

[Bracketed] and/or ~~strickethrough~~ material is that portion being deleted or amended
Underlined material is that portion being added

BILL NO. _____

SUMMARY – An ordinance to amend Clark County Code Title 6 by adding a new Chapter 6.145 – Special Events; requiring all necessary licenses and/or permits; requiring certain information; providing for inspections and duties of the licensee; revising definitions in Title 6 regarding special events; updating terminology in Title 8 for special event liquor permits and revising requirements for liquor caterer permits; and providing for other matters properly related thereto

ORDINANCE NO. _____

(of Clark County, Nevada)

AN ORDINANCE TO AMEND CLARK COUNTY CODE TITLE 6 BY ADDING A NEW CHAPTER 6.145 – SPECIAL EVENTS; REQUIRING ALL NECESSARY LICENSES AND/OR PERMITS; REQUIRING CERTAIN INFORMATION; PROVIDING FOR INSPECTIONS AND DUTIES OF THE LICENSEE; TO AMEND TITLE 6, CHAPTER 6.12 BY ADDING AND REVISING CERTAIN DEFINITIONS; TO AMEND TITLE 6, CHAPTERS 6.20, 6.30, 6.36, 6.48, 6.56, 6.65, AND 6.67 REGARDING SPECIAL EVENTS; TO AMEND TITLE 8, CHAPTER 8.20, SUBSECTIONS 8.20.020.355 AND 8.20.020.360 TO UPDATE TERMINOLOGY; TO AMEND TITLE 8, CHAPTER 8.20, SECTION 8.20.040 REGARDING LIQUOR CATERER PERMITS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK,
STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE. Title 6 of the Clark County Code is hereby amended by adding a new chapter to read as follows:

CHAPTER 6.145 – SPECIAL EVENTS

6.145.010 - Definitions.

The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense include the future, and words in the singular number include the plural number and the plural number include the singular number. The words “shall” and “will” are mandatory and “may” is permissive. Words not defined in this section shall have their generally accepted meanings unless otherwise defined in Chapters 6.04 and 6.08 of the Clark County Code. The director shall have the authority to interpret words in accordance with established practice.

6.145.010.010 – Special event.

“Special event” as used in this chapter shall mean any event in unincorporated Clark County that requires any of the following permits or licenses for the activity, whether the activity is an incidental, ancillary, or primary portion of the event:

1. Rodeo permit as required by Section 6.12.876 of the Code;
2. Film permit as required by Section 6.20.030 of the Code;
3. Admission fee license as required by Section 6.12.030 of the Code;
4. Professional promoter license as required by Section 6.12.822 of the Code;
5. General promoter license as required by Section 6.12.540 of the Code;
6. Multiple vendor arena sale operator license as required by Section 6.30.020 of the Code;
7. Auction sales permit as required by Section 6.36.020 of the Code;

8. Circus, tent show, traveling show, or carnival license and permit as required by Section 6.48.020 of the Code;
9. Concert promoter license and permit as required by Section 6.65.030 of the Code;
10. Outdoor festival license as required by Section 6.67.020 of the Code;
11. Special events bingo permit as required by Section 8.04.260 of the Code;
12. Liquor caterer permit as required by Subsection 8.20.020.185 of the Code;
13. Off-premises liquor permit as required by Subsection 8.20.020.355 of the Code;
14. Off-premises permit-charitable/nonprofit as required by Subsection per 8.20.020.360 of the Code; or
15. Holiday events permit per Section 6.12.582 of the Code.

6.145.020 – License/permit required.

It shall be unlawful for anyone to provide any special event activities without obtaining all required business licenses and/or permits, including all required public safety approvals and land use approvals, for such activities pursuant to Titles 6, 7, 8 and 30 of this code.

6.145.030 – Information required – venues that accommodate more than 5,000 attendees.

For special events that anticipate attendance by more than 5,000 attendees over the course of the entire event, whether indoors or outdoors, licensees and/or applicants are required to provide the following information to the department at least ten (10) calendar days prior to each event:

1. Event Name
2. Type of Event

3. Planned Event Date
4. Contact Person Name
5. Contact Person Phone Number
6. Contact Person Email Address
7. Expected Number of Attendees

The Director has authority to reduce the ten (10) calendar day period to three (3) calendar days for unforeseen events.

For any substantial changes to the event or a cancellation of the event, a new registration is required to be submitted.

6.145.040 – Right to inspection.

The director and any other officer designated by the director shall have the power and authority to enter the special event location or business at any time and have access to inspect the business for the purpose of ascertaining compliance with the provisions of this code.

6.145.050 – Duties of licensee.

It is the affirmative duty of each holder of a license or permit for a special event to strictly comply with all of the applicable provisions of this Code and state statutes and regulations and, without limiting the generality of the foregoing, each holder of a license or permit for a special event must:

- (a) Operate and maintain the event in a professional and orderly manner that is consistent with the positive image, quality, perception and appearance of the

community and shall not knowingly permit any conditions that could cause disorder, disturbances, excessive loitering, nuisances or other activities which endanger the health or safety of the patrons or disrupt the peace or order of the neighborhood;

- (b) Be responsible for the acts of his or her employees, agents and volunteers when they are performing their duties;
- (c) Maintain adequate security to ensure compliance with the applicable chapter(s);
- (d) Comply with and adhere to all public safety requirements and conditions from any inspection agency, including, but not limited to, occupancy and signage requirements set forth by the fire department, department of environment and sustainability, building department and health district; and
- (e) Remain qualified to hold any applicable licenses pursuant to this chapter of the code and state law.

