

Underlined material is that portion being added.
~~[Strikethrough and bracketed]~~ material is that portion being deleted.

BILL NO. 5-17-22-3

SUMMARY – An ordinance to amend Clark County Code Title 8, Chapter 8.20 to remove conditions that restrict minors from entering karaoke rooms in businesses that have a retail liquor license; add conditions that will allow minors in karaoke rooms in businesses that have retail liquor and restaurant licenses; and providing for other matters properly related thereto.

ORDINANCE NO. _____

(of Clark County, Nevada)

AN ORDINANCE TO AMEND CLARK COUNTY CODE TITLE 8, CHAPTER 8.20 TO REMOVE CONDITIONS THAT RESTRICT MINORS FROM ENTERING KARAOKE ROOMS IN BUSINESSES THAT HAVE A RETAIL LIQUOR LICENSE; ADD CONDITIONS THAT WILL ALLOW MINORS IN KARAOKE ROOMS IN BUSINESSES THAT HAVE RETAIL LIQUOR AND RESTAURANT LICENSES; 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, Subsection 8.20.020.162 of the Clark County Code is hereby amended to read as follows:

8.20.020.162 – Karaoke club.

A "karaoke club" is a retail business whose primary purpose is to provide a place for patrons to perform karaoke in an informal setting where separate food operations admission fees and retail beer and wine sales are permitted. For the purposes of this chapter, "karaoke" means a music

Underlined material is that portion being added.

~~[Strikethrough and bracketed]~~ material is that portion being deleted.

entertainment system providing prerecorded accompaniment to popular songs that a performer sings live, usually by following the words on a video screen.

- (a) It is unlawful for any person, firm, association, partnership, company, or corporation to commence, carry on, engage in or continue to operate a karaoke club without first making application and obtaining a business license as required by Titles 6 and 8 of this code.
- (b) ~~[It is unlawful for any karaoke club licensed to serve retail beer and wine to allow minors to patronize the business except that a karaoke club licensed for a restaurant or category 2 restaurant may allow minors into the restaurant or category 2 restaurant portion of the business only at tables or booths and only for the purposes eating meals. Minors are not permitted to engage in karaoke while on the premises of a karaoke club licensed to serve retail beer and wine. It is the intent of this section that minors do not loiter in a karaoke club. For the purposes of this section, "loiter" means to remain in or hang around an area.]~~

If a karaoke club allows the admittance of minors the following conditions shall apply while minors are present:

- (1) No minor shall be allowed to loiter near any bar that serves alcoholic beverages.
- (2) Minors must be accompanied by a person of legal drinking age.
- (3) No minor shall be allowed in an establishment that holds a karaoke club license between the hours of ten p.m. and six a.m. regardless of the presence of a person of legal drinking age

Underlined material is that portion being added.

~~[Strikethrough and bracketed]~~ material is that portion being deleted.

- (4) Karaoke offered in private rooms, security or management must have an unobstructed view into the room.
- (5) Alcoholic beverages can only be served in conjunction with food orders in accordance with the requirements applicable for the liquor license.
- (6) Alcoholic beverages are limited to one (1) per person of legal drinking age. No additional alcoholic beverage can be ordered until the prior alcoholic beverage has been consumed or discarded.
- (7) A “No Tolerance” policy must be posted with wording that clearly states underaged drinking of alcoholic beverages will not be tolerated.
- (8) Licensee must submit a security plan, which must include how rooms will be monitored and how minors will be prevented from access to liquor.

For the purposes of this subsection, “loiter” means to remain in or hang around an area.

SECTION TWO. Title 8, Chapter 8.20, Subsection 8.20.020.210 of the Clark County Code is hereby amended to read as follows:

8.20.020.210 Main bar.

(a) "Main bar" means a bar where alcoholic liquors are dispensed by the drink by retail sales to customers at such bar. Minors are not permitted entry into the main bar area which is defined as the area in immediate proximity to the bar. A main bar license may be issued to the following types of business: in conjunction with a resort hotel unless otherwise excluded in this section; a leased business at a resort hotel unless otherwise excluded in this section; a live entertainment

Underlined material is that portion being added.

~~[Strikethrough and bracketed]~~ material is that portion being deleted.

venue; a nonconforming Class C gaming establishment as defined in Section 8.04.310; a one hundred fifty room hotel with a restaurant; a time share facility; a two hundred fifty room hotel located in an H-1 district; a nightclub, and a resort condominium.

