

FIRST AMENDMENT

BILL NO. 2023-3

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF LVMC CHAPTER 6.95 AND TITLE 19.12 TO INCLUDE CANNABIS CONSUMPTION LOUNGES, REPEAL LVMC CHAPTER 6.96 IN ITS ENTIRETY, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Seth T. Floyd, Esq.,
Director of Community Development

Summary: Amends various provisions of LVMC Chapter 6.95 and Title 19.12 to include cannabis consumption lounges, and repeals LVMC Chapter 6.96 in its entirety.

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

SECTION 1: Title 6, Chapter 95, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

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

“Adult-use cannabis cultivation facility” has the meaning ascribed to it in NRS Chapter 678A and means a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related supplies to adult-use cannabis retail stores, adult-use cannabis production facilities, or other adult-use cannabis cultivation facilities.

“Adult-use cannabis distributor” has the meaning ascribed to it in NRS Chapter 678A and means a business that transports cannabis or adult-use cannabis products from an adult-use cannabis establishment to another adult-use cannabis establishment.

“Adult-use cannabis distributor transportation contractor” means a person who contracts with an adult-use cannabis distributor to transport cannabis, on behalf of that distributor, from an adult-use cannabis establishment to another adult-use cannabis establishment.

“Adult-use cannabis establishment” has the meaning ascribed to it in NRS Chapter 678A and means an adult-

1 use cannabis independent testing laboratory, an adult-use cannabis cultivation facility, an adult-use cannabis
2 production facility, an adult-use cannabis retail store, a retail cannabis consumption lounge, an independent
3 cannabis consumption lounge, or an adult-use cannabis distributor.

4 “Adult-use cannabis independent testing laboratory” has the meaning ascribed to it in NRS Chapter 678A and
5 means a facility that tests cannabis intended for the adult use of cannabis and adult-use cannabis products.

6 “Adult-use cannabis production facility” has the meaning ascribed to it in NRS Chapter 678A and means a
7 business that acquires, possesses, manufactures, delivers, transfers, supplies or sells adult-use cannabis products
8 to adult-use cannabis retail stores.

9 “Adult-use cannabis retail store” has the meaning ascribed to it in NRS Chapter 678A and means a business that
10 acquires, possesses, delivers, transfers, supplies, sells or dispenses cannabis or related supplies to a consumer or
11 to another adult-use cannabis retail store, independent cannabis consumption lounge or retail cannabis
12 consumption lounge.

13 “Adult-use cannabis support business” means a business that provides goods or services to an adult-use cannabis
14 establishment and receives at least fifty percent of its annual revenue from licensed adult-use cannabis
15 establishments. The term does not include a business that qualifies as an adult-use cannabis distributor
16 transportation contractor.

17 “Adult use of cannabis” has the meaning ascribed to it in NRS Chapter 678A and means the possession, delivery,
18 production or use of cannabis; the possession, delivery or use of paraphernalia used to administer cannabis; or
19 any combination thereof, in each case by a person twenty-one years of age or older.

20 “Building Official” means the Director of Community Development or the Director’s designee.

21 “Cannabis” has the meaning ascribed to it in NRS Chapter 678A.

22 “Cannabis cultivation facility” or “cultivation facility” has the meaning ascribed to the former in NRS Chapter
23 678A and means an adult-use cannabis cultivation facility or a medical cannabis cultivation facility.

24 “Cannabis establishment” has the meaning ascribed to it in NRS Chapter 678A and means an adult-use
25 cannabis establishment or a medical cannabis establishment.

26 “Cannabis establishment agent” has the meaning ascribed to it in NRS Chapter 678A and means an owner,

officer, board member, employee or volunteer of a cannabis establishment; an independent contractor who provides labor relating to the cultivation or processing of cannabis or the production of usable cannabis or cannabis products for a cannabis establishment; or an employee of such an independent contractor.

“Cannabis independent testing laboratory” or “independent testing laboratory” has the meaning ascribed to the former in NRS Chapter 678A and means an adult-use cannabis independent testing laboratory or a medical cannabis independent testing laboratory.

“Cannabis-infused products” means adult-use edible cannabis products and medical edible cannabis products as defined in NRS Chapter 678A.

“Cannabis product” has the meaning ascribed to it in NRS Chapter 678A and means an adult-use cannabis product or a medical cannabis product.

“Cannabis production facility” has the meaning ascribed to it in NRS Chapter 678A and means an adult-use cannabis production facility or a medical cannabis production facility.

“Cannabis sales facility” has the meaning ascribed to it in NRS Chapter 678A means a medical cannabis dispensary or an adult-use cannabis retail store.

“Designated primary caregiver” has the meaning ascribed to it in NRS Chapter 678C.

[“Dual licensee” has the meaning ascribed to it in NRS Chapter 678A and means a person or group of persons who possess a current, valid medical cannabis establishment license and a current, valid adult-use cannabis establishment license of the same type.

“Dual use cannabis business” means a dual licensee that holds a medical cannabis establishment license pursuant to this Chapter and that has been issued a license to operate as a dual use cannabis business pursuant to LVMC 6.95.270.]

“Edible cannabis products” means adult-use edible cannabis products and medical edible cannabis products as defined in NRS Chapter 678A.

“Independent cannabis consumption lounge” means a business that is not attached to an adult-use cannabis retail store but sells and allows the use of single-use cannabis products and/or ready-to-consume cannabis products for persons over the age of twenty one to consume on the premises of the business.

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

3 “Medical cannabis cultivation facility” has the meaning ascribed to it in NRS Chapter 678A and means a business
4 that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related supplies to medical
5 cannabis dispensaries, medical cannabis production facilities, or other medical cannabis cultivation facilities.

6 “Medical cannabis dispensary” has the meaning ascribed to it in NRS Chapter 678A and means a business that
7 acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses cannabis or related supplies and
8 educational materials to the holder of a valid registry identification card or to another medical cannabis
9 dispensary.

10 “Medical cannabis establishment” has the meaning ascribed to it in NRS Chapter 678A and means a medical
11 cannabis independent testing laboratory, a medical cannabis cultivation facility, a medical cannabis production
12 facility, or a medical cannabis dispensary.

13 “Medical cannabis independent testing laboratory” has the meaning ascribed to it in NRS Chapter 678A and
14 means a facility that tests cannabis intended for the medical use of cannabis and medical cannabis products.

15 “Medical cannabis product” means a medical edible cannabis product or a medical cannabis-infused product.

16 “Medical cannabis production facility” has the meaning ascribed to it in NRS Chapter 678A and means a business
17 that acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells medical cannabis products
18 to medical cannabis dispensaries.

