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BILL NO. 2023-15

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF BUSINESS LICENSE APPLICATION FEES FOR CERTAIN TYPES OF NEW ALCOHOLIC BEVERAGE LICENSES FOR QUALIFYING BUSINESSES TO BE LOCATED WITHIN A DOWNTOWN AREA REFERRED TO AS LAS VEGAS BREWERY ROW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Olivia Díaz

Summary: Authorizes, on a temporary basis, the waiver of business license application fees for certain types of new alcoholic beverage licenses for qualifying businesses to be located within a downtown area referred to as Las Vegas Brewery Row.

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

SECTION 1: In May 2021, the City Council adopted Ordinance No. 6779, which authorized, on a temporary two-year basis, the waiver of origination charges otherwise chargeable for qualifying businesses that propose to operate in the downtown area referred to as Las Vegas Brewery Row under specified types of alcoholic beverage licenses. One of the objectives of that ordinance was to provide an incentive to qualifying businesses to incorporate into their business locations various forms of visual artistic expression, whether interior or exterior to the business structure and whether or not incorporated into structural elements. The City Council desires to extend for another two years the essential effects of that ordinance for new applications, although the waiver will now apply to business license application fees rather than origination charges. Therefore, the Department of Community Development, in accordance with this Ordinance, may waive the business license application fees for qualifying new businesses. For purposes of this Section 1 and this Ordinance:

(A) The particular downtown area that is the focus of this Ordinance is referred to as Las Vegas Brewery Row.

(B) The description of the location of Las Vegas Brewery Row is set forth in Section 2 of this Ordinance.

1 (C) “Qualifying new businesses” are as set forth in Section 3 of this Ordinance.

2 (D) The types of alcoholic beverage licenses to which this Ordinance applies are as described in
3 Section 4 of this Ordinance.

4 SECTION 2: For purposes of this Ordinance, Las Vegas Brewery Row consists of an area
5 that is generally described as bounded by the right-of-way line of the Union Pacific Railroad on the west,
6 Bonneville Avenue on the north, Las Vegas Boulevard South on the east, and Oakey Boulevard on the south.
7 However, a more particular and precise description of the area is as shown in the map that is attached and
8 incorporated as Exhibit A.

9 SECTION 3: Qualifying new businesses concerning which a waiver may be granted
10 pursuant to Section 1 are the following:

- 11 (A) A brew pub licensed pursuant to NRS Chapter 369 and operating under NRS 597.230;
- 12 (B) A craft distillery licensed pursuant to NRS Chapter 369 and operating under NRS 597.235;
- 13 (C) A winery licensed pursuant to NRS Chapter 369 and operating under NRS 597.240; and
- 14 (D) A person licensed to manufacture alcoholic beverages pursuant to NRS Chapter 369.

15 SECTION 4: The types of alcoholic beverage licenses to which this Ordinance applies are:

- 16 (A) Beer and wine off-premise, pursuant to LVMC 6.50.050(D);
- 17 (B) Full alcohol on-premise, pursuant to LVMC 6.50.060;
- 18 (C) Craft winery, pursuant to LVMC 6.50.075;
- 19 (D) Beer and wine on-premise, pursuant to LVMC 6.50.080;
- 20 (E) Brew pub, pursuant to LVMC 6.50.085;
- 21 (F) Craft distillery, pursuant to LVMC 6.50.090; and
- 22 (G) Liquor manufacturer, pursuant to LVMC 6.50.145.

23 SECTION 5: A waiver referred to in Section 1 of this Ordinance may be granted pursuant
24 to a qualifying waiver application that is filed with the Department between the effective date of this
25 Ordinance and May 19, 2025. The granting of a waiver is at the discretion of the Department, taking into
26 account the application’s compliance with the requirements of this Ordinance and the extent to which the

1 application proposes to incorporate elements of visual artistic expression in order to further the objectives of
2 this Ordinance. Any such waiver shall be conditioned upon activation of the business license within the
3 following time periods after the submittal of a qualifying waiver application:

4 (A) One year, for a business to be located within an existing structure; or

5 (B) Two years, otherwise.

6 SECTION 6: For purposes of Section 5 of this Ordinance:

7 (A) "Activation of a business license" means that the license has been issued and the business
8 authorized by the license has opened for business operation.

9 (B) "Qualifying waiver application" means an application for waiver that:

10 (1) Is submitted in connection with a business license application;

11 (2) Includes in detail the elements of visual artistic expression that are or will be included
12 as part of the business location; and

13 (3) Is accompanied by a copy of one of the following documents:

14 (a) An application for a special use permit that has been filed with the
15 Department of Community Development pursuant to LVMC Title 19, if a special use permit is required;

16 (b) A conditional use verification that has been filed with the Department
17 pursuant to LVMC Title 19, if the use is one that is permitted as a conditional use; or

18 (c) Written verification from the Department that the use is permitted as a matter
19 of right pursuant to LVMC Title 19.

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

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

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

5 APPROVED:

6
7 By _____
CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 _____
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 5-22-23
13 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 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