- (b) Those locations licensed prior to July 31, 1998, for a main bar in conjunction with a qualifying business not specifically listed above shall be deemed nonconforming, and shall be eligible for license renewal or new licensure provided the license is in good standing and the location does not remain without main bar licensure for a period in excess of eighteen consecutive months. In this event, the location shall no longer be considered as nonconforming and must comply with all current requirements for further main bar licensure.
- (c) The following businesses, as defined or licensed under Titles 6 and 8 of the Clark County Code, operating at resort hotels, resort condominiums, and time share facilities are found and declared to be unsuitable for a main bar liquor license: arcades and retail operations whose primary business is the sale of goods and/or services other than food and/or alcoholic beverages for on premises consumption.
- (d) For purposes of this section, resort hotels, resort condominiums, and time share facilities may include retail shopping areas operated under a long term master lease, or having a reciprocal easement agreement with, with the resort hotels, resort condominiums, and time share facilities that are attached to and made a part of the resort hotels, resort condominiums, and time share facilities so as to appear to be one and the same.
- (e) If a restaurant is operated in conjunction with a main bar and minors are admitted to the restaurant area, alcoholic liquors may be served to all patrons aged twenty-one and older

Underlined material is that portion being added.

~~[Strikethrough and bracketed]~~ material is that portion being deleted.

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.

(f) If a restaurant holds a karaoke club license in accordance with and subject to the conditions in Subsection 8.20.020.162 of this code, then minors shall be allowed.

SECTION THREE. Title 8, Chapter 8.20, Subsection 8.20.020.345 of the Clark County Code is hereby amended to read as follows:

8.20.020.345 Service bar license.

- (a) "Service bar license" is a retail liquor license permitting the service of alcoholic liquor by the drink to customers by waitresses or waiters. A service bar license does not permit the service of drinks directly to customers at a bar or at a liquor service area, but is required any time alcoholic beverages are served away from a bar or liquor service area. Retail beer, retail wine, and retail beer and wine licensees that have waiters or waitresses serve patrons beer or wine are not required to have a service bar license. One service bar license is required for each separate bar or individual liquor service area, but multiple licenses are not required if the service areas are from the same physical bar structure.
- (b) Except when a service bar liquor license is issued alone in conjunction with a restaurant, service bar licenses are not "stand alone" licenses and are only issued in conjunction with other qualifying liquor licenses issued to the same licensee at the same premises.

Underlined material is that portion being added.

~~[Strikethrough and bracketed]~~ material is that portion being deleted.

- (c) It is unlawful for a licensee with a service bar liquor license alone in conjunction with a restaurant to serve alcoholic beverages to patrons in their establishment unless it is at dining tables or booths and only in conjunction with complete meals ordered by restaurant patrons.
- (d) However, notwithstanding the above restriction, a licensee with a service bar liquor license alone in conjunction with a restaurant that also has a portion of their business offering karaoke to patrons in areas or rooms physically separated from the restaurant portion of the business, may serve beer and wine to patrons in the karaoke sections without the meal requirement, provided that: (1) the full service restaurant including its kitchen is open for patronage at all times alcoholic beverages are served on the premises; (2) that a separate cook and waiter/waitress is on duty at all times alcoholic beverages are served on the premises; and (3) there are no minors in a karaoke room where the beer and/or wine would be served, except minors shall be allowed in such a karaoke room if the business holds a karaoke club license in accordance with and subject to the conditions in Subsection 8.20.020.162 of this code.

(e) A service bar license shall not be issued in conjunction with a retail beer license or retail beer and wine license at the same licensed premises, except to a resort hotel licensee. However, the license of a licensee who was granted a service bar license and a retail beer license or retail beer and wine license prior to June 1, 1997, at the same licensed premises, may be renewed if the location does not remain without that nonconforming combination of licenses for a period of six consecutive months. Use of the service bar liquor license by these nonconforming licensees is restricted to the service of alcoholic beverages only at dining tables or booths and only in conjunction with complete meals ordered by restaurant patrons.

Underlined material is that portion being added.

~~[Strikethrough and bracketed]~~ material is that portion being deleted.

SECTION FOUR. 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 FIVE. 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 SIX. This ordinance shall take effect and be in force from and 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 _____, 2022.

PROPOSED BY: Commissioner _____

PASSED on the ____ day of _____, 2022.

AYES: _____

Underlined material is that portion being added.
~~[Strikethrough and bracketed]~~ material is that portion being deleted.

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 _____ 2022.