SECTION TWO. Title 6 of the Clark County Code is hereby amended by deleting Section 6.12.125 in its entirety as follows:

~~[6.12.125 – Arts and crafts show.~~

~~For each arts and crafts show, the license fee shall be twenty five dollars per show plus one dollar per booth. Each booth must be operated and managed by the artist making, creating or painting the work displayed or sold, or by said artist's legal agent or representative. No goods shall be displayed or sold which have been previously sold or owned by any person other than the creator, painter or maker thereof. Arts and crafts shows are exempt from the provisions of Chapter 6.30 of this code.]~~

SECTION THREE. Title 6 of the Clark County Code is hereby amended by adding a new Section 6.12.540 to read as follows:

6.12.540 General promoter.

Any person who supervises, finances, solicits or promotes the business interest of another person or a business that does not sell or serve liquor for a fee or other consideration other than those persons licensed specifically in accordance with Chapter 6.65 of this code shall pay a license fee of two hundred dollars annually.

SECTION FOUR. Title 6 of the Clark County Code is hereby amended by adding a new Section 6.12.582 to read as follows:

6.12.582– Holiday events permit.

A "Holiday Events Permit" shall be obtained to operate any temporary business based on a holiday or seasonal activity, including but not limited to pumpkin patches, Christmas tree sales lots, haunted houses, and winter wonderlands. Permits shall be valid for a period of not more than thirty (30) continuous days unless otherwise extended by the director of business license or designee. Issuance of a permit only authorizes lawful activities by those so permitted. Application for such permits shall be submitted on forms provided by the director at least ten (10) working days prior to operating or conducting business.

SECTION FIVE. Title 6 of the Clark County Code is hereby amended by amending Section 6.12.822 to read as follows:

6.12.822 – Professional promoter.

Any person who supervises, finances, solicits or promotes the business interest of another person or business that sells or serves liquor and/or has adult entertainment for a fee or other consideration other than those persons licensed specifically in accordance with Chapter 6.65 of this code shall pay a license fee of two hundred dollars annually.

Any person desiring to operate as a professional promoter shall file a written application with the director on a form to be furnished by the department and shall submit to a background investigation for suitability by the LVMPD. The applicant shall tender with the application the business license and an investigation fee as required by Section 6.08.115 of this code.

SECTION SIX. Title 6 of the Clark County Code is hereby amended by amending Section 6.20.030 to read as follows:

6.20.030 – Permit - Required.

A film permit shall be obtained for filming on public property, on private property or on state property when such filming impacts public safety, vehicular or pedestrian traffic, or when filming has the potential to impact public property or when filming includes unmanned aerial vehicles commonly referred to as drones, pyrotechnics, flame, special effects or laser. Use of drones, pyrotechnics, flame, special effects, lasers, etc., must comply with CCC 30.48.140. No permit fee shall be charged; however, the applicant shall be required to pay a processing fee as set forth in Section 6.08.030. Permits shall be valid for a thirty-day period unless otherwise extended by the film administrator. Issuance of a film permit only authorizes lawful activities by those so permitted. The application for a film permit shall be submitted to the department on forms provided by the director at ten (10) calendar days in advance of filming.

SECTION SEVEN. Title 6 of the Clark County Code is hereby amended by amending Section 6.30.010 to read as follows:

6.30.010 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in this section shall have the meaning ascribed to them as follows:

(a)"Auto swap" means a multiple vendor arena sale which is limited to exclusive sale of vehicles for which a certificate of title is issued by the State of Nevada, and which vehicle is sold by the person listed on said certificate of title as either registered or legal owner.

(b)"Multiple vendor arena sale" means the congregation of vendors, dealers, sellers or traders who rent, lease, purchase or otherwise obtain a sales area from an operator for the purpose of selling, bartering, exchanging or trading articles of personal property whether the same is new or used [~~, where the aggregate value of all such property exceeds the amount of one thousand dollars~~].

"Multiple vendor arena sale" includes all activities commonly referred to as farmers' markets, arts and crafts shows, flea markets, carnival markets, sundry markets, odds and ends sale, parking lot sales and specialty sales or markets of any nature, such as antique gun and knife shows, which involve sale, swap or display of new or used merchandise or rummage for commercial gain and auto swaps which include the sale of vehicles which are not within the definition of "auto swaps" as set out in subsection (a) of this section. "Multiple vendor arena sale" may be referred to herein as a "sale."

(c)"Multiple vendor arena sale location" means any area where vendors, dealers, sellers or traders congregate for the purpose of participating in a multiple vendor arena sale.

(d)"New merchandise dealer" means every person engaged in whole or in part in the business of buying and selling personal property.

(e)"New property" means personal property of which prior use has not been made and includes damaged personal property of which use has not been made.

(f)"Operator" means any person, association, group of persons, partnership, corporation or firm engaged in the business of offering, directly or indirectly, sales areas within a multiple vendor arena sale location to any vendor for the purpose of using such area during the multiple vendor arena sale.

(g)"Produce" means the product of natural growth of agricultural or farm products from the soil or other medium.

(h)"Sales area" means any stall, booth, stand, space, section, unit or specified floor area within any multiple vendor arena sale location where personal property is exhibited by a vendor for the purpose of sale, trade, barter or exchange.

(i)"Secondhand dealer" means every person, firm, business, corporation or association, engaged in whole or in part in the business of buying and selling secondhand personal property.

