

BILL NO. 2024-15

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC 6.02.060 AND 6.02.115 TO UPDATE PROVISIONS REGARDING MULTI-JURISDICTIONAL BUSINESS LICENSES TO PROVIDE FLEXIBILITY REGARDING THE DETERMINATION OF ELIGIBLE LICENSE CATEGORIES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Olivia Díaz

Summary: Amends LVMC 6.02.060 and 6.02.115 to update provisions regarding multi-jurisdictional business licenses to provide flexibility regarding the determination of eligible license categories.

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

SECTION 1: Title 6, Chapter 2, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.060: (A) It is unlawful for any person to:

(1) Commence, institute, advertise, aid, carry on, engage in or continue in the City any business without a valid unexpired license issued pursuant to this Code;

(2) Cause, encourage, allow or permit another, on that person's behalf, to commence, institute, advertise, aid, carry on, engage in or continue in the City any business without a valid unexpired license issued pursuant to this Code; or

(3) Commence, institute, advertise, aid, conduct, manage or carry on, either permanently or temporarily, any business of any other person if the person who commences, institutes, advertises, aids, conducts, manages or carries on such business knows or should know that such other person is not licensed under this Title to commence, institute, advertise, aid, conduct, manage or carry on such business.

(B) Each day or portion thereof in which a violation of any provision of Subsection (A) of this Section is committed, continued or permitted constitutes a separate offense.

(C) All licenses issued under this Chapter:

1 (1) Shall be conditioned upon the obligation of the applicant, the licensee, the
2 principal, their employees and those acting on their behalf to refrain from exercising deliberate ignorance
3 toward any private nuisance, public nuisance or chronic nuisance activity occurring at, or arising from, the
4 business location or activity, and to timely abate such nuisances. Deliberate ignorance is exhibited by
5 intentional or criminally negligent disregard of the offending condition or activity. Deliberate ignorance is
6 done in a criminally negligent manner if it jeopardizes another's health, safety or welfare; interferes with
7 the objectively reasonable use and enjoyment of adjacent property or any public property; or has a
8 detrimental effect upon adjacent property values; and

9 (2) May also be conditioned upon the licensee posting a bond in an amount
10 determined by the Director to be reasonably appropriate to guarantee the performance or fulfillment of all
11 conditions, or compliance with all restrictions, imposed upon the license, licensee, applicant or its
12 principal(s).

13 (D) A multi-jurisdictional license may be issued within specifically-identified
14 categories to those businesses [whose intent is to operate] intending to operate or capable of operating in
15 more than one licensing jurisdiction within the Southern Nevada area. Issuance of this [license may be
16 authorized by] type of license shall be in accordance with local ordinances and an interlocal agreement
17 between or among participating jurisdictions. One license fee which is the congregate of the license fees
18 of all participating jurisdictions will be collected by the jurisdiction in which the primary fixed business
19 of the applicant is located. The fee will be proportionately distributed based on the fee schedule for each
20 jurisdiction. Notwithstanding any provision of this Title, the Director is authorized, but not required, to
21 establish fixed license renewal cycles specifically applicable to each category and to prorate license fees
22 in the following circumstances:

23 (1) In connection with applying new multi-jurisdictional license provisions to
24 existing licenses;

25 (2) Upon the initial issuance of a new multi-jurisdictional license; or

26 (3) Upon the addition a participating jurisdiction to an existing multi-

jurisdictional license.

SECTION 2: Title 6, Chapter 2, Section 115, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.115: (A) The Department may collect license fees and issue business licenses for the City and any other jurisdiction participating in a multi-jurisdictional business license program authorized by LVMC 6.02.060(D) and an appropriate interlocal agreement between or among the parties participating in such a program.

(B) The following license categories are eligible for multi-jurisdictional business licensing:

(1) Express delivery service pursuant to LVMC 6.04.020;

(2) Contractor pursuant to LVMC 6.04.050;

(3) Professional business pursuant to LVMC 6.04.060;

(4) Residential property maintenance provider pursuant to LVMC 6.04.040;

and

(5) Transportation network company pursuant to LVMC 6.04.155.]

(1) Contractor license, for contractors licensed pursuant to NRS Chapter 624, and subject to the multi-jurisdictional licensing provisions of NRS 268.0951; and

(2) Other categories determined by the Director pursuant to LVMC 6.02.060 to be appropriate for multi-jurisdictional licensing.

(C) Notwithstanding any provision in this Chapter to the contrary, the City shall not accept license fees nor renew a multi-jurisdictional business license in a participating jurisdiction upon receipt of a written notice by a participating jurisdiction directing the City not to renew such license in its jurisdiction. In this capacity, the City is merely acting as the conduit for non-renewal by the non-renewing participating jurisdiction, and any review or appeal of such decision to not renew the license by the City must occur at the jurisdiction directing the non-renewal of the license. The City shall not hear any review or appeal of such non-renewal.

1 (D) Notwithstanding any provision in this Chapter to the contrary, the City shall suspend
2 or revoke a multi-jurisdictional business license in a participating jurisdiction upon receipt of a written notice
3 by a participating jurisdiction directing the City to suspend or revoke such license in its jurisdiction. In this
4 capacity, the City is merely acting as the conduit for suspension or revocation by the participating jurisdiction,
5 and any review or appeal of such decision to suspend or revoke the license by the City must occur at the
6 jurisdiction directing the suspension or revocation of the license. The City shall not hear any review or appeal
7 of such suspension or revocation.

8 (E) Subsections (C) and (D) only permit the City to act to levy disciplinary action against
9 a multi-jurisdictional business licensee in a jurisdiction other than the City at the direction of another
10 participating jurisdiction. Such provisions do not permit the City to levy disciplinary action against any
11 licensee doing business within the City's jurisdiction without following the provisions for disciplinary action
12 provided by this Chapter.

13 (F) Notwithstanding any provisions to the contrary, if a business possessing a multi-
14 jurisdictional business license issued by the City permanently closes its primary fixed business within the
15 boundaries of the City, renewal fees shall not be accepted and such license shall not be renewed by the City.

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

23 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to
24 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
25 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
26 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon

conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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

PASSED, ADOPTED and APPROVED this ____ day of _____, 2024.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 4-30-24
Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2024, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2024, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

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