19 “Medical cannabis support business” means a business that provides goods or services to a medical cannabis
20 establishment and receives at least fifty percent of its annual revenue from licensed medical cannabis
21 establishments.

22 “Medical use of cannabis” has the meaning ascribed to it in NRS Chapter 678A and means the possession,
23 delivery, production or use of cannabis; the possession, delivery or use of paraphernalia used to administer
24 cannabis; or any combination thereof, in each case as necessary for the exclusive benefit of a person to mitigate
25 the symptoms or effects of his or her chronic or debilitating medical condition, as defined in NRS 678C.030.

26 “Nevada Cannabis Compliance Regulations” means those regulations established by the Nevada Cannabis

1 Compliance Board as cited or abbreviated N.C.C.R. or NCCR.

2 “Paraphernalia” has the meaning ascribed to it in NRS Chapter 678A and means accessories, devices and other
3 equipment that is necessary or useful for a person to engage in the medical use of cannabis or the adult use of
4 cannabis.

5 “Registry identification card” has the meaning ascribed to it in NRS Chapter 678A and means a document issued
6 by a State authority that identifies a person who is exempt from State prosecution for engaging in the medical
7 use of cannabis or the designated primary caregiver, if any, of such a person.

8 “Retail cannabis consumption lounge” means a business that is attached to an adult-use cannabis retail store that
9 sells and allows the use of single use cannabis products and/or ready-to-consume cannabis products for persons
10 over the age of twenty one to consume on the premises of the business.

11 “Ready to consume cannabis product” has the meaning set forth in NCCR 1.197.

12 “Single-use cannabis product” has the meaning set forth in NCCR 1.222.

13 “Social equity applicant” means an applicant for the issuance or renewal of an adult-use cannabis
14 establishment license for an independent cannabis consumption lounge who has been adversely affected by
15 provisions of previous laws which criminalized activity relating to cannabis, as determined by the Cannabis
16 Compliance Board of the State of Nevada in accordance with the regulations adopted pursuant to NRS
17 678B.323. Such adverse effects may include, without limitation, adverse effects on an owner or officer of the
18 applicant.

19 “State regulating authority” means the Cannabis Compliance Board of the State of Nevada and/or any other
20 agency assigned to administer NRS Chapters 678A to 678D, inclusive.

21 SECTION 2: Title 6, Chapter 95, Section 60, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.95.060:** [Except with respect to the holder of a license to operate a dual use cannabis business,] A
24 separate application must be submitted for each license for a medical cannabis establishment and adult-use
25 cannabis establishment. Each application is subject to the requirements of LVMC Chapter 6.06 and, in addition,
26 must include or be accompanied by:

1 (A) An application for approval of suitability per LVMC 6.06.070 for each principal of the
2 proposed establishment.

3 (B) If a special use permit is required for the use, evidence that:

4 (1) The special use permit has been approved; or

5 (2) A complete application therefor, together with all required accompanying
6 documentation, has been submitted and accepted, and all applicable fees chargeable under Title 19 have been
7 paid.

8 (C) All documents detailing the proposed organizational structure of the business
9 operation, and all financial documentation required by the Department, including without limitation tax returns
10 and supporting documentation.

11 (D) All documentation required by the Department concerning the adequacy of the
12 proposed building and construction plans with supporting details in the form specified by the Building Official,
13 and the payment of all required review and inspection fees.

14 (E) An environmental plan that details how the establishment will meet the requirements
15 of LVMC 6.95.190 and any other standards or requirements that have been established by the City for the type
16 of establishment proposed.

17 (F) A security plan, including a depiction of the location and configuration of security
18 cameras, indicating how the applicant intends to comply with the requirements related to monitoring and securing
19 the licensed premises as required by this Chapter. The plan should indicate methods of preventing the entry of
20 minors into the establishment, unless such entry is expressly permitted.

21 (1) Within a licensed medical cannabis dispensary or adult-use cannabis retail
22 store that offers a curbside pick-up or drive thru must submit proof of compliance with Title 19, and a detailed
23 security plan including a site plan must be submitted for review and approval.

24 (G) An accounting plan that complies with the accounting and auditing procedures that
25 have been established by the Department in order to track and record all sales for audit purposes, including how
26 the establishment will store and safeguard those records.

1 (H) A copy of all existing and proposed contracts for consulting, management, or leasing
2 of the premises for the proposed establishment, including written documentation stating that the property owner
3 of the proposed location for the establishment is fully aware of the property's intended use or a copy of the deed
4 to such property showing ownership vested in the applicant.

5 (I) If the application is for a retail cannabis consumption lounge or independent
6 consumption lounge a fire safety plan is required. Such a plan must be designed to ensure the safety of employees,
7 patrons, and the public as it relates to the consumption lounge and its operation if the allowance of combustible
8 materials exists at the establishment.

9 [(I)](J) A written statement acknowledging that the applicant understands applicable Federal
10 laws, any guidance or directives issued by the U.S. Department of Justice, the laws of the State of Nevada and
11 the ordinances and regulations of the City applicable thereto concerning the operation of an establishment. The
12 written statement shall also acknowledge that any violation of any laws or regulations of the State of Nevada or
13 of the ordinances and regulations of the City, or any activity in violation of any guidance or directives issued by
14 the U.S. Department of Justice in such place of business, or in connection therewith, or the commencement of
15 any legal proceeding relating to such establishment by Federal authorities, may subject a license to immediate
16 suspension or revocation.

17 [(J)](K) A written statement to the Director that the applicant will hold harmless, indemnify,
18 and defend the City against all claims and litigation arising from the issuance of a license, including any claims
19 and litigation arising from the establishment, operation, or ownership of the establishment.

20 [(K)](L) An acknowledgement that the applicant is seeking a privilege under LVMC Chapter
21 6.06 and understands that each principal must be found suitable to hold such license by the City Council prior to
22 the issuance of any license; that the applicant understands and acknowledges that the burden of proving
23 qualifications to receive such a license is at all times on the applicant; that the granting of a license is at the
24 discretion of the City Council; and that the applicant agrees to abide by the decision.

25 SECTION 3: Title 6, Chapter 95, Section 70, of the Municipal Code of the City of Las
26 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.95.070:** (A) Each business license application shall be reviewed for completeness. An
2 application shall be deemed complete if it contains or is accompanied by the following:

- 3 (1) Each document required in LVMC 6.95.060;
- 4 (2) Proof of compliance with all applicable submittal requirements of NRS
5 Chapters 678A to 678D, inclusive, and any other regulation or requirement of the State regulating authority;
- 6 (3) Proof that the proposed location for the medical cannabis establishment or
7 adult-use cannabis establishment is consistent with the requirements of LVMC Title 19;
- 8 (4) Proof that all fees have been paid;
- 9 (5) Proof that all waivers, acknowledgements, and statements are properly
10 signed and acknowledged by or on behalf of the applicant; and
- 11 (6) Proof that each principal who is required to file an application pursuant to
12 LVMC Chapter 6.06 and to comply with the suitability requirements of that chapter has done so.