(j)"Swap meet" means multiple vendor arena sale.

(k)"Used or secondhand property" means personal property of which prior use has been made.

(l)"Vendor" means any person, association, group, partnership, corporation or firm who exhibits personal property in a sales area at any multiple vendor arena sale location for the purpose of selling, bartering, trading or exchanging such personal property.

(m)"Vendor of merchandise" means a vendor who sells, trades, barterers or exchanges personal property which has been previously used.

(n)"Vendor of new merchandise" means a vendor who sells, trades, barterers or exchanges personal property not previously used. The personal property shall include produce, homemade items and arts, crafts and other handiwork and other items of personalty.

SECTION EIGHT. Title 6 of the Clark County Code is hereby amended by amending Section 6.36.020 to read as follows:

6.36.020 – Auction permit [Permit] required.

It is unlawful for any person to advertise for disposal, offer for sale, dispose of, or sell, or to cause or permit to be advertised for disposal, offered for sale, disposed of, or sold, at auction in the unincorporated areas of the county, or in any manner carry on or conduct, or cause or permit to be carried on or conducted, in the unincorporated areas of the county, an auction of any property of others, without first complying with the provisions of this chapter and obtaining a permit so to do. Auctioneers must conform to the provisions of Chapters 6.36 and 7.20 of this code.

SECTION NINE. Title 6 of the Clark County Code is hereby amended by amending Section 6.48.010 to read as follows:

6.48.010- Definitions.

(a) "Carnival" means a temporary amusement enterprise consisting of sideshows, vaudeville, games of skill, exhibitions and riding devices such as merry-go-round, ferris wheel, auto speedway, loop plane, chairplane and other rides.

(b) "Circus" means a circular or permanent enclosure wherein equestrian or animal acts and acrobatic or trapeze feats are performed. Circus includes "tent show," "menagerie," "traveling skating rink" and "hippodrome."

(c) "Concession" means any ride, show or exhibition open to the public and operated for profit, or any game in which the patron pays a fee or makes a monetary donation for participating and may receive a prize upon a later happening, or any booth from which souvenirs or food may be purchased.

(d) "Gambling device" means any machine, electrical or mechanical device designed and manufactured to operate by means of insertion of a coin, token, or similar object and designed and manufactured so

that when operated it may deliver, as the result of the application of an element of chance, any money or property.

(e)"Game of chance" means any game, operation or transaction wherein any prize, gift, rebate, compensation, reward, award, payment or gratuity, consisting of any money, check, token, credit, goods, wares, merchandise, property or thing of value, is or is to be given, awarded or delivered, either directly or indirectly, and wherein chance is a determining factor or is any determining factor of the result of such game, operation or transaction, which game, operation or transaction is conducted, carried on, maintained, operated, or played by the throwing, tossing, dropping, deposition or placing of any ball, marker, dart, object, thing or substance into any perforation, hole or indentation in or upon any surface, receptacle, container, object or thing having marked, designated or identified thereon by or with any figure, number, character, symbol, letter, design or mark of any kind, or by the selecting, designating, turning, indicating, choosing or projecting of any such figure, number, character, symbol, letter, design or mark of any device, apparatus or equipment, or by any means or in any manner, or by the drawing, selecting, choosing or removing from any receptacle or container of any ball, disk, object, substance or material marked, designated or identified by or with any figure, number, character, symbol, letter, design or mark hereinabove referred to, corresponding to, duplicating, referring to or relating to, in whole or in part, directly or indirectly, any figure, number, character, symbol, letter design or mark upon any card, paper, board, fabric, surface, object, substance or thing, held, used, operated or maintained by any player or participant therein or by any person, where, by any predetermined or prearranged, or by any rule, method, scheme, design or procedure any person is found, declared or determined to be, or is, or is to be, the winner, donee, recipient or taker of such prize, gift, rebate, compensation, reward, award, payment of gratuity, in the event that any such player or participant pays, deposits, expends, gives or pledges, either directly or indirectly, or agrees, promises or intends to pay, deposit, expend, give or pledge, either directly or indirectly, any money, check, credit, property or thing of value, or makes or agrees to make any purchase for the privilege of playing or participating therein or of gaining admission to the place or

premises where such game, operation or transaction is or is to be played, conducted, carried on, maintained or operated, or to any place or premises. Included in games of chance are gaming devices, including but not limited to the automatic amusement device of the "digger claw" type, and any other transaction in which any party takes a risk of loss upon the happening or not happening of an uncertain event, unless licensed by the Nevada Gaming Commission and the Clark County liquor and gaming licensing board.

(f) "Game of skill" is a game in which the average person, with a reasonable amount of practice, can be expected to improve his performance, and be able to complete the required task at least once out of fifty attempts. The fact that a select few, by virtue of long practice and experience can win at a game, is not sufficient to designate the game as one of skill.

(g) Person. Whenever the word "person" is used in this chapter, the same is intended and shall be construed to mean and include a firm, copartnership, corporation, club or association, carrying on the business for which a license must first be procured, and when the terms used in this chapter designate the principal the same shall be construed to mean and include the clerks, agents, servants, representatives or employees of such principal.

(h) "Producer" means a person who contracts with a sponsoring organization to supervise or finance a carnival, circus or traveling show.

