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BILL NO. 3-17-26-1

SUMMARY – An ordinance amending Clark County Code Title 8, Chapter 8.20, Sections 8.20.020.105, 8.20.020.310, 8.20.020.385, 8.20.020.387, and 8.20.295 to modify the requirement for a structural barrier separating minors from bar and/or lounge areas in restaurants and taverns by allowing, in lieu of such barrier, a written security plan approved by the department director that effectively prevents minors from entering the bar area; and providing for other matters properly related thereto.

ORDINANCE NO. _____

(of Clark County, Nevada)

AN ORDINANCE AMENDING CLARK COUNTY CODE TITLE 8, CHAPTER 8.20, SECTIONS 8.20.020.105, 8.20.020.310, 8.20.020.385, 8.20.020.387, AND 8.20.295 TO MODIFY THE REQUIREMENT FOR A STRUCTURAL BARRIER SEPARATING MINORS FROM BAR AND/OR LOUNGE AREAS IN RESTAURANTS AND TAVERNS BY ALLOWING, IN LIEU OF SUCH BARRIER, A WRITTEN SECURITY PLAN APPROVED BY THE DEPARTMENT DIRECTOR THAT EFFECTIVELY PREVENTS MINORS FROM ENTERING THE BAR AREA; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

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

SECTION ONE. Title 8, Chapter 8.20, Section 8.20.020.105 of the Clark County Code is hereby amended to read as follows:

8.20.020.105 - Full bar.

"Full bar" means a bar where alcoholic liquors are dispensed by the drink through retail sales to customers at such bar. A full bar liquor license is a retail license and may be issued to a

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tournament billiard club, an excursion boat, an interactive entertainment center, a tourist club, a restaurant operating in conjunction with a regional commercial retail mall, a theatrical and production event facility, or an interactive sports facility, a golf course, a wine cellar business or a restaurant operating in conjunction with a golf course and a theater as defined in Section 6.95.010 of this code other than adult motion picture theaters, adult mini motion picture theaters, adult entertainment cabarets, adult picture arcade theaters, picture arcade theaters, picture arcade facilities and drive-in motion picture establishments.

If a restaurant is operated in conjunction with a full bar and minors are admitted to the restaurant area, alcoholic liquors may be served to all patrons aged twenty-one and older throughout the premises, except that any person twenty-one and older accompanying a minor in the restaurant portion of the business may only be served alcohol in conjunction with meals at dining tables or booths. The bar-lounge area shall be closed to minors and must be separated from the rest of the establishment by a barrier sufficient to prevent access to the bar-lounge area by minors. In lieu of a physical barrier, the director may approve a written security plan that effectively prevents minors from entering the bar-lounge area.

If a theater operates with a full bar, alcoholic beverages may be served either from separate bar or from the general concession area. Sales and service of alcoholic beverages at theaters shall be made in accordance with the following measures to ensure alcoholic beverages are not sold, served or consumed by minors; a theater may not sell or serve alcoholic beverages except to patrons presenting acceptable identification each time an alcoholic beverage is purchased; and, a patron may not possess more than two containers of alcoholic beverages at one time and may only purchase alcoholic beverages for themselves and those individuals physically present and providing identification at time of purchase; and, containers used to serve alcoholic

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beverages will be translucent or clearly distinguishable from those used to serve non-alcoholic beverages.

Any sale or service of alcoholic beverages under procedures and rules differing from the rules above must be included in a written security plan that is submitted as part of the application by the board and, once accepted, compliance therewith shall become a condition to licensing. Any subsequent modification to a security plan and condition to licensure must be submitted to the director for inclusion as part of the licensee's record and amendment to the condition of licensure. No modification to the security plan may be imposed on the license without approval by the board.