13 (B) The Department is authorized to reject and return to the applicant any application
14 that is incomplete or otherwise fails to meet the applicable requirements of this Title, NRS Chapters 678A to
15 678D, inclusive, or the regulations of the State regulating authority.

16 (C) The Director is authorized to conduct or authorize a pre-operational inspection of
17 any facility for which licensing is sought under this Chapter, as to both appropriateness for licensing and
18 compliance with applicable technical codes. The applicant for or licensee of such a facility is responsible for
19 the payment of the costs of all inspections. The Director may also require a pre-operational inspection of a
20 facility by the Department of Fire and Rescue, which is authorized to charge the applicant or licensee the
21 cost of those inspections.

22 [(D) The Director shall determine, and may prepare a report regarding, the merits of each
23 complete business license application, the potential suitability of any and all principals, and the application's
24 compliance with the provisions of this Chapter and LVMC Title 19.]

25 SECTION 4: Title 6, Chapter 95, Section 90, of the Municipal Code of the City of Las
26 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.95.090:** (A) Following action by the State regulating authority issuing a license for a cannabis
2 establishment, the City Council shall evaluate whether to grant any proposed cannabis establishment a
3 business license to operate a cannabis establishment.

4 (B) The City Council may issue licenses for the following types of cannabis
5 establishments:

6 (1) Medical Cannabis Dispensary. A medical cannabis dispensary license
7 allows the licensee to acquire, possess, supply and sell or dispense usable cannabis, edible cannabis products,
8 cannabis-infused products, and paraphernalia exclusively to State regulating authority-designated medical
9 cannabis registry identification card holders or to another medical cannabis dispensary.

10 (2) Medical Cannabis Cultivation Facility. A medical cannabis cultivation
11 facility license allows the licensee to acquire, possess, cultivate, package, label, deliver, transfer, transport,
12 supply and sell cannabis and related supplies to a medical cannabis dispensary, medical cannabis production
13 facility, or to other medical cannabis cultivation facilities only.

14 (3) Medical Cannabis Independent Testing Laboratory. A medical cannabis
15 independent testing laboratory license allows the licensee to independently test cannabis, edible cannabis
16 products and cannabis-infused products that are to be sold at medical cannabis establishments operating in
17 accordance with the requirements of NRS Chapters 678A to 678C, inclusive.

18 (4) Medical Cannabis Production Facility. A medical cannabis production
19 facility license allows the licensee to acquire, process, manufacture, deliver, transfer, transport, package, and
20 label usable cannabis and cannabis-infused products for sale at wholesale to medical cannabis dispensaries
21 only.

22 (5) Adult-Use Cannabis Cultivation Facility. An adult-use cannabis production
23 facility license allows the licensee to cultivate, process, and package cannabis, to have cannabis tested by an
24 adult-use cannabis independent testing laboratory, and to sell cannabis to adult-use cannabis retail stores, to
25 adult-use cannabis production facilities, and to other adult-use cannabis cultivation facilities, but not to
26 consumers.

1 (6) Adult-Use Cannabis Distributor. An adult-use cannabis distributor license
2 allows a licensee to transport cannabis or adult-use cannabis products from an adult-use cannabis
3 establishment to another adult-use cannabis establishment.

4 (7) Adult-Use Cannabis Production Facility. An adult-use cannabis production
5 facility license allows the licensee to acquire, possess, manufacture, deliver, transfer, supply or sell adult-use
6 cannabis products to adult-use cannabis retail stores, but not to consumers.

7 (8) Adult-Use Cannabis Independent Testing Laboratory. An adult-use
8 cannabis independent testing laboratory allows the licensee to test cannabis intended for the adult use of
9 cannabis, as well as adult-use cannabis products.

10 (9) Adult-Use Cannabis Retail Store. An adult-use cannabis retail store authorizes
11 the licensee to acquire, possess, deliver, transfer, supply, sell or dispense cannabis or related supplies to a
12 consumer or to another adult-use cannabis retail store or cannabis consumption lounge.

13 [(10) Dual Use Cannabis Business. See LVMC 6.95.270.]

14 (10) Retail Cannabis Consumption Lounge. A retail cannabis consumption
15 lounge, sometimes also known as a retail dispensary lounge, attached or adjacent to an existing adult-use
16 cannabis retail store, authorizes the licensee to sell to a consumer ready to consume cannabis products or
17 single-use cannabis products by providing a consumption area for patrons who are twenty one years of age
18 or older.

19 (11) Independent Cannabis Consumption lounge. An independent cannabis
20 consumption lounge, authorizes the licensee to sell to a consumer ready to consume cannabis products or single-
21 use cannabis products by providing a consumption area for patrons who are twenty one years of age or older.

22 (C) An applicant for a license under this Section may not exercise any of the privileges
23 of such a license until the final pre-operational inspections have been conducted and all applicable inspection
24 and license fees are paid.

25 (D) A licensee shall provide and maintain at all times and at its own expense a certificate
26 of insurance at amounts and terms approved by the Director prior to issuance or renewal of a license. Any failure

1 to maintain insurance or provide proof of insurance is grounds for the Director to suspend the license.

2 (1) As determined appropriate by the Director, the minimum coverage amounts
3 which may be required shall be as follows:

4 (a) Cannabis Cultivation Facility or Cannabis Production Facility:
5 Liability coverage for products and completed operations (one million dollars per occurrence, two million dollars
6 aggregate); commercial automobile coverage (one million dollars per occurrence); and excess liability coverage
7 (one million dollars).

8 (b) Cannabis Sales Facility, Retail Cannabis Consumption Lounge, and
9 Independent Cannabis Consumption Lounge: General liability (one million dollars per occurrence, with two
10 million dollars aggregate, for bodily injury and property damage arising out of licensed activities); liability
11 coverage for products and completed operations (one million dollars per occurrence, with two million dollars
12 aggregate) and excess liability coverage (one million dollars).

13 (c) Cannabis Independent Testing Laboratory: Professional liability
14 coverage (one million dollars per occurrence), and excess liability coverage (one million dollars).

15 (d) Adult-Use Cannabis Distributor: No minimum coverage required by
16 ordinance, with required coverage, if any, to be determined by the Director.