(i) "Promoter" means a person who engages in the business of staging a carnival, circus or traveling show and who performs any of the following tasks: Assumes the financial responsibility for such an event, contracts with or provides the concessionaires, contracts for the site, prints admission tickets or contracts to advertise the event, other than a local sponsoring nonprofit organization.

(j) "Razzle-dazzle" means a series of games of skill or chance in which the player pays money or other valuable consideration in return for each opportunity to make successive attempts to obtain points by the

use of dice, darts, marbles or other implements, and may include doubling the amount of money required to play or successively bet, and/or where such points are accumulated in successive games or bets by the player toward a total number of points, determined by the operator, which is required for the player to win a prize or other valuable consideration.

(k)"Traveling show" means a form of entertainment staged on a temporary basis, excluding shows performed in resort hotel showrooms, circuses and carnivals, but including and not limited to athletic contests in which schools or universities in Nevada are not participants, concerts and races. Entertainment is deemed temporary if it is performed fewer than twenty-one times in any thirty-day period.

SECTION TEN. Title 6 of the Clark County Code is hereby amended by amending Section 6.48.020 to read as follows:

6.48.020- License required.

It is unlawful for any person, as defined in Section 6.48.010 to promote or produce a tent show or circus within the [~~incorporated or~~] unincorporated areas of Clark County or a traveling show or carnival within the unincorporated areas of Clark County without first obtaining a business license as provided in this chapter and a permit for each carnival, circus or traveling show after a license has been obtained. It is unlawful for any concession to operate without a temporary store license unless the concession is listed and bonded by the carnival, circus or traveling show as provided in Section 6.48.060.

SECTION ELEVEN. Title 6 of the Clark County Code is hereby amended by amending Section 6.56.010 to read as follows:

6.56.010 - Definitions.

(a) "Peddler" is defined to mean:

- (1) All persons vending from trucks or other vehicles; or

- (2) All hawkers, street vendors, and door-to-door sellers of goods, wares, merchandise, or services for immediate performance or delivery, sellers of entertainment or sporting event tickets, mobile food vendors (Chapter 6.130) and traveling manufacturers, but not solicitors or canvassers. Peddlers, except door-to-door sellers as defined in this section, who are operating on private or public property must have written permission from the owner of that property in order to sell on the grounds. The written permission must be immediately available for inspection upon request. Peddling is complete when offer is communicated to any individual then located within the unincorporated area of Clark County.

(b)"Merchant" is defined to mean one who is engaged in the purchase and sale of goods, a trafficker or a trader.

(c)"Solicitor" is defined to mean one who takes orders for future deliveries, or for intangible services, or solicits subscriptions, in public places or from house-to-house, and shall include persons going from door-to-door or place-to-place or locating themselves in public buildings or public property or using the telephone or other forms of electric or electronic communication for personal or individual purpose, or for a professional promoter.

(d)"Canvasser" is defined to mean one who is not in the business of selling goods, but one who makes surveys for research purposes, analysis, opinion polls, rating data and any such similar work which, by its nature, involves a door-to-door or place-to-place activity or by use of telephone or electronic communication except for a canvasser who attempts to make personal contact to advance a political party, candidate or ballot initiative; labor organization; religion; philosophy; or ideology.

(e)"Professional promoter" is defined to mean any person who for compensation plans, promotes, conducts, manages or carries on or attempts to plan, promote, conduct, manage or carry on any temporary

commercial event that sells or serves liquor and/or has adult entertainment including live entertainment events and sporting events, drives or campaigns for the purpose of soliciting contributions or sales for or on behalf of himself or any person in which he has an ownership interest or noncharitable person.

(f) "General promoter" is defined to mean any person who for compensation plans, promotes, conducts, manages or carries on or attempts to plan, promote, conduct, manage or carry on any temporary commercial event that does not sell or serve liquor nor have adult entertainment including live entertainment events and sporting events, drives or campaigns for the purpose of soliciting contributions or sales for or on behalf of himself or any person in which he has an ownership interest or noncharitable person.

(g) "Garage sale" is the sale of used items owned by the inhabitant of the residence at which the sale is conducted, which is not conducted more than four days or portion thereof per calendar half year.

([g] h) "Person" is defined to mean any association, organization, society, church, corporation, firm, partnership, trust or other form of business association as well as a natural person.

([h] i) "Temporary store" means a convention room, hotel room, store, storeroom, office, truck, trailer, automobile or other vehicle or mobile structure, tent or unsheltered open area or other place; opened and maintained for the sale to the public of goods, commodities or merchandise or where orders for such products are taken, or where products or merchandise are delivered or installed, which are open to the public for less than thirty consecutive days, excluding residential garage sales and official exhibitors at bona fide international, national or state conventions which are closed to the general public and do not sell goods, wares or merchandise to anyone but official participants of the convention who exhibit a resale number at the time of the purchase and who are in the business of reselling the type of item purchased.

([f] j)"Official exhibitor" means a participant in a convention who exhibits the type of merchandise or product which is the subject of the convention. Vendors of all other products must acquire a license as herein provided.

([f] k)"Solicitation," "solicit funds" or "solicitation of funds" means any request for money, property, or anything of value, or the pledge of future money, property, or anything of value; or the selling or offering for sale of any property, real or personal, tangible or intangible, whether of value or not, including, but not limited to, goods, books, pamphlets, tickets, publications or subscriptions to publications, or brochures. A solicitation of funds is complete when the solicitation is communicated to any individual then located within the unincorporated area of Clark County.

