provided in Subsection (B), it is unlawful for any person
2 to store alcoholic beverages on the premises of any commercial establishment unless the licensee of
3 the establishment has obtained and maintains valid alcoholic beverage-related licenses under
4 Chapter 6 50 that pertain to and authorize such storage.

5 (B) The prohibition contained in Subsection (A) does not apply to the storage of
6 alcoholic beverages in preparation for an occasional company party, but only if:

7 (1) The party is limited to employees and their guests; and

8 (2) The alcoholic beverages are removed from the premises before the
9 next regularly scheduled business day.

10 SECTION 41: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4,
11 Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
12 amended by amending the description of the use "Supper Club" in the "Retail and Personal
13 Services" element of Table 2, to read as follows:

14 **Description:**

15 A restaurant and bar operation with alcoholic beverage sales in which:

16 1. The bar area is separated from the restaurant area by a barrier sufficient to prevent access to
17 the bar by minors;

18 2. The actual seating available at all times within the [restaurant] dining area will accommodate
19 at least 125 persons[;] For purposes of this requirement, the "dining area" does not include bar
20 stool seating at the bar or lounge seating, but may include table or booth seating within the bar area
21 and table seating within a patio area.

22 3. Alcoholic beverages are served in the restaurant area only in conjunction with the service of
23 food;

24 4. Full-course meals are available during all hours the bar area is open to the public,

25 5. A cook and food server, other than a bartender, are available at all times the bar area is open
26 to the public; and

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1 6. The restaurant operation is the principal portion of the business

2 SECTION 42. Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
3 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the term "Supper Club" and its
4 corresponding definition as follows:

5 "Supper Club" means a restaurant and bar operation with alcoholic beverage sales in which:

6 (1) The bar area is separated from the restaurant area by a barrier sufficient to prevent
7 access to the bar by minors,

8 (2) The actual seating available at all times within the [restaurant] dining area will
9 accommodate at least one hundred twenty-five persons[;] For purposes of this requirement, the
10 "dining area" does not include bar stool seating at the bar or lounge seating, but may include table or
11 booth seating within the bar area and table seating within a patio area.

12 (3) Alcoholic beverages are served in the restaurant area only in conjunction with the
13 service of food;

14 (4) Full-course meals are available during all hours the bar area is open to the public;

15 (5) A cook and food server, other than a bartender, are available at all times the bar area
16 is open to the public; and

17 (6) The restaurant operation is the principal portion of the business

18 SECTION 43 If any section, subsection, subdivision, paragraph, sentence, clause or
19 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
20 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
21 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of
22 the City of Las Vegas hereby declares that it would have passed each section, subsection,
23 subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or
24 more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared
25 unconstitutional, invalid or ineffective.

26 SECTION 44: Whenever in this ordinance any act is prohibited or is made or
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1 declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of
2 any act is required or the failure to do any act is made or declared to be unlawful or an offense or a
3 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
4 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
5 \$1,000 00 or by imprisonment for a term of not more than six months, or by any combination of
6 such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate
7 offense

8 SECTION 45: All ordinances or parts of ordinances or sections, subsections, phrases
9 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
10 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.
12 APPROVED

13 By _____
14 OSCAR B GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, CMC
City Clerk

18 APPROVED AS TO FORM:

19 _____
20 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 _____, 2009, 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 _____, 2009, which was a _____ meeting of said Council, that at
6 said _____ meeting, the proposed ordinance was read by title to the City
7 Council as amended and adopted by the following vote:

8 VOTING "AYE". _____

9 VOTING "NAY": _____

10 ABSENT _____

11
12 APPROVED

13 By _____
14 OSCAR B GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
18 City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2009-47 – Updates the City’s drought conservation measures in accordance with revisions to the Southern Nevada Water Authority’s Drought Plan. Sponsored by: Councilwoman Lois Tarkanian