17 (2) All required general liability and excess liability policies shall name the City
18 and its elected officials, officers, agents, employees and volunteers as additional insureds. All policies shall be
19 primary over any other valid and collectible insurance.

20 SECTION 5: Title 6, Chapter 95, Section 97, of the Municipal Code of the City of Las
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.95.097:** (A) Any person who qualifies and desires to provide services as an adult-use cannabis
23 distributor within the City must first apply for and obtain a license to do so. Except as otherwise provided in
24 this Section, an applicant for an adult-use cannabis distributor license and an adult-use cannabis distributor
25 licensee are subject to the same procedures for licensing and the same requirements and limitations that apply
26 to other cannabis establishments under this Chapter.

1 (B) With respect to an adult-use cannabis distributor license, the Director may:

2 (1) Waive any requirement of this Chapter that otherwise might pertain to an
3 adult-use cannabis distributor by reason of its classification as a cannabis establishment; or

4 (2) Otherwise determine that particular requirements of this Chapter do not
5 apply to an adult-use cannabis distributor, where the Director determines that such a requirement does not
6 pertain to the operations of an adult-use cannabis distributor or that to apply such a requirement is not
7 necessary or appropriate for the purposes of this Chapter.

8 [(C) An adult-use cannabis distributor may not store cannabis or cannabis products on
9 the site where the business is located]

10 SECTION 6: Title 6, Chapter 95, Section 100, of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.95.100:** (A) A cannabis sales facility, cannabis cultivation facility, cannabis independent testing
13 laboratory, or cannabis production facility which has obtained a business license in a jurisdiction within Nevada
14 other than the City shall apply to the Director for a license in order to provide its corresponding products or
15 services within the City. All applications for such licenses will be processed pursuant to LVMC Chapter 6.06.
16 An application under this Subsection (A) may be denied if the applicant's business license in another Nevada
17 jurisdiction is not currently valid or is subject to a disciplinary proceeding. License fees for such establishments
18 shall be as set forth in LVMC 6.95.230(D).

19 SECTION 7: Title 6, Chapter 95, Section 110, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.95.110:** (A) Each cannabis establishment licensee shall operate only in compliance with all State
22 regulations, all City regulations, all operational plans regarding the business that are on file with the City,
23 and any restrictions imposed in connection with issuance of the license. Except as otherwise provided in
24 LVMC 6.95.120(A) regarding security plans, the licensee shall be responsible for filing with the City, at least
25 semiannually, any changes in operational plans that have been implemented or are proposed to be
26 implemented.

1 (B) At least one qualified person shall be on the premises of a medical cannabis dispensary,
2 adult-use cannabis retail store, retail cannabis consumption lounge, or independent cannabis consumption lounge
3 at all times during the hours of operation or available for immediate contact during hours of operation. Contact
4 information of the qualified person shall be kept on the premises and immediately accessible to the Department
5 and Metro. For purposes of this Subsection, a “qualified person” means a principal who has been approved for
6 suitability pursuant to LVMC 6.06.060 or a key employee who has been approved for suitability pursuant to that
7 Section.

8 (C) A medical cannabis establishment or adult-use cannabis establishment may not allow
9 the use, smoking, ingestion or consumption of any cannabis, edible cannabis, or cannabis-infused product on the
10 licensed premises, unless that location has been approved for a retail cannabis consumption lounge.

11 (D) Any person or premises licensed as a medical cannabis establishment, adult-use
12 cannabis retail store, retail cannabis consumption lounge, or independent cannabis consumption lounge shall
13 comply with all City ordinances regulating signs and advertising. All signs and advertisements must comply with
14 all requirements of the State regulating authority.

15 (E) Signs and other advertising shall comply with applicable provisions of LVMC Title
16 19. In addition to and independent of those provisions, no sign or other advertising may:

- 17 (1) Make cannabis or cannabis products appeal to children;
- 18 (2) Utilize any of the following media:
- 19 (a) A sign mounted on any vehicle other than a taxicab;
- 20 (b) Any hand-held, human signage or other portable sign; or
- 21 (c) Any handbill, leaflet or flier directly handed to any person,
22 deposited, fastened, thrown, scattered, cast, or placed in a public place, left upon a motor vehicle, or any
23 handbill, leaflet or flier posted upon any public or private property without the consent of the property owner;
- 24 (3) Include signage that is located on or in a publicly owned or operated
25 property.

26 (F) The presence of minors on the premises of a medical cannabis establishment is

1 prohibited unless the minor is a qualified patient on the premises of a dispensary and is accompanied by his
2 or her parent or legal guardian. The presence of minors on the premises of an adult-use cannabis
3 establishment is prohibited under all circumstances. No licensee shall cause, permit or allow, either by act or
4 by failure to act, the violation of this Subsection.

5 (G) Transportation of cannabis by a cannabis establishment shall be subject to the
6 requirements of the State regulating authority.

7 (H) A licensee must notify the Director in writing of any closure of an establishment
8 licensed under this Chapter, whether the closure is temporary or permanent. Such notification must include
9 the reasons for closing the establishment and indicate how cannabis and cannabis products will be disposed
10 of or secured. The notification must be provided:

11 (1) Within twenty-four hours after the closure for any closure that is:

12 (a) Required in an emergency;

13 (b) The result of the expiration of a license issued by the State or
14 another government agency; or

15 (c) The result of regulatory action taken by the State or another
16 governmental agency, such as the suspension or revocation of a license, permit or other approval; or

17 (2) At least fifteen days prior to closure, otherwise.

18 (I) Each licensee must meet the accounting and auditing procedures established by the
19 Department to track and record all sales for audit purposes. The Department must have access to such records
20 as provided for under LVMC 6.02.020.

21 (J) Whenever an audit of a licensee's business operations is conducted by the State
22 regulatory authority or by an independent auditor for purposes of demonstrating compliance with State or
23 local laws or regulations, the licensee must submit the audit report to the City within ninety days of the
24 completion of the audit. All reports or evaluations submitted hereunder shall be confidential and shall not be
25 available for public inspection, except as may be required under State or Federal law.

26 (K) In compliance with all State and Federal privacy laws, a licensee shall allow the

1 Director or a designee unrestricted access to all financial documents, books, records, facilities, and all audio
2 and video surveillance pertaining to the facilities. Any information obtained pursuant to Subsections (I), (J)
3 or (K) of this Section, or any statement filed by the licensee, shall be deemed confidential in character and
4 shall not be subject to public inspection or as determined by State and Federal privacy laws.

