

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

Petitioner: Vincent V. Queano, Director of Business License

Recommendation:

Receive, discuss, and approve or deny an application from Nevada Palace, LLC dba Eastside Cannery for a waiver of license requirements for a period of up to twenty-four months with the possibility of two additional six-month extensions during the temporary closure; authorize the Director of Business License to grant two additional six-month extensions upon additional showings of good cause if the initial application is approved; and direct staff accordingly. (Sitting as the Liquor & Gaming Licensing Board) (For Possible Action)

FISCAL IMPACT:

Fund #:	N/A	Fund Name:	N/A
Fund Center:	N/A	Funded PGM/Grant:	N/A
Amount:	N/A		
Description:	N/A		
Additional Comments:	N/A		

BACKGROUND:

Clark County Code Section 8.04.140(G) provides that if a gaming licensee does not meet the conditions and requirements of its license for a period of over thirty consecutive days, the county gaming license shall automatically suspend or be nonrenewable. The licensee may apply to the board, and upon good cause shown (i.e., remodeling, labor disputes, reasons beyond its control) for such unavailability of rooms and/or resort hotel requirements, the board may waive requirements and conditions for a period up to twenty-four months and may grant two additional six-month extensions upon an additional showing of good cause and due diligence. However, the total periods of waiver shall not exceed three calendar years as to any waiver of requirements.

Nevada Palace, LLC, owns and operates Eastside Cannery, located at 5255 Boulder Hwy., Las Vegas, NV 89122. Eastside Cannery closed on May 17, 2020, pursuant to the Governor's COVID-19 Emergency Directive 002. Eastside Cannery opted to remain closed under the Resolution Suspending Certain Requirements for Privileged Business Licenses Affected by the COVID-19 Emergency issued by Liquor and Gaming Licensing Board on March 5, 2020. The suspension of requirements was renewable by approval of the Director of the Department of Business License. In order to protect the goodwill, clientele and assets of licensees, the Director has approved applications for renewals until recently. On March 5, 2024, Nevada Palace, LLC was notified that beginning May 1, 2024, all Resort Hotel licensees must comply with the following Clark County Code in its entirety.

On April 1, 2024, Nevada Palace, LLC submitted a letter to the Department of Business License requesting a temporary closure approval for Eastside Cannery pursuant to Clark County Code 8.04.140(G) due to market challenges and staffing challenges. Staff recommends that the Board receive, discuss, and approve or deny Nevada Palace, LLC's application for a waiver of license requirements for a period of up to twenty-four months with the possibility of two additional six-month extensions during the temporary closure of the resort. If the Board approves the application, staff recommends that the Director of Business License be approved to administratively extend the waiver for two additional 6-month periods upon an additional showing of good cause and due diligence.

Cleared for Agenda

05/21/2024

File ID#

24-660