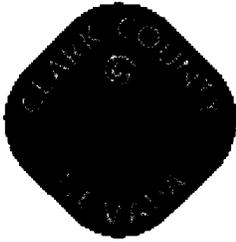


Department of Business License

JACQUELINE R. HOLLOWAY
DIRECTOR



500 SOUTH GRAND CENTRAL PKY, 3RD FLOOR

P.O. BOX 551810

LAS VEGAS, NEVADA 89155-1810

(702) 455-4252

(800) 328-4813

FAX (702) 386-2168

http://www.co.clark.nv.us/business_license

September 27, 2011

NOTIFICATION OF PROPOSED AMENDMENT TO CLARK COUNTY CODE, TITLE 8: NEW CATEGORY FOR NEIGHBORHOOD SPECIALTY GROCERY MARKET

Dear Licensees and Community Partners:

Please be notified, pursuant to NRS 237.080, of proposed amendments to Clark County Code, Title 8 for the addition of a new liquor license category for a Neighborhood Specialty Grocery Market. We anticipate that the Liquor and Gaming Licensing Board may introduce the amendments on November 15, 2011 and schedule a public hearing for December 6, 2011. The amendments are available for your review online at www.clarkcountynv.gov/depts/business_license.

Specifically, the proposed amendments will include the addition of new subsection 8.20.020.081, Neighborhood Specialty Grocery Market, with the following operating requirements:

- Retail sales of groceries having not less than five hundred square feet nor more than two thousand square feet of floor space, exclusively of warehouse and office areas, devoted to the display of groceries
- 75 percent of retail space must be devoted to sale of groceries
- Hours of operation limited from 6:00 am to 8:00 pm
- At least one restroom must be available for public use during all hours of operation
- A Neighborhood Specialty Grocery Market may provide for the on-premise consumption of prepared foods and grocery items at tables, booths, or a counter by patrons
- A Neighborhood Specialty Grocery Market is eligible for a package beer, wine and spirit based produced liquor license provided that the retail space dedicated to the sale of package beer, wine and spirit based products shall not exceed more than 5% of the total square footage measured in cubic feet

In addition, the proposed ordinance amends subsection 8.20.020.265, to add a Neighborhood Specialty Grocery Market as one of the types of licenses eligible for a package beer, wine and spirit based products license.

In accordance with NRS 237.080, business owners and interested parties may submit data and arguments to the Clark County Liquor and Gaming Board, in care of the Department of Business License as to whether the proposed amendments will:

1. Impose a direct and significant economic burden upon a business; or
2. Directly restrict the formation, operation or expansion of business

Please direct your comments, data and arguments in writing to Allison Gigante, Assistant Operations Manager or by email at allisong@clarkcountynv.gov by 5:00 p.m. on October 31, 2011.

Sincerely,


Jacqueline R. Holloway
Director

BOARD OF COUNTY COMMISSIONERS
LAWRENCE WEEKLY Chair • CHRIS GIUNCHIGLIANI Vice Chair
SUSAN BRAGER • LARRY BROWN • TOM COLLINS • MARY BETH SCOW • STEVE SISOLAK
DONALD J. BURNETTE, County Manager

[Bracketed] material is that portion being deleted
Underlined material is that portion being added

BILL NO. _____

SUMMARY: A liquor and gaming ordinance to amend Title 8, Chapter 8.20, Section 8.20.020.265 and add new Section 8.20.020.081, to add a new liquor license category for a Neighborhood Specialty Grocery Market which will be eligible for a package beer, wine and spirit based products license, to require Neighborhood Specialty Grocery Markets with a package beer or package beer, wine and spirit based products liquor licenses to limit retail space dedicated to the sale of package beer, wine and spirit based products to not more than 5% the total square footage measured in cubic feet.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE FOR TO AMEND TITLE 8, CHAPTER 8.20, SECTION 8.20.020.265, AND TO ADD NEW SECTION 8.20.020.081 TO ADD NEIGHBORHOOD SPECIALTY GROCERY MARKET TO THE LIST OF ESTABLISHMENTS ELIGIBLE FOR A PACKAGE BEER, WINE AND SPIRIT BASED PRODUCTS LIQUOR LICENSE; TO REQUIRE NEIGHBORHOOD SPECIALTY GROCERY MARKETS WITH PACKAGE BEER, WINE AND SPIRIT BASED PRODUCTS LIQUOR LICENSES TO LIMIT RETAIL SPACE OF ALCOHOL TO NOT MORE THAN 5% OF THE TOTAL SQUARE FOOTAGE MEASURED IN CUBIC FEET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, SITTING