5 SECTION 8: Title 6, Chapter 95, Section 120, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.95.120:** Each medical cannabis establishment and adult-use cannabis establishment must submit,
8 maintain and follow a security plan approved by the Director. Any proposed modification to an approved
9 security plan must be submitted to the Director for approval, where possible, at least fifteen days in advance
10 of when it is proposed to be implemented. In any case, no such modification may be implemented prior to
11 approval by the Director. Any security plan for any such establishment must meet all the criteria established
12 by the State regulating authority and the following minimum requirements:

13 (A) Each licensed premises must have a security system which monitors all perimeter
14 entry points, windows, and controlled areas by a centrally monitored alarm company properly licensed with
15 the City, and whose agents are properly licensed and registered under applicable laws.

16 (B) A twenty-four-hour surveillance system is required to monitor the interior and
17 exterior of a medical cannabis establishment or adult-use cannabis establishment, a live feed of which must
18 be accessible to authorized law enforcement at all times, and in real-time.

19 (1) All recorded images must clearly and accurately display the time and date.
20 Time is to be measured in accordance with U.S. National Institute of Standards and Technology standards.

21 (2) The surveillance system's data storage device must be secured on-site in a
22 lock box, cabinet, closet, or secured in another manner to protect from employee or third-party tampering or
23 criminal theft.

24 (3) A sign must be posted in any customer areas that the customer is under video
25 surveillance.

26 (C) The establishment shall be responsible for ensuring compliance with all local and

1 State regulations regarding the facility and must monitor parking areas and outdoor areas of the licensed
2 premises for loitering, unlawful sales and unlawful consumption.

3 (D) Any theft of items containing cannabis or the observance of any unauthorized
4 transactions involving cannabis on the licensed premises or within any area subject to the control of the
5 licensee must be reported to Metro and the Department in written communication within twenty-four hours
6 of occurrence.

7 (E) A sign shall be posted at the entrance to the location containing the name and
8 functioning telephone number of a twenty-four-hour on-call member engaged in the management of an
9 establishment who shall receive, log, and respond to complaints and other inquiries.

10 (F) An adult-use cannabis retail store, retail cannabis consumption lounge, or independent
11 cannabis consumption lounge shall have at least one sign clearly posted at the entrance indicating that persons
12 under the age of twenty-one years are not permitted entry. Such signs are subject to prior approval by the Director
13 as part of the license approval process.

14 (G) No principal or employee of an adult-use cannabis retail store, retail cannabis
15 consumption lounge, or independent cannabis consumption lounge shall permit a person under the age of twenty-
16 one years to enter or remain within the store or premises.

17 (H) In addition to complying with all requirements set by the State regulating authority,
18 any licensed cannabis cultivation facility shall secure the cultivation facility with full video surveillance
19 capable of clearly identifying any activities occurring within twenty feet of the exterior of the building and
20 any parking, fenced, or loading areas. A motion detection lighting system may be employed to illuminate
21 any area in which there are low light conditions.

22 (I) In addition to complying with all requirements set by the State regulating authority,
23 any licensed medical cannabis production facility or adult-use cannabis production facility shall ensure that
24 all production, transport, delivery, shipping, labeling and packaging areas have fixed camera coverage
25 capable of identifying activity occurring within a minimum of twenty feet.

26 (J) In addition to complying with all requirements set by the State regulating authority, any

1 licensed medical cannabis dispensary or adult-use cannabis retail store shall contain the following areas
2 consistent with the following specific criteria:

3 (1) A waiting area containing only one entrance for the public, which is visible
4 immediately from one fixed staffed station. The entire waiting area must also be monitored by surveillance
5 cameras.

6 [(2) In the case of a medical cannabis dispensary, a private consultation room to be
7 made available for use by any patient who requests the use of such a room for consultation purposes.]

8 (K) Within a licensed medical cannabis dispensary or adult-use cannabis retail store, retail
9 cannabis consumption lounge, or independent cannabis consumption lounge all cannabis, edible cannabis
10 products, or cannabis-infused products, during non-business hours, must be stored in a separated and secured
11 area.

12 (1) The area must meet the Building Official's standards for odor control.

13 (2) The area must be under surveillance by the camera system at all times.

14 (L) Within a licensed medical cannabis dispensary or adult-use cannabis retail store, retail
15 cannabis consumption lounge, or independent cannabis consumption lounge any customer allowed to enter any
16 room where cannabis, edible cannabis products, or cannabis-infused products are viewed for purchase is required
17 to be within view of and in an area monitored by an employee of the establishment.

18 SECTION 9: Title 6, Chapter 95, Section 160, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.95.160:** Except as otherwise specified, each licensed cannabis sales facility, retail cannabis consumption
21 lounge, or independent cannabis consumption lounge shall comply with the following requirements:

22 (A) Prices for all products shall be prominently posted in a location and manner readily
23 visible or available to prospective and actual clients.

24 (B) All edible cannabis products, ready to consume, single use, and cannabis-infused
25 products offered for sale at licensed cannabis sales facilities, retail cannabis consumption lounges, or independent
26 cannabis consumption lounges shall comply with the applicable packaging and labeling requirements established

1 by NRS Chapters 678A to 678D, inclusive , as well as regulations promulgated thereunder.

2 (C) Any cannabis sales facility, retail cannabis consumption lounge, or independent
3 cannabis consumption lounge that sells edible cannabis products, ready to consume, single-use, or
4 cannabis-infused products must display a placard that states the following:

5 (1) Edible Cannabis and Cannabis-Infused Products. There may be health risks
6 associated with consumption of edible cannabis products or cannabis-infused products.

7 (2) Edible products and cannabis-infused products contain cannabis or active
8 compounds of cannabis.

9 (3) Should not be used by women who are pregnant or breast feeding.

10 (4) When eaten or swallowed, the intoxicating effects of this product can be
11 delayed two or more hours.

12 (5) Follow all recommended dosage and serving guidelines and recommendations.

13 (6) "KEEP OUT OF REACH OF CHILDREN."

14 →The placard shall be no smaller than eight inches tall by twelve inches wide, with font size letters no smaller
15 than forty-eight points. The placard shall be clearly visible and readable by customers and shall be written in
16 English. Within an independent cannabis consumption lounge or a retail cannabis consumption lounge, the
17 placard need not include the warning described in Paragraph (6) just above.

18 (D) A cannabis sales facility is allowed to participate in ancillary business activity within
19 the dispensary or store if the ancillary business activity is:

20 (1) The sale of paraphernalia.

21 (2) The ancillary sale of related retail merchandise, which may be approved by the
22 Department without the need for City Council approval.

23 (3) Other ancillary activities as approved by the City Council and subject to any
24 conditions the Council may impose.