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This bill updates the City’s drought conservation measures in accordance with recent revisions to the Southern Nevada Water Authority’s Drought Plan. The initial Plan included reference to various stages of drought which would form the basis for varying levels of water-conservation restrictions. The Plan has been revised to eliminate reference to the various stages of drought, recognizing that drought conditions are ongoing and that current conservation requirements should be implemented for the foreseeable future. This bill will revise the City’s ordinance accordingly.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

- 1. Bill No. 2009-47
- 2. Business Impact Statement

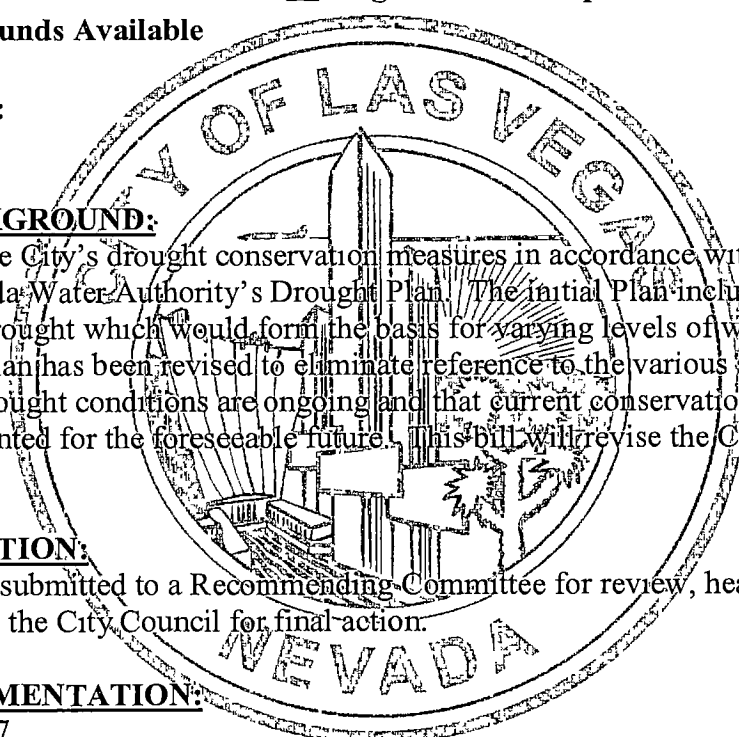
Motion made by STAVROS S. ANTHONY to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
STAVROS S. ANTHONY, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED indicated that years ago when the Southern Nevada Water Authority adopted the drought plan, it included a number of drought conditions,



RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

each with a set of conservation rules. Since then, the Water Authority has asked that the member agencies amend their ordinances to remove the various categories of drought conditions as it has determined that there will be no possibility of retreating from the current drought situation. The proposed ordinance is to conform to the Water Authority's revised plan. Staff recommended approval.

COUNCILMAN BARLOW declared the Public Hearing closed.



1 **BILL NO. 2009-47**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO UPDATE THE CITY'S DROUGHT CONSERVATION MEASURES IN
4 ACCORDANCE WITH REVISIONS TO THE SOUTHERN NEVADA WATER AUTHORITY'S
5 DROUGHT PLAN, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilwoman Lois Tarkanian

7 Summary: Updates the City's drought
8 conservation measures in accordance with
9 revisions to the Southern Nevada Water
10 Authority's Drought Plan.

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

13 SECTION 1: Title 14, Chapter 11, Section 20, of the Municipal Code of the City of
14 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **14.11.020:** For purposes of this Chapter, the following terms shall have the meanings ascribed to
16 them, unless the context requires otherwise:

17 "Community Use Recreational Turf" refers to any private or public park facility consisting of
18 a turf-dominated, multi-purpose recreational area that:

- 19 (1) Has at least two acres and no dimension less than one hundred feet; or
20 (2) Is a field that is programmable for athletic or other recreational events.

21 "District" means the Las Vegas Valley Water District.

