

RESOLUTION TEMPORARILY SUSPENDING THE ISSUANCE OF PAWNBROKER
LICENSES WITHIN THE CITY OF LAS VEGAS, NEVADA

WHEREAS, the City Council amended LVMC 6.60.050 in 1990 imposing upon prospective pawnbroker licensees a license acquisition fee of \$200,000.00; and

WHEREAS, in a subsequent lawsuit that challenged the validity of the \$200,000.00 pawnbroker license acquisition fee, the District Court of Clark County, Nevada, found, among other findings, the acquisition fee to be excessive and unconstitutional and enjoined the City from enforcing the fee; and

WHEREAS, of recent date there has developed a heightened interest in the ownership of pawnbroker licenses for apparent investment, speculation or re-sale purposes; and

WHEREAS, the City Council desires to establish by ordinance amended guidelines for the issuance of pawnbroker licenses; and

WHEREAS, the Las Vegas City Charter provides that the City Council may regulate privileged businesses; and

WHEREAS, pawnbroker businesses are privileged and are the proper and necessary subject of police regulation; and

WHEREAS, the public interest requires and the City Council desires to avoid an excessive and uncontrolled proliferation of pawnbroker licenses; and

WHEREAS, to allow the City Council reasonable time within which to orderly amend the City's Pawnbroker Ordinance; and



WHEREAS, the City Council desires to perform its duties and accomplish its goals without arbitrarily or unfairly singling out individual applicants for apparent favor or disfavor;

NOW, THEREFORE, to provide the City Council of the City of Las Vegas, Nevada, an opportunity to cure defects found by the District Court of Clark County, Nevada, in LVMC 6.60.050 and to proceed with amendments to the existing ordinance unimpeded by demands for numerous pawnbroker licenses:

BE IT RESOLVED by the City Council of the City of Las Vegas:

1. There is hereby imposed a moratorium upon the issuance of pawnbroker licenses within the City of Las Vegas;
2. Said moratorium will last for period of one hundred and twenty days following the approval of this resolution, exclusive of the day upon which this resolution is approved, or until the effective date of an amended Pawnbroker Ordinance enacted by the City Council, whichever occurs first;
3. During the pendency of said moratorium, the City Council will not entertain consideration of pending pawnbroker license applications or applications made during said moratorium;
4. The Director of the Department of Business Activity is hereby directed to retain pending applications and accept additional applications for pawnbroker licenses during the pendency of the pawnbroker license moratorium, which ministerial duty of license application acceptance is not to be construed by

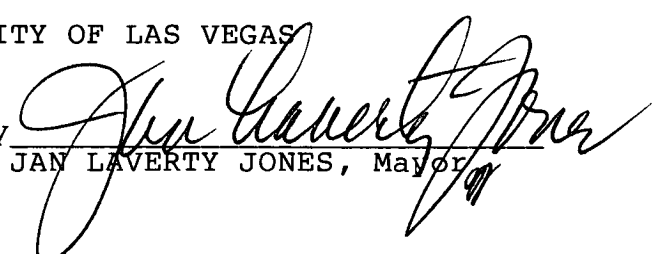
pawnbroker license applicants that such procedure bestows any rights, vested or unvested, upon their applications. The City Council declares that such ministerial procedure is intended to mean only that applications will remain viable and valid, subject to all investigative requirements imposed on prospective privileged business licensees as well as any amendments enacted by the City Council to its existing Pawnbroker Ordinance and all other applicable ordinances, laws, rules and regulations imposed by the Las Vegas Municipal Code and state and federal law.

THE FOREGOING RESOLUTION was approved this 19th day of August, 1992, by the following vote:

VOTING "AYE":	Councilmen	Nolen, Adamsen, Hawkins Jr. and Mayor Jones
VOTING "NAY":		NONE
ABSENT:	Councilman	Higginson
ABSTAIN:		NONE

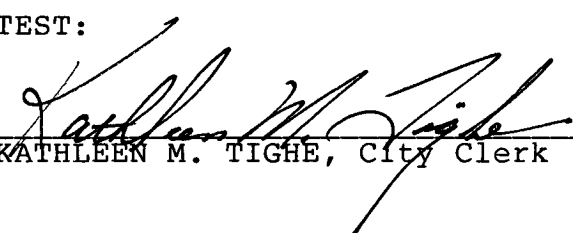
CITY OF LAS VEGAS

By


JAN LAVERTY JONES, Mayor

ATTEST:

By


KATHLEEN M. TIGHE, City Clerk