25 (E) The display of any product in any manner visible to the general public from the
26 right-of-way or outside of the facility is prohibited.

1 (F) [Except as otherwise provided in Subsection (G), all sales and distribution of
2 cannabis, edible cannabis products or cannabis-infused products by a licensed cannabis sales facility shall be
3 made directly from the facility, a digital network, or the software application service of the facility, and no
4 such items or products may be provided by delivery to a location off the premises of the cannabis sales
5 facility, including by mail delivery or by private transportation.

6 (G) Off-site transportation, sale or delivery of cannabis, cannabis products or cannabis-
7 infused products by a cannabis sales facility is permitted in accordance with applicable regulations of the
8 State regulating authority.

9 [(H)](G) Within any cannabis dispensary, no advertising, materials or postings within the
10 waiting areas may advertise locations, devices or activities promoting the consumption of cannabis or other
11 facilities selling or purporting to provide locations for the private or public consumption of cannabis, except
12 insofar as such advertising pertains to properly-licensed locations.

13 (H) Any criminal activity or calls for service to the location requires the business to report
14 in writing to the Department within twenty four hours of the event.

15 (I) The consumption of cannabis or cannabis products, including at consumption lounges,
16 within the view of the general public from outside the establishment is prohibited.

17 (J) The smoking or vaping of any cannabis or cannabis product within any outdoor area
18 is prohibited, as well as the consumption of edible cannabis products. However, this prohibition may be
19 waived by the City Council for an independent cannabis consumption lounge or retail cannabis consumption
20 lounge as follows:

21 (1) As to proposed smoking or vaping, if the licensee or applicant submits the
22 following items to the Department:

23 (a) Written evidence of consent or non-objection by each record owner
24 of property that is adjacent to the parcel where such outdoor consumption will occur;

25 (b) A site plan indicating where outdoor consumption will occur and
26 demonstrating that such consumption will take place out of public view; and

1 (c) An odor mitigation plan related to the outdoor consumption;

2 (2) As to proposed consumption of edible cannabis products only, if the licensee
3 or applicant submits a site plan indicating where outdoor consumption will occur and demonstrating that such
4 consumption will take place out of public view.

5 In any case listed above, the City Council may grant a waiver if the submittal requirements are met and the
6 Council determines a waiver is appropriate.

7 SECTION 10: Title 6, Chapter 95, Section 165, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended by adding a new subsection designated as 6.95.165
9 Intoxication prohibited to read as follows:

10 **6.95.165:** It is unlawful for an employee or principal of a licensee to be intoxicated or under the influence
11 of alcohol, cannabis or cannabis products while working on the premises during business hours.

12 SECTION 10.5: Title 6, Chapter 95, of the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 170, reading as
14 follows:

15 **6.95.170:** In connection with a license application, each applicant for an independent cannabis
16 consumption lounge license or retail cannabis consumption lounge license must provide to the Department the
17 proposed training plan for employees, which must comply with training requirements set forth in NCCR
18 Regulations 6.072 and 15.045. The Department is authorized to submit the proposed training plan to Metro for
19 a recommendation to the City regarding the training plan's compliance.

20 SECTION 11: Title 6, Chapter 95, Section 190, of the Municipal Code of the City of Las
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.95.190:** (A) Cannabis and any related waste, including wastewater, must be stored, secured and
23 managed in accordance with applicable state statutes and regulations and LVMC Title 14. Within thirty calendar
24 days of the expiration of use of cannabis, a Cannabis Establishment must dispose of the cannabis, return it to a
25 Cannabis Cultivation Facility or Cannabis Sales Facility (if purchased from there) for disposal, or return it to a
26 cannabis production facility for disposal. Cannabis waste must be made unusable in accordance with NCCR

10.080 prior to disposal. Unconsumed cannabis or cannabis products at a Consumption Lounge must be disposed of according to state regulation.

(B) Wastes that must be rendered unusable prior to disposal include, but are not limited to:

(1) Cannabis plant waste, including roots, stalks, leaves, and stems that have not been processed with solvent.

(2) Solid cannabis sample plant waste possessed by third-party laboratories certified by the State regulating authority for quality assurance that must be disposed of.

(C) The allowable method to render cannabis plant waste unusable is by grinding and incorporating the cannabis plant waste with non-consumable solid waste or other ground materials so the resulting mixture is at least fifty percent non-cannabis waste by volume. Other methods to render cannabis waste unusable must be approved by the State regulating authority and the Director before implementing.

(D) Cannabis waste rendered unusable following an approved method in the facility disposal plan may be delivered to a franchised or licensed solid waste facility for final disposition.

(E) Proper disposal of cannabis, including cannabis plant material, does not include allowing its entry into the City wastewater collection system, storm drain system or any unsecure rubbish disposal system.

(F) A cannabis establishment shall not transfer, share, give, sell or deliver any unused cannabis in the establishment's possession to any other person unless the person is licensed as a cannabis establishment, or an establishment approved in the state approved disposal plan.

(G) A cannabis establishment shall not dispose of cannabis in any manner other than as permitted under this Chapter.

SECTION 12: Title 6, Chapter 95, Section 195, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.95.195: Nothing in this Chapter authorizes the sale of paraphernalia by anyone other than the holder of a medical cannabis dispensary license or an adult-use cannabis retail store license, retail cannabis consumption lounge, or independent cannabis consumption lounge. The sale of paraphernalia by holders of other business

1 licenses, if such sales are allowed, shall be in accordance with the chapters of this Code that govern those other
2 licenses.

3 SECTION 13: Title 6, Chapter 95, Section 220, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.95.220:** (A) All licenses authorized and issued under the provisions of this Chapter may be
6 subject to immediate suspension by the Director, if the Director finds that:

7 (1) A licensee has violated, or permitted, allowed or caused a violation of any
8 provision of this Chapter, any regulation issued pursuant to this Chapter, any condition of approval imposed
9 upon the issuance of the permit or license, or any State law or regulation relating to the operation;

10 (2) If a State license has been surrendered, suspended or revoked;

11 (3) Based on ascertainable facts, the operation substantially aggravates the
12 crime problems in the City, makes law enforcement unduly difficult, or is detrimental to the public health,
13 safety or welfare of the City;

14 (4) A licensee has made any fraudulent statements as to a material fact on an
15 application form, as to any other information presented as part of the application process, or in connection
16 with any other information required to be submitted to the Director pursuant to this Chapter;

17 (5) A licensee knowingly commits any act which would have constituted
18 grounds for denial of an application for a license;

19 (6) A licensee has failed to file the required reports or to furnish such
20 information as may be reasonably required by the Director under the authority vested in the Director by the
21 terms of the provisions relating to the specific license;

22 (7) Any fact or condition exists which, if it had existed or been known to exist
23 at the time of the application for such compliance permit or license, would have warranted the Director to
24 recommend denial of the permit or license; or

25 (8) The licensee has failed to maintain the premises in compliance with the
26 requirements of the Building Official or the fire chief or any environmental or health department.