22 "Drought" means a condition in which the combination of many complex factors acting and
23 interacting with the environment results in water supplies not being replenished normally. For
24 purposes of this Chapter, a "drought" occurs when existing water supplies cannot meet established
25 demands for a period of time.

26 ["Drought Alert" refers to a second-level drought declaration of the Board of Directors of the
27 Southern Nevada Water Authority based upon current or projected reductions in the community's
28 renewable water supply.

"Drought Critical" refers to a third-level drought declaration of the Board of Directors of the
Southern Nevada Water Authority based upon current or projected reductions in the community's
renewable water supply.

1 "Drought Watch" refers to a first-level drought declaration of the Board of Directors of the
2 Southern Nevada Water Authority based upon current or projected reductions in the community's
3 renewable water supply.

4 "No Drought" refers to a condition where no drought declaration of the Board of Directors of
5 the Southern Nevada Water Authority is in effect.]

6 "Non-potable water" means water not suitable for drinking.

7 "Potable" water means water suitable for drinking.

8 "Raw Water" means non-potable water diverted from a natural source, subjected to minimal
9 or no treatment, and delivered to a user for subsequent treatment or use.

10 "Reclaimed Water" means municipal wastewater that has been treated to meet all applicable
11 federal, state and local standards for use in approved applications, including without limitation
12 landscape irrigation, construction and industrial cooling. For purposes of this Chapter, "reclaimed
13 water" and "recycled water" are equivalent terms.

14 "Resort Hotel" means any building or group of buildings that is maintained as and held out to
15 the public to be a hotel where sleeping accommodations are furnished to the transient public and that
16 has:

- 17 (1) More than two hundred rooms available for sleeping accommodations;
- 18 (2) At least one bar with permanent seating capacity for more than thirty patrons
19 that serves alcoholic beverages sold by the drink for consumption on the premises;
- 20 (3) At least one restaurant with permanent seating capacity for more than sixty
21 patrons that is open to the public twenty-four hours each day and seven days each week; and
- 22 (4) A gaming area within the building or group of buildings.

23 "Service Rules" means the service rules that have been adopted by the District.

24 "Southern Nevada Water Authority" or "SNWA" means the organization by that name that
25 has been formed by cooperative agreement among local agencies to address Southern Nevada's water
26 needs on a regional basis.

27 "Spray irrigation" means the application of water by means of sprinklers or other devices that
28 disperse droplets of water through the air.

1 “Water Use Reduction Plan” means a document or documents to be submitted by or on behalf
2 of an applicant in connection with a request to exempt fountains or water features from the
3 prohibitions contained in this Chapter. The term includes a plan that is modeled after the Water
4 Efficiency and Drought Response Plan outline or similar document that may have been approved for
5 use by the District or the City Manager.

6 “Xeriscape” means a type of landscaping that incorporates drought-tolerant and low water-use
7 plants with an organic or inorganic surface mulch layer as a water-efficient alternative to traditional
8 turfgrass landscaping.

9 SECTION 2: Title 14, Chapter 11, Section 30, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **14.11.030:** (A) The Drought Plan adopted by the SNWA in February 2003 and approved by
12 the City Council in March 2003, and any amendments adopted by SNWA, shall serve as the basis for
13 adopting this Chapter, and as a guideline in its interpretation. The Drought Plan was adopted in order
14 to preserve, protect and encourage the conservation of water resources. [The plan describes different
15 stages of water supply conditions as follows:

- 16 (1) No drought;
- 17 (2) Drought watch;
- 18 (3) Drought alert;
- 19 (4) Drought critical.

20 (B) The provisions of this Chapter shall apply whenever a drought watch, drought
21 alert or drought critical condition has been declared by the Board of Directors of SNWA and remains
22 in effect. Unless the context otherwise requires, whenever a provision of this Chapter does not specify
23 whether it applies to a drought watch, drought alert or drought critical condition, the provision shall
24 apply when any of those conditions are in effect.] In the event of conflict between the provisions of
25 this Chapter and other applicable ordinances, regulations or the Service Rules, the most stringent
26 provisions will prevail. However, with respect to any provision of the Service Rules that is less
27 stringent than the provisions of this Chapter, the District may enforce that provision instead.