SECTION TWELVE. Title 6, Chapter 6.65 is hereby renamed as Music Concerts and Title 6, Section 6.65.010 of the Clark County Code is hereby amended to read as follows:

6.65.010 – Declaration of policy.

It is found and declared that, based upon previous local, state and national experience, the public health, safety, morals and welfare of the inhabitants of the county outside of the incorporated cities and towns require regulation and control of all persons engaged in the promotion of [~~"rock"~~] musical concerts as defined in Section 6.65.020. Any such promotion shall be controlled so as to protect the public health, safety, morals, property, good order and general welfare of the inhabitants of the county. It is further found and declared that a license to conduct such a promotion is a privileged license and no applicant shall be granted such a privilege without first complying with the provisions of this chapter.

SECTION THIRTEEN. Title 6, Chapter 6.65.020 of the Clark County Code is hereby amended to read as follows:

6.65.020 Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in this section have the meanings ascribed to them in this section, as follows:

(a) "[~~Rock-musical~~] Musical concert" means a public rendition of music~~[, in a permanent building or permanent installation,]~~ consisting of several individual compositions performed by a musician or group of musicians, and to which rendition members of the public are admitted free or by virtue of purchased tickets. This definition excludes ambient music.

~~[Excluded from the "rock musical concert" definition are performers whose performance consists of a majority of jazz/fusion, classical, gospel, ballet and adult contemporary music.]~~

(b) "[~~Rock-musie~~] Music concert promoter" means one who engages in the business of staging a "[~~rock~~] musical concert" ~~[in a permanent building or permanent facility]~~ and who (1) contracts with the performing musicians, their tour agent or producer; (2) owns the facility or rents or leases it from the owner; and (3) sells admission tickets thereto and/or collects receipts therefrom~~[, and guarantees payment of police security and ticket refunds in the event of performance failure].~~

(c) "Tour agent or producer" means one who contracts with the performing musicians or their agent, contracts with the musical concert promoter for a Clark County appearance, and assumes the financial responsibilities of payment to the musicians or their agent for the performance.

SECTION FOURTEEN. Title 6, Chapter 6.65.030 of the Clark County Code is hereby amended to read as follows:

6.65.030 License and permit required.

It is unlawful for any person, group of persons, partnership, corporation, joint venture or other type of business entity to act as a [~~"rock"~~] musical concert promoter within the unincorporated areas of Clark County without first obtaining a license therefrom as provided in this chapter and without first obtaining a permit for each concert after a license has been obtained.

SECTION FIFTEEN. Title 6, Chapter 6.65.040 of the Clark County Code is hereby amended to read as follows:

6.65.040 Application for license.

All applications for licenses required by this chapter shall be filed with the director of business license of Clark County on forms furnished by the director of business license. The applications shall include the following information:

- (a) Applicant's full name, address and telephone number;
- (b) Length of time of residence in Clark County immediately prior to making application;
- (c) Full address and city where applicant has resided for a period of three years before making application;
- (d) A full disclosure of whether any person or persons or corporation other than the applicant has any interest, directly or indirectly, in the license applied for or the business being conducted, and, if so, what the name, address and amount of interest is;
- (e) If a foreign corporation, the date it was authorized to do business in the state of Nevada, and the name and address of the local managing agent:
 - (1) Date and state of incorporation,
 - (2) Name of resident agent, whether the corporation is a domestic or a foreign corporation,
 - (3) The names, addresses and telephone numbers of all directors and officers of the corporation, as well as the names, addresses and telephone numbers of all stockholders, stating therein the number of shares of stock the stockholders own in the corporation;
- (f) Whether or not the applicant has ever been convicted of a felony or a misdemeanor other than a minor traffic offense, and, if so, a full disclosure of its disposition;

- (g) The amount of actual experience applicant has had in staging [~~rock~~] musical concerts;
- (h) The names under which and place or places at which applicant engaged in such business and the length of time that applicant was so engaged in each of such places;
- (i) The sources of talent available to applicant;
- (j) The names of performers' agents with whom applicant has had agreements;
- (k) A current financial statement;
- (l) Proposed method of funding events to secure patrons from financial loss;
- (m) The name, address and telephone number of the bonding company that is to furnish the bond as required by this chapter;
- (n) The names of all bonding companies from whom the applicant has received bonds in prior promotions;
- (o) Proposed method of control to curb riot or crowd disorder;
- (p) Proposed method of control to curb attendees' use of barbiturates, narcotics or dangerous drugs;
- (q) Each applicant, whether as an individual, partner, corporate officer or joint venture or otherwise shall furnish a photograph taken within one year of the filing of the application in question, the photograph to be two inches by two inches and to be securely attached to the business license if and when used; and
- (r) Approximate number of persons expected to attend each concert.

SECTION SIXTEEN. Title 6 of the Clark County Code is hereby amended by amending Section 6.65.090 to read as follows:

6.65.090 - Issuance of permit.