1 (B) In addition to and independent of any other remedy available under this Title, the
2 Director or Metro may suspend a license immediately for a period not to exceed ten days under any of the
3 following circumstances:

- 4 (1) Alcoholic beverages have been sold or served or are found on the premises.
5 (2) Employees of the establishment are found in possession of illegal
6 substances.
7 (3) Employees of the establishment have consumed cannabis or cannabis
8 products while working.
9 (4) The establishment or employees on behalf of the establishment are engaged in
10 criminal conduct warranting suspension.

11 [(B)](C) Any act or omission committed by any employee, agent, or independent contractor
12 that occurs in the course of his or her employment, agency, or contract with the licensee shall be imputed to
13 the licensee for the purposing of imposing any civil penalty, suspension, or revocation on the licensee.

14 [(C)](D) In lieu of any license suspension, the Director may proceed against the licensee by
15 using the civil violation provisions of LVMC 6.02.400 to 6.02.460, inclusive.

16 [(D)](E) Whenever the suspension of a particular license would be justified under the
17 provisions of this Chapter or another provision of this Title 6, the Director shall have the discretion to
18 recommend to the City Council that the license be revoked or another penalty imposed.

19 [(E)](F) In the event of the suspension of any license, the Director shall provide written notice
20 by certified mail addressed to the licensee and the building owner at the addresses of record. Notice shall
21 also be sent to the State regulating authority.

22 [(F)](G) In the event of a license suspension, the failure of the licensee to immediately
23 suspend all business operations that serve the public or other cannabis establishments shall be grounds for
24 the Director to post the property as closed by order of the Director and shall be grounds for revocation of the
25 license. Staff of a licensed cannabis cultivation facility is permitted to be onsite during the appeal process to
26 maintain the needs of the plants.

1 [(G)](H) A licensee may appeal any action by the Director regarding suspension or
2 nonrenewal to the City Council. Any suspension or nonrenewal shall be effective pending completion of any
3 appeal. An appeal under this Subsection (G) must be filed with the Department within ten calendar days
4 following receipt of a notice of suspension or notice of nonrenewal. The appeal will be heard by the City
5 Council as soon as the open meeting law requirements of NRS Chapter 241 can be met.

6 SECTION 14: Title 6, Chapter 95, Section 230, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.95.230:** (A) Except as otherwise provided in this Section, each medical cannabis establishment and
9 adult-use cannabis establishment shall pay a semi-annual license fee based on its gross revenue. The applicable
10 license fee for the sale of cannabis and cannabis products, and the distribution thereof, is three percent of gross
11 revenue. The applicable license fee for medical cannabis support businesses, adult-use cannabis support
12 businesses, adult-use cannabis distributor transportation contractors, and for the sale of products other than
13 cannabis and cannabis products shall be calculated pursuant to LVMC 6.04.005. The fee basis for adult-use
14 cannabis distributors and adult-use cannabis distributor transportation contractors is the gross revenue derived
15 from transportation rather than from product sales. The fee basis for adult-use cannabis independent testing
16 laboratory, medical cannabis independent testing laboratory is the gross revenue derived from revenue associated
17 to the testing of cannabis products and related services and shall be calculated pursuant to LVMC 6.04.005.

18 Notwithstanding anything to the contrary in LVMC 6.02.010, the gross revenue of a cannabis cultivation facility
19 shall be deemed to include the fair market value at wholesale of cannabis that the facility sells or transfers to
20 another cannabis establishment that is a related entity as defined in Section 267 of the Internal Revenue Code.
21 For purposes of this Subsection, "fair market value" shall be as established by the Nevada Department of
22 Taxation pursuant to its adopted regulations.

23 (B) All gross revenue fees described in this Section shall be administered in accordance
24 with applicable provisions of LVMC 6.02.160 to 6.02.260, inclusive.

25 (C) If semi-annual license fees described in the Section and any associated penalties are not
26 received by the Department within sixty days after the due date, the license shall be automatically revoked.

(D) Each business listed below that is based outside the City shall pay to the Department a semi-annual license fee as set forth in the following schedule:

License Category	Semi-Annual License Fee
Cannabis Cultivation Facility	1% of gross revenue or \$5,000.00, whichever is greater, but not to exceed 3% of gross revenue
Cannabis Production Facility	1% of gross revenue or \$1,500.00, whichever is greater, but not to exceed 3% of gross revenue
Cannabis Independent Testing Laboratory	1% of gross revenue
Medical Cannabis Support Business, Adult-Use Cannabis Support Business, Adult-Use Cannabis Distributor or Adult-Use Cannabis Distributer Transportation Contractor	Pursuant to LVMC 6.04.005
<u>Retail Sales Facility</u>	<u>1% of gross revenue or \$5,000.00, whichever is greater, but not to exceed 3% of gross revenue</u>

(E) In addition to the semi-annual license fees described in this Section, each of the following license categories of businesses located within the City shall pay a one-time origination charge as listed in the following schedule, which is due and payable at the time of filing an application for a license issued pursuant to this Chapter:

License Category	Origination Charge
Cannabis Cultivation Facility	\$20,000.00 for the first 5,000 square feet of approved cultivation area and \$10,000.00 for each additional 5,000 square feet, or portion thereof, of approved cultivation area
Cannabis Production Facility	\$5,000.00
Cannabis Independent Testing Laboratory	\$10,000.00
Medical Cannabis Dispensary or Adult-Use Cannabis Retail Store	\$75,000.00
Adult Use Cannabis Distributor	\$10,000.00
<u>Retail Cannabis Consumption Lounge or Independent Cannabis Consumption Lounge</u>	<u>\$10,000.00</u>
<u>Independent Cannabis Consumption Lounge (social equity applicant)</u>	<u>\$2,500.00</u>

SECTION 15: Title 6, Chapter 95, Sections 260, 270, 280, 290, and 300 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

SECTION 16: Title 6, Chapter 2, Section 361, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.361: (A) If a licensee is convicted in criminal court for any three violations of LVMC 6.50 or LVMC 6.95, or a licensee is found liable to the City for three violations of LVMC 6.50 or LVMC 6.95 pursuant to the provisions at LVMC 6.02.390 – LVMC 6.02.460 within any twelve-month period, the Director may take one or more of the following actions:

(1) Require the licensee to appear before the City Council for disciplinary action pursuant to the provisions at LVMC 6.02.330 – LVMC 6.02.360;

(2) Immediately suspend the alcoholic beverage license of the licensee until such time as the licensee appeals the suspension pursuant to the provisions of LVMC 6.02.110. If the Director suspends the alcoholic beverage license of the licensee, the Director shall, prior to the suspension of such license, provide a written statement to the licensee informing the licensee of the grounds upon which the suspension is initiated, the time period for which the suspension is effective and a copy of LVMC 6.02.110 indicating the licensee's right to appeal.