28 [(C) In the case of a drought critical condition, the provisions of this Chapter

1 pertaining to a drought alert shall continue to apply. However, based upon the recommendations of
2 SNWA and a citizens advisory committee, the City shall have the authority to adopt additional
3 restrictions that are deemed necessary in order to protect the public health, safety and welfare. Upon
4 the adoption and publication of those additional restrictions, they shall become binding on water users
5 within the City.]

6 SECTION 3: Title 14, Chapter 11, Section 140, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **14.11.140:** [During drought watch conditions:]

9 (A) Single-family and multifamily developments are prohibited from installing new
10 turf in common areas of residential neighborhoods. This restriction shall not apply to turf area to be
11 installed in public parks or privately owned and maintained parks, including required usable open
12 space in residential developments, provided that such turf area has no dimension of less than ten feet.

13 (B) The installation of new turf in non-residential developments is prohibited,
14 unless specifically permitted by the approval of a land use application or permit for construction. Any
15 new turf permitted shall be limited to no more than fifty percent of the turf that would be permitted
16 under non-drought conditions. This restriction shall not apply to schools or to public or private parks.

17 SECTION 4: Title 14, Chapter 11, Section 150, of the Municipal Code of the City of
18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **14.11.150:** [During drought alert conditions:]

20 (A) Except as otherwise provided in Subsection (B), no new turf may be installed
21 in residential front yards. In single-family residential development, the installation of new turf shall
22 not exceed fifty percent of the gross area of the side and rear yard or one hundred square feet,
23 whichever is greater (up to a maximum of five thousand square feet). No turf area may be installed
24 in the side or rear yard if any dimension thereof is less than ten feet.

25 (B) The owner of a single family dwelling may apply to the Director for an
26 exemption from the prohibition in Subsection (A) regarding new turf in residential front yards.
27 Approval of an exemption authorizes the applicant to install new turf in the front yard, but only if the
28 total quantity of turf in the front, side and rear yards does not exceed the amount otherwise allowable

1 in the side and rear yards under Subsection (A). An application for exemption shall include such
2 information regarding the applicant(s) plans as the Director may require, including authorization for
3 City representatives to gain access to the property for purposes of determining compliance with this
4 Section.

5 [(C) The restrictions applicable to nonresidential development during drought watch
6 conditions shall apply during drought alert conditions as well.]

7 SECTION 5: Title 14, Chapter 11, Section 160, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **14.11.160:** [During drought watch and drought alert conditions, outdoor] Outdoor mist cooling
10 systems are not restricted within residential development. In commercial operations, outdoor mist
11 cooling systems relating to animal safety are permitted, but those relating to human comfort are
12 permitted only during the months of June, July and August, and only between the hours of twelve
13 noon and ten p.m.

14 SECTION 6: Title 14, Chapter 11, Section 180, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **14.11.180:** [Under drought watch and drought alert conditions, the] The washing of personal
17 vehicles upon residential properties is limited to once per week per vehicle and requires a positive
18 shut-off nozzle. Commercial vehicles may be washed without limitation as to frequency, but only:

19 (A) At a commercial facility in accordance with applicable laws and regulations[,
20 or;] or

21 (B) By means of a high-pressure, low volume sprayer using less than ten gallons
22 per vehicle.