SECTION TWO. Title 8, Chapter 8.20, Section 8.20.020.310 of the Clark County Code is hereby amended to read as follows:

8.20.020.310 Restaurant.

"Restaurant" means a space in a suitable building kept, used, maintained, advertised or held out to be a public place where hot, complete meals are prepared and cooked on the premises, ordered from and served by waiters or waitresses to tables or booths providing a seating capacity for at least fifty persons in a room separate from the kitchen. All meals shall be selected and ordered by the customer from tables or booths and from a prepared menu at a stipulated price. If the restaurant allows admittance of minors and is operated in conjunction with a tavern, the dining room shall be divided and separated from the bar and/or lounge area by a structural barrier sufficient to exclude minors from the bar-lounge area. In lieu of a structural barrier, the director may approve a written security plan that effectively prevents minors from entering the bar and/or lounge area. If the restaurant does not allow the admittance of minors, no physical separation of the restaurant from the bar/lounge is required, but a sign must be posted at

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the entrance to the business which states that the entrance of minors is prohibited. The stools at the bar, or seats in a lounge or outside dining area, are not included as restaurant seating. Any restaurant having a drive-thru/walk-up window does not qualify for a liquor license, except as provided in Sections 8.20.312 and 8.20.313 of the Code.

SECTION THREE. Title 8, Chapter 8.20, Subsection 8.20.020.385(b) of the Clark County Code regarding taverns is hereby amended to read as follows:

(b) "Tavern" means a bar, or lounge, where alcoholic liquors are sold at retail by the drink to the general public. A tavern liquor license is the only category of liquor license that a licensed adult entertainment cabaret is eligible for. A restaurant may be operated on the same premises with a tavern. Minors may be allowed in the restaurant provided there is separation between the bar and/or lounge area and the restaurant area by a structural barrier sufficient to exclude minors from the bar and/or lounge area, and provided that no liquor sales, consumption, or distribution occur in an area not licensed for liquor sales or under the control of the liquor licensee. In lieu of a structural barrier, the director may approve a written security plan that effectively prevents minors from entering the bar and/or lounge area. Alcoholic liquors may be served to all patrons aged twenty-one and older throughout the premises, except that any person twenty-one and older accompanying a minor in the restaurant portion of the business may be served alcohol only in conjunction with meals at dining tables or booths. Whenever package liquor is sold in a tavern, it is unlawful to consume the contents of the package liquor on the premises.

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SECTION FOUR. Title 8, Chapter 8.20, Section 8.20.020.387 of the Clark County Code is hereby amended to read as follows:

8.20.020.387 - Tavern restaurant.

A "tavern restaurant" means a space operated in conjunction with a tavern, in a suitable building kept, used, maintained, advertised or held out to be a public place where hot meals are prepared and cooked on the premises, ordered from tables or booths providing a seating capacity for at least twenty-five persons in a room separate from the on-premises kitchen. Pre-packaged or pre-prepared items which are merely reheated in a microwave oven for sale do not qualify in themselves as meals under this subsection. The kitchen must be operated no less than sixteen hours per day each day that the tavern is open for business to the public, must utilize cooking equipment typically used by a restaurant in the preparation of full meals (for example: a grill, hood, fryer, with a grease trap, and must employ no fewer than one worker dedicated solely to the operation of the tavern restaurant for each hour that the kitchen is in operation. If the restaurant allows admittance of minors, the dining room shall be divided and separated from the bar and/or lounge area. In lieu of a structural barrier, the director may approve a written security plan that effectively prevents minors from entering the bar and/or lounge area. If the restaurant does not allow the admittance of minors, no physical separation from the bar and/or lounge area is required, but a sign must be posted at the entrance of the business which states that the entrance of minors is prohibited. The stools at the bar, or seats in a lounge or outside dining area, may not be included as meeting the minimum seating requirement of this section.

SECTION FIVE. Title 8, Chapter 8.20, Subsection 8.20.295(g)(1) of the Clark County Code regarding distance restrictions for tavern licenses is hereby amended to read as follows:

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(g)(1)A tavern which is operated in conjunction with a restaurant which has twelve or more pocket billiard tables measuring at least four and one-half feet by nine feet in size, which maintains structural barriers between the bar and restaurant area and billiard hall and which excludes minors from the bar-lounge and billiard hall area and which was licensed prior to July 29, 1988, is exempt from the distance restriction and is subject to licensure and/or renewal pursuant to Section 8.20.060. In lieu of structural barriers between the bar and restaurant area and billiard hall, the director may approve a written security plan that effectively prevents minors from entering the bar area.

SECTION SIX. 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 SEVEN. 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 EIGHT. This ordinance shall take effect and be in force after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the ____ day of _____, 2026.

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PROPOSED BY: Commissioner _____

PASSED on the _____ day of _____, 2026.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

LIQUOR AND GAMING LICENSING BOARD

BY: _____

WILLIAM McCURDY II, Chair

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ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after
the _____ day of _____ 2026.