Every ~~[rock]~~ music concert promoter shall acquire a concert permit for each concert staged in the unincorporated areas of Clark County. The director of business license shall issue the permit upon compliance with the following conditions:

(a) The filing of an application for said permit stating:

- (1) The name ~~[and address]~~ of the performing group,
- (2) ~~[The name and address of the tour agent or producer and a copy of the contract between the promoter and tour agent or producer;~~
- ~~(3)]~~ The approximate number of persons expected to attend the concert and age range of the majority of attendees;

(b) ~~[Compliance with all the terms of Section 6.65.120, or a notice of responsibility if the facility in which the concert is to be performed is owned and controlled by a resort hotel as defined in Section 8.04.010, the University of Nevada, or the Las Vegas convention and visitors authority. Said notice of responsibility must be signed by the hotel manager, university president or convention authority director guaranteeing ticket receipts, security provisions as required by the Las Vegas metropolitan police department and other safeguards required in Section 6.65.120 deemed applicable to the specific concert by the director of business license;~~

~~(e)]~~ The approval of the Las Vegas Metropolitan police department regarding traffic control;

~~[(d) All concerts are presumed to be rock music concerts unless listed in Billboard Magazine in one of the excluded classifications. If the performers are listed in an excluded classification, they are still deemed to be rock music concerts if they have crossed over from, or to, a classification not listed as excluded and have been listed on Billboard Magazine's Hot 100 within the last five years. The burden is on the promoter to establish from Billboard Magazine, or other competent source, that the music to be performed is not a rock musical concert, and that recent performances by the performers at concerts in~~

~~other cities have not endangered the health, welfare, peace or morals of the community, or required extraordinary police precautions.]~~

SECTION SEVENTEEN. Title 6 of the Clark County Code is hereby amended by amending Section 6.65.120 to read as follows:

6.65.120 Licensing and permit conditions.

Every license issued and permit granted pursuant to this chapter are conditioned upon the compliance by the licensee and permittee with the requirements of this chapter, including the following regulations:

- (a) Police Protection. Every licensee and permittee shall employ, at his own expense, police protection. The number and type of officers shall be determined and specified by the sheriff of Clark County to provide for the preservation of order and protection of property in and around the premises where the concert is to be conducted. Funds to employ this specified number of law enforcement officers at an appropriate hourly rate for police officers shall be deposited with Clark County at least ten days prior to the date of a concert. A minimum of one law enforcement officer for every five hundred persons expected to be in attendance shall be required. Where the sheriff specifies the employment of off-duty peace officers to meet the requirement of this chapter, the peace officers shall be under the complete direction and control of the sheriff of Clark County. The sheriff must be satisfied that the requisite number of peace officers will be provided at all times of operations, plus any specified time prior to and following the event. The obligations set forth in this section shall be a continuing condition and must be satisfied for each concert conducted by the ["rock"] musical concert promoter.

(b) Illumination. Every licensee and permittee shall provide electrical illumination to insure that the areas which are occupied are lighted at all times. For the purpose of this subsection, the requirements of Sections 6.67.080(i) and 8.20.400 of this code shall be applicable.

(c) Signs. Every licensee and permittee shall place a sign at the entrance of the premises where a concert is to be held advising each attendee that his or her entry onto the premises subjects him or her to search by law enforcement authorities for determining whether or not such attendee may be in possession of alcohol or any barbiturates, dangerous drugs or controlled substances as defined by the statutes of Nevada, and such statement likewise be included on or made a part of each ticket sold by the promoter.

~~[(d) Tickets. All tickets for admission to each concert shall be of flat stock, consecutively prenumbered, and shall contain a ticket-strike or raincheck portion to facilitate refund procedure in the event that, for whatever reason, the concert is not conducted as scheduled, and/or advertised. A ticket refund deposit shall be delivered to the director of business license, or his designate, before sale of any tickets, which deposit shall be in the form of cash or its equivalent (time certificate of deposit) and in an amount equal to the maximum gross receipts to be realized from the sale of tickets. The deposit shall be held in escrow by the director of business license, or his designate, to be used by the director of business license, or his designate, in making refunds in the event any act or acts advertised for a specific concert do not or cannot appear as scheduled. If such concert is not conducted as scheduled and/or advertised, the licensee, or director of business license, or his designate, shall within one week refund to each ticket holder upon demand the amount of the purchase price set forth on the ticket, and all receipts from the advance sale and box office shall remain on the premises of the concert until the time schedule for the conclusion of the concert.]~~

~~(e) — Names and Contracts of Performing Artists And Substitution Thereof. Every licensee and permittee shall furnish to the director of business license of Clark County, at least forty-five days prior to the date of the proposed concert, the names of all performing artists and either copies of the proposed contracts between the promoter and all performing artists or telegrams from the performing artists or their agents confirming the commitments of the performing artists to perform at such concert, and shall notify the director of business license of Clark County at least fifteen days prior to the concert date of any and all substitutions thereof together with a copy of the proposed contract between the promoter and the substituting artist or artists. Completed contracts between the promoter and performing artists shall be forwarded to the director of business license at least five days prior to the proposed concert.]~~

SECTION EIGHTEEN. Title 6 of the Clark County Code is hereby amended by amending Section 6.65.140 to read as follows:

6.65.140 Exceptions.

(a) The board of county commissioners may waive any or all of the requirements of this chapter to:

- (1) Any educational or charitable organization or institution, when the concert is to be staged on premises owned by the organization or institution, and may waive the requirements or license fee, permit fee, investigation fee and performance bond to an educational or charitable organization or institution for concerts staged on premises other than those owned by the educational or charitable organization or institution;

- (2) A hotel having musical entertainment incidental to its operation when the concert is to be staged by and under the supervision and control of the hotel and on the premises owned by the hotel;
 - (3) A liquor establishment properly licensed with twenty-five thousand square foot facility available for public use where the concert is to be staged by and under the supervision and control of the liquor licensee who holds a "[~~rock~~]" musical concert promoter's" license on the premises of the liquor licensee.
- (b) Any exception (waiver of requirements) granted may be rescinded or withdrawn at the board's discretion after notice of proposed action to the licensee at any properly posted board of county commission meeting.