23 SECTION 7: Title 14, Chapter 11, Section 190, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **14.11.190:** (A) Fountains and water features are prohibited upon property that is serviced by
26 the District. The following features, however, are exempt from this prohibition:

27 (1) Swimming pools;

28 (2) Fountains and water features that are supplied by privately-owned water

1 rights, by water rights obtained by means of a State-issued permit, or by nuisance water discharged
2 during normal facility dewatering;

3 (3) Not more than one fountain or other water feature at any single-family
4 residence, provided that the surface area of the fountain or other water feature does not exceed [two
5 hundred square feet during a drought watch condition, or] twenty-five square feet; [during a drought
6 alert condition;]

7 (4) Not more than one fountain or other water feature within the common
8 areas of a single-family or multi-family development, provided that the fountain or other water feature
9 is not an entryway or streetscape feature and its surface area does not exceed [two hundred square feet
10 during a drought watch condition, or] twenty-five square feet; [during a drought alert condition;]

11 (5) Fountains or water features that are necessary and functional
12 components serving other allowable uses, such as storage ponds on a golf course or aeration devices;

13 (6) Fountains or water features within public parks and public or private
14 recreational water parks, provided that the fountains or water features have a recreational function and
15 are not merely decorative;

16 (7) Indoor water features, or features with the majority of the total water
17 volume contained indoors or underground. If practical alternatives exist for separating indoor and
18 outdoor components, they shall be separated and managed accordingly. (Example: timers on shut-off
19 valves);

20 (8) Fountains or water features necessary to sustain aquatic animals,
21 provided that the animals have been actively managed within the water feature prior to the declaration
22 of drought.

23 (B) The following fountains or water features may be exempted from the
24 prohibition contained in Subsection (A) in accordance with the remaining provisions of this Section:

25 (1) Fountains or water features that are integral to the operation of a resort
26 hotel or a coalition of resort hotels; or

27 (2) Other fountains or water features that are proposed to be allowed in
28 exchange for water use reduction activities in accordance with Subsection (D) of this Section.

1 (C) In order to be eligible for an exemption pursuant to Subsection (B), an applicant
2 must submit a request for exemption and a water use reduction plan. The request for exemption must
3 be submitted in writing to the City Manager, to be forwarded to the City Council for consideration.
4 The water use reduction plan must be submitted to the District, with a copy to the City, and must
5 contain such information, and be in a format, that is satisfactory to the District. Any exemption shall
6 be conditioned upon the posting of one or more signs in proximity to the exempted fountain or water
7 feature stating that the fountain or water feature is operating in compliance with this Chapter and that
8 a water use reduction plan is on file with the District and the City.

9 (D) The granting of any exemption pursuant to Subsection (B)(2) of this Section
10 shall be subject to the following conditions:

11 (1) The fountains or water features for which an exemption is sought must
12 not be operational at the time the exemption is applied for, except as permitted in Subsection (F) of
13 this Section;

14 (2) The submitted water use reduction plan must provide for a minimum
15 total water savings of greater than fifty times the consumptive use of the operation of the fountain or
16 water feature;

17 (3) The water use reduction plan must have been submitted to the District
18 and implemented by the applicant;

19 (4) In the event that the required consumptive use savings cannot be
20 achieved on the property that has the fountain or water feature, the applicant must pay to the City a
21 fee of ten dollars for every square foot of surface area of the fountain beyond that which is accounted
22 for in the removal of turf on the property to achieve the required consumptive use savings. If there
23 is no turf on the subject property, the ten dollar per square foot fee must be paid for the entire square
24 footage of the water feature; and

25 (5) In order to maintain an exemption beyond the calendar year in which
26 the exemption was granted, [during any portion of a calendar year in which either a drought watch or
27 drought alert condition is declared,] an annual fee of two hundred fifty dollars must be paid to the
28 City. The first annual fee is payable:

1 (a) For exemptions granted during the first six months of a calendar
2 year, at the beginning of the next succeeding calendar year.

3 (b) For exemptions granted during the last six months of a calendar
4 year, at the beginning of the second succeeding calendar year.

5 (E) In order to continue to operate any fountain or water feature that is integral to
6 the operation of a resort hotel or a coalition of resort hotels, that is prohibited by Subsection (A) of
7 this Section, and that is in operation on the effective date of the Ordinance codified in this Section,
8 a request for exemption and water use reduction plan must be submitted within ninety days after the
9 effective date of the Ordinance codified in this Section. If the exemption is not approved, the fountain
10 or water feature may not be operated except as permitted in Subsection (F) of this Section.

