



CLARK COUNTY BOARD OF COMMISSIONERS DISCUSSION OF LIQUOR DELIVERY

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CLARK COUNTY DEPARTMENT OF BUSINESS LICENSE

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DISCUSSION OF LIQUOR DELIVERY

BACKGROUND

- The Clark County Department of Business License has received inquiries regarding temporary changes made to the operations of package liquor stores during the COVID-19 Pandemic. Several licensed locations have indicated a desire to maintain on a permanent basis the ability to offer curbside pickup and/or off-premise delivery of package liquor to customers. To that end, the Department is considering revisions to current Clark County Code regarding this issue.
- On January 19, 2021, the Department of Business License sent notification to our stakeholders inviting them to participate and offer ideas for consideration in the code amendment process.
- On February 16, 2021, The Clark County Board of Commissioners directed staff to conduct workshops with industry stakeholders relative to allowing for liquor delivery by certain liquor licensees.

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INDUSTRY STAKEHOLDERS/REPRESENTATIVES – MARCH 24, 2021

- Grocery Stores
- Liquor Stores
- Convenience Stores
- Resort Hotels
- Nevada Resort Association
- Nevada Restaurant Association
- Law Firm of Kaempfer Crowell
- Law Firm of Greenberg Traurig
- Law Firm of Saltzman Mungan Dushoff
- Las Vegas Metropolitan Police Department

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The following is a summary of key points taken from the discussion work group meeting held on March 24, 2021:

- Permanent approval for alcohol delivery should be granted to Package Liquor Stores, Convenience Stores, Main Bars in Resorts (exclusive of food service)
- Grocery Stores are already permitted the ability to deliver alcohol but would like to expand delivery options by using third-party delivery services.
- The Nevada Resort Association opposes alcohol delivery to the resort corridor. However, one of the stakeholders would like further discussions on this item relative to grocery stores.
- The Nevada Restaurant Association is seeking to allow restaurants the ability to deliver mixed drinks in the original packaged containers along with meal delivery.

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SUMMARY CONTINUED...

- Drive through-Drive up Concept – Minimize patron capacities in businesses.
- For purposes of consistency, Clark County should adopt codes like the City of Las Vegas ordinances regarding liquor delivery. Therefore, third party alcohol delivery service would be permitted.
- Technology companies responsible for developing the ordering, tracking, record keeping, and verification applications are not required to hold privileged licenses.

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LAS VEGAS CITY COUNCIL BILL NO. 2020-39 – AMENDS LVMC CHAPTER 6.50

On December 2, 2020, the Las Vegas City Council approved an amendment to Municipal Code 6.50 to establish a *new* alcohol delivery support service alcoholic beverage license category and expand the categories under which a business can exercise an ancillary alcoholic beverage license (*Allows for third party delivery of alcohol*). In addition, other existing sections of Municipal Code 6.50 were amended to allow for the ancillary license and to establish fees (see below).

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LVMC 6.50.095 – ALCOHOL DELIVERY SUPPORT SERVICE ALCOHOLIC BEVERAGE LICENSE

An alcohol delivery support service alcoholic beverage license authorizes a person to deliver alcoholic beverages on behalf of an establishment that sells alcoholic beverages for off-premise consumption subject to the following:

- Alcoholic beverages must be in original manufacturer-sealed container;
- Alcoholic beverages must have been purchased from the establishment by a consumer for delivery to the premises requested by the purchaser;
- Alcohol must have been purchased by telephone, internet or other electronic means;
- The delivery support license is subject to the sales and delivery restrictions set forth in Las Vegas Municipal Code.

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LVMC 6.50 – CONTINUED...

The Municipal Code requires the applicant to provide to the Department for Director approval a delivery policy designed to ensure relevant laws regarding the sale and delivery of alcoholic beverages followed. The minimum requirements of the policy must address the following issues:

- A means of ensuring that delivery drivers are twenty-one years or older;
- Alcohol awareness training for drivers to include checking for valid identification documents, verifying and tracking the personal information and signatures of recipients, identifying and refusing delivery to intoxicated recipients;
- Procedures to ensure each delivery address is in a jurisdiction in which the delivery of alcohol is permitted;
- Procedures to document how delivery data will help ensure compliance and be made available for audit when requested;
- Procedures for conducting background checks of delivery drivers.

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LVMC 6.50 – CONTINUED...

In addition, the amendment also requires the licensee to maintain a list of the establishments with whom they contract for delivery service. Further, the licensee is responsible for the conduct and violations of any driver it employs, whether the driver is an employee or independent contractor regardless of any contractual arrangement between the seller and the driver.

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LVMC 6.50 – CONTINUED...

Las Vegas Municipal Code was amended to include the following fees:

- Alcohol delivery support service - \$500 Semi-annual *per* licensee (LVMC 6.50.360)
- Alcohol delivery support service - \$4,000 Origination charge (LVMC 6.50.380)

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- Business License Recommendation
- Questions?