SECTION NINETEEN. Title 6 of the Clark County Code is hereby amended by amending Section 6.67.010 to read as follows:

6.67.010 - Definition of outdoor festival.

"Outdoor festival" means any music festival, dance festival, [~~"rock" festival~~] or similar musical activity, at which music is provided by paid or [~~amateur~~] unpaid performers or by pre-recorded means, [~~which is held at any place other than in a permanent building or permanent installation which has been constructed for the purpose of conducting such activities or similar activities;~~] and to which members of the public are invited or admitted for a charge or free of cost.

SECTION TWENTY. Title 8 of the Clark County Code is hereby amended by amending Subsection 8.20.020.355 to read as follows:

8.20.020.355 – [~~Special event~~] Off-premise liquor permit.

An "Off-premise liquor permit" [~~"A special event permit"~~] shall permit the retail sale, by the drink, or other distribution of alcoholic liquor at such locations and as specified on such permit for a period of not

more than ten continuous days, provided that the director of business license or designee shall have first approved the application thereof in writing. Applications for such permits shall be submitted on forms provided by the director. For those events to be conducted at county parks, county recreation areas, or any other county site under the jurisdiction of the department of parks and recreation [~~community services~~], separate written approval is also required from the director of the department of parks and recreation [~~community services~~] prior to business license approval.

An Off-premise liquor [~~A special event~~] permit shall be issued only to applicants who hold a valid existing liquor license in Clark County or to a liquor business having its premises located in any of the following neighboring cities: Las Vegas, Henderson, Boulder City, North Las Vegas, or Mesquite that is appropriately licensed for liquor by such local government and who have received all required department/agency approvals for such event. The type of alcohol service may not exceed that which is authorized by the type of liquor license held by the applicant for the permit. City licensees must provide a copy of their valid city liquor license and must also hold an interjurisdictional general business license pursuant to Chapter 6.12 of this code to be eligible for a special event permit.

The recipient of an off-premise liquor [~~A special event~~] permit is responsible to enforce strict compliance with all laws pertaining to the sale, service or distribution of alcoholic beverages. The recipient of an off-premise liquor [~~A special event~~] permit must have at least one person who is an employee of the licensee supervising at each event during all hours liquor is sold, served or distributed. Said supervisor(s) must have a work card and have successfully completed an approved liquor server awareness training program course or such person(s) may, in lieu of the liquor server awareness program, substitute a successfully completed alcohol awareness certification examination administered by the Las Vegas metropolitan police department. Each person selling, serving and distributing alcohol shall have a current alcohol awareness card and, if an employee of the liquor licensee, a current work identification card.

The applicant for the off-premise liquor [~~special event~~] permit shall, in the written application therefor, state the name and work card number of the person or persons serving, distributing, and/or selling alcoholic liquor and state the completion and expiration dates of their liquor server awareness training or testing.

All permits issued shall be available for inspection by the department of business license, department of parks and recreation [~~community services~~] (if the event is held on property under their jurisdiction), and the Las Vegas metropolitan police department at each special event for which they have been issued.

Off-premise liquor [~~Special event~~] permits shall not be issued to conduct business at locations during the time that the applicant's liquor license is revoked, terminated or suspended.

Any violation of conditions of the special event permit may result in disciplinary action being taken against the permittee's liquor license.

SECTION TWENTY-ONE. Title 8 of the Clark County Code is hereby amended by amending Subsection 8.20.020.360 to read as follows:

8.20.020.360 – [~~Special event permit-charitable/nonprofit.~~] Off-premise permit-charitable/nonprofit.

An "Off-premise permit-charitable/nonprofit" [~~"A special event permit-charitable/nonprofit"~~] shall permit the retail sale, by the drink, or other distribution of alcoholic beverages at such locations and as specified on such permit for a period of not more than ten continuous days, provided, that the director of business license or designee shall have first approved the application thereof in writing. Application for such permits shall be submitted on forms provided by the director.

An off-premise permit-charitable/nonprofit [~~A special event permit-charitable/nonprofit~~] shall be issued only to applicants who are charitable/nonprofit organizations which:

- (a) For events to be held on noncounty property, receive a separate permit from the director of business license for each event and hold no more than one event per calendar month. For events to be held at county parks, county recreational areas, or any other county site under the jurisdiction of the department of parks and recreation [~~community services~~], receive an annual permit issued by the director of business license or designee and separate approval by the director of the department of parks and recreation [~~community services~~] for each event covered by such permit. A copy of each event approval shall be provided to the department of business license prior to the date of the event; and
- (b) The director of business license finds suitable; and
- (c) Are properly registered with the department of business license as a charitable/nonprofit organization pursuant to Chapter 6.58 of the Clark County Code.

The recipient of an off-premise permit-charitable/nonprofit [~~a special event permit-charitable/nonprofit~~] is responsible to enforce strict compliance with all laws pertaining to the sale, service or distribution of alcoholic beverages. All permits issued shall be available for inspection by the department of business license, department of parks and recreation (if the event is held on property under their jurisdiction), and the Las Vegas metropolitan police department at each special event for which they have been issued. Applicants for an off-premise permit-charitable/nonprofit a [~~special event permit-charitable/nonprofit~~] must have at least one person supervising at each location where alcoholic beverages are served or distributed at all hours alcoholic beverages are distributed at said charitable/nonprofit event. Said supervisors must have successfully completed an approved liquor server awareness training program course or such person may, in lieu of the liquor server awareness training program, substitute a successfully completed alcohol awareness certification examination that is administered by the Las Vegas metropolitan police department.