11 (F) Nothing in this Section that prohibits or limits the operation of fountains or
12 water features shall be deemed to:

13 (1) Prohibit the construction of fountains or water features; or

14 (2) Require a fountain or water feature to be drained if maintaining a
15 recirculating water pool is necessary in order to maintain pumps, pond liners, and ancillary equipment,
16 but in such a case the recirculating water pool may only be operated between the hours of one a.m. and
17 four a.m.

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

26 SECTION 9: Whenever in this ordinance any act is prohibited or is made or declared
27 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
28 required or the failure to do any act is made or declared to be unlawful or an offense or a

1 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
2 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
3 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
4 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

5 SECTION 10: All ordinances or parts of ordinances or sections, subsections, phrases,
6 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
7 1983 Edition, in conflict herewith are hereby repealed.

8 PASSED, ADOPTED and APPROVED this ____ day of _____, 2009.

9 APPROVED:

10
11 By _____
OSCAR B. GOODMAN, Mayor

12 ATTEST:

13 _____
14 BEVERLY K. BRIDGES, CMC
City Clerk

15 APPROVED AS TO FORM:

16 Valsteel 10-22-09
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 _____, 2009, 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 _____, 2009, 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: _____

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BEVERLY K. BRIDGES, CMC
City Clerk

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BUSINESS IMPACT STATEMENT

BILL NO. 2009-47

(Updates the City's drought conservation measures in accordance with revisions to the Southern Nevada Water Authority's Drought Plan)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2009-47, that would update the City's drought conservation measures in accordance with revisions to the Southern Nevada Water Authority's Drought Plan.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

None

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: October 21, 2009

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

DEPARTMENT: CITY CLERK

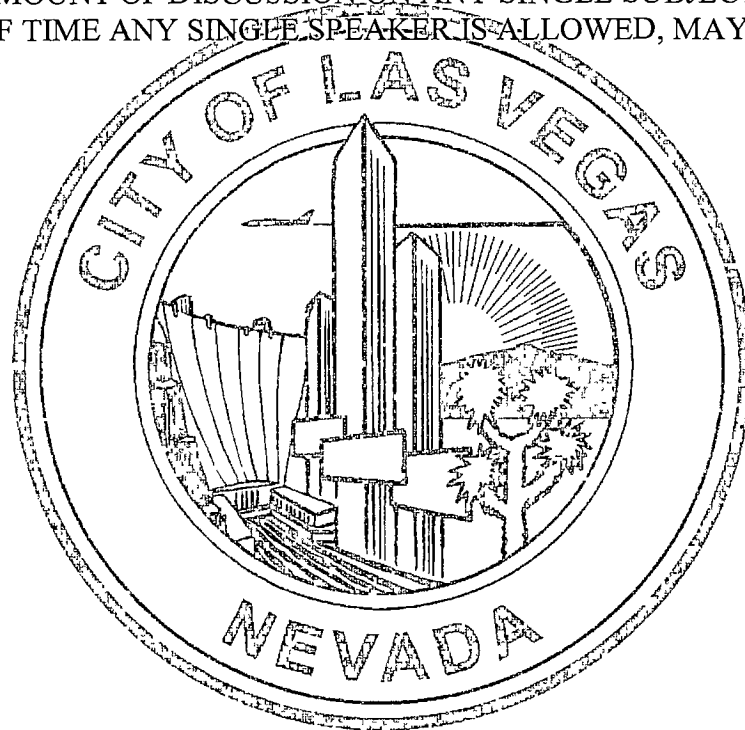
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

CITIZENS PARTICIPATION. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

Minutes:

None.



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 17, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

Consent Discussion

SUBJECT:
ADJOURNMENT

Minutes:
The meeting was adjourned at 9:48 a.m.

Respectfully submitted,

Deeny Araujo

Deeny Araujo, Deputy City Clerk II
November 20, 2009