(B) This provision shall not limit the Director or City Council's ability to bring any licensee forward for discipline at any time.

SECTION 17: Title 6, Chapter 2, Section 460, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.460: (A) Except as otherwise provided in Subsection (B), the civil fines for violations that are processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive, are as follows:

(1) For a first offense, two hundred fifty dollars.

(2) For a subsequent offense, five hundred dollars.

(B) The civil fine for violations processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive, for violations of any provision of LVMC 6.50 or LVMC 6.95 is five hundred dollars for each offense.

(C) In connection with any violation sustained or confirmed by judgment of a Hearing

Officer, a separate fine may be assessed for each day the violation occurred or continued to the extent the violation on that day was alleged in the Notice of Violation.

SECTION 18: Title 6, Chapter 96, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION: 19: Title 19.12.010 Table 2 (Permitted Uses) is hereby amended by amending the entry for the Cannabis Consumption Lounge use located at the appropriate location by alphabet:

	U	R-E	R-D	R-1	R-SL	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-D	C-1	C-2	C-PB	C-M	M
[Social Use Venue] Cannabis Consumption Lounge															S	S		S	S

SECTION 20: Title 19.12.070 is hereby amended by amending the entry for the Social Use Venue use to show its deletion, with the new amendment to be located in the appropriate place by alphabet:

[Social Use Venue] Cannabis Consumption Lounge

Description: A business [which offers or allows, as part of its business activity, a location and equipment for the consumption of marijuana or marijuana products] that sells or otherwise provides single-use cannabis products and/or ready-to consume cannabis products for persons over the age of 21 to use or consume on the premises of the business. This use includes:

1. An independent cannabis consumption lounge that is not attached to a cannabis dispensary; and

2. A retail cannabis consumption lounge that is attached or immediately adjacent to a cannabis dispensary. For the purposes of this description, the following definitions apply:

“Attached” means physically attached to the physical premises of the retail cannabis consumption lounge.

“Immediately adjacent to a cannabis dispensary” means having a common property line border with that dispensary, including the intersection of property lines at the property corners, with no street, building, or other property between.

Minimum Special Use Permit Requirements:

*1. Pursuant to its general authority to regulate the use of [marijuana] cannabis within business establishments, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between a [social use venue] cannabis consumption lounge and certain other uses that should be protected from the impacts associated with a [social use venue] cannabis consumption lounge. Therefore, except as otherwise provided in these Requirements, no [social use venue] cannabis consumption lounge may be located within 1000 feet of any school, or within 300 feet of any of the following uses:

- a. City park;
- b. Church/house of worship;
- c. Individual care - family home, individual care - group home, or individual care center (in each case licensed for the care of children);
- d. Community recreational facility (public); or
- e. Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial recreation/amusement (indoor or outdoor); library, art gallery or museum (public); teen dance center; and martial arts studio that provides instruction to minors.

*2. The use shall not be located on the property of an airport.

*3. The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist and may be hereafter amended.

*4. The Special Use Permit shall be void without further action if the use ceases for a period exceeding 90 days.

5. Independent of the minimum distance separation requirements in Requirement 1, no independent cannabis consumption lounge may be located within 1000 feet of any other independent or retail consumption lounge, whether or not that other cannabis consumption lounge is located within the jurisdictional limits of the City. This separation requirement may be waived by the City Council

1 in connection with special use permit approval in appropriate cases, including in areas in which the City
2 Council might desire to encourage such establishments to locate. However, no such waiver is available for
3 any proposed location within the Symphony Park District, the Las Vegas Medical District, or the Resort and
4 Casino District, in each case as described in Appendix F of this Title.

5 *^[5] 6. No Special Use Permit for this use is available for any parcel that is located
6 within [1000] 1500 feet of a parcel on which nonrestricted gaming is conducted. The prohibitions in
7 Requirement 1 and in the preceding sentence does not apply to a retail cannabis consumption lounge proposed
8 on any parcel regarding which a Special Use Permit for a [marijuana] ~~cannabis~~ dispensary has previously
9 been approved, and which was in compliance with the requirements at the time of approval.

10 **On-site Parking Requirement:** No additional parking required beyond that which is
11 required for the principal use(s) on the site, if operated in conjunction with other such use(s). If operated as
12 the sole or principal use, one space for each 250 square feet of gross floor area.

13 SECTION 21: Title 19.18.020 Words and Terms Defined is hereby amended by deleting
14 Social Use Venue as a definition and adding an entry for the Cannabis Consumption Lounge use:

15 **Cannabis Consumption Lounge.** A business that sells or otherwise provides single-use
16 cannabis products and/or ready-to-consume cannabis products for persons over the age of 21 to use or
17 consume on the premises of the business. This use includes:

18 1. An independent cannabis consumption lounge that is not attached to a
19 cannabis dispensary; and

20 2. A retail cannabis consumption lounge that is attached or immediately
21 adjacent to a cannabis dispensary. For the purposes of this definition, the following definitions apply:
22 “Attached” means physically attached to the physical premises of the retail cannabis consumption lounge.
23 “Immediately adjacent to a cannabis dispensary” means having a common property line border with that
24 dispensary, including the intersection of property lines at the property corners, with no street, building, or
25 other property between.

26 SECTION 22: If any section, subsection, subdivision, paragraph, sentence, clause or phrase

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

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

14 SECTION 24: All ordinances or parts of ordinances or sections, subsections, phrases,
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
16 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this ____ day of _____, 2023.

18 APPROVED:

19 By _____
20 CAROLYN G. GOODMAN, Mayor

21 ATTEST:

22 _____
23 LUANN D. HOLMES, MMC
City Clerk

24 APPROVED AS TO FORM:

25 Val Steed 1-30-23
26 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 _____, 2023, 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 _____, 2023, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as
7 amended and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
14 CAROLYN G. GOODMAN, Mayor
15

16 ATTEST:

17
18 _____
19 LUANN D. HOLMES, MMC
20 City Clerk
21
22
23
24
25
26