The applicant for the off-premise permit-charitable/nonprofit [~~special event permit-charitable/nonprofit~~] shall, in the written application therefor, state the name of the person or persons supervising the serving,

distributing, and/or selling of alcoholic beverages and state the date of their liquor server awareness training or testing.

Any off-premise permit-charitable/nonprofit ~~[special event permit-charitable/nonprofit]~~ issued pursuant to this section shall be subject to the emergency suspension provisions of Clark County Code Chapter 8.08. In addition, misdemeanor citations may be issued to permit holders for any violations of the provisions of this liquor code, Clark County Code Chapter 8.20.

SECTION TWENTY-TWO. Title 8 of the Clark County Code is hereby amended by amending Section 8.20.240 to read as follows:

8.20.240 Liquor caterer permits.

(a) It is unlawful for any licensed liquor caterer to dispense, serve or sell any alcoholic liquor unless the licensee first obtains from the director or designee a permit therefor. The application for such permit shall be submitted to the department of business license on forms provided by the director at least ten (10) calendar days in advance and shall be approved prior to the event/activity. Applications for a liquor caterer permit that is submitted less than ten (10) calendar days in advance of the event/activity will be subject to a penalty of double fees.

(b) Liquor caterer permits are not intended for use at a location/establishment as a means of circumventing the liquor licensing laws.

(c) Any dispensing, service or sale of alcoholic liquor at any times or places beyond that stated in the permit shall be grounds for disciplinary action pursuant to Section 8.20.570.

(d) The director or designee may issue a permit to a liquor caterer licensed pursuant to this chapter, or to a liquor caterer business having its premises located in either the city of Las Vegas, city of Henderson, city of Boulder City, city of North Las Vegas, or the city of Mesquite, that is appropriately licensed for a liquor caterer business by such local government, if the director or designee finds:

- (1) That a complete application has been submitted along with all applicable fees as required by Section 8.20.470;
- (2) That for those events/activities to be conducted at county parks, county recreational areas, or any other county site under the jurisdiction of the department of parks and recreation [community services], prior written approval for the event/activity has been obtained from the director of the department of parks and recreation or designee;
- (3) That the liquor service to be provided is not conducted in such a manner so as to constitute a permanent or semipermanent activity at a particular location/establishment that would require its own liquor license or additional liquor license pursuant to the requirements of this chapter. Without regard to the number of liquor caterers, the total number of liquor caterer permits issued for the same location/establishment may not exceed a total of three days within a seven consecutive day period or a maximum of twelve days in any calendar month.

(4) The business is current with business license renewal fees.

(e) A business location/establishment which has not been approved for the sale or service of liquor but is otherwise eligible for the sale or service of liquor, may not use a liquor caterer except [~~when the liquor license for that location/establishment has been revoked at sixty days due to nonpayment of license fees and has since complied with Section 8.20.555, or~~] for a one day only grand opening event/activity at the location/establishment.

(f) All liquor caterers must obtain all liquor used during catered events/activities from a state-licensed wholesaler as required by Section 8.20.315.

(g) The service of liquor by a liquor caterer at any location/establishment must be consistent with the liquor service that the location/establishment would be entitled to if it held its own liquor license.

(h) Liquor service must be provided by employees of the liquor caterer and such employees must be certified through the liquor server awareness training program and possess valid work cards. If a liquor caterer employs the employees of the location/establishment where the event/activity is being catered,

the liquor caterer must provide appropriate~~[-ate]~~ supervision, is responsible for the conduct of the employees, and must ensure that each employee has notified the Las Vegas metropolitan police department of the employment change.

(i) The permit must be available for inspection by the department of business license, the department of parks and recreation ~~[community services]~~ (if the event is held on property under their jurisdiction), and the Las Vegas metropolitan police department at each event/activity for which it has been issued.

(j) If untimely notice of an event/activity is received by a liquor caterer which prevents that liquor caterer from filing the required application prior to the start of the event/activity, the application shall be filed no later than the end of the first working day following the event/activity. A full explanation of the circumstances preventing the timely filing of the application must be submitted in writing with the application and double fees shall be charged. Submission of more than three late filings in any one calendar month by any liquor caterer shall constitute abuse of this provision and shall be grounds for disciplinary action pursuant to Section 8.20.570.

(k) Liquor service will be performed consistent with this chapter, irrespective of the requirements of any other jurisdiction issuing the liquor caterer license, and in such a manner as to pose no threat to general health, safety, welfare or morals of inhabitants of the county.

SECTION TWENTY-THREE. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this ordinance. It is the intent of the County Commission in adopting this ordinance that no portion or provision thereof shall become inoperative or fail by reason of any invalidity or unconstitutionality of any other portion or provision, and to this end all provisions of this ordinance are declared to be severable.

SECTION TWENTY-FOUR. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION TWENTY-FIVE. This ordinance shall be in force and effect from and after the 1st day of the month of July of the year 2023.

PROPOSED on the _____ day of _____, 2023.

PROPOSED BY: Commissioner _____

PASSED on the _____ day of _____, 2023.

AYES: _____

NAYS: _____



ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS

BY: _____

JAMES B. GIBSON, Chair

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after

the _____ day of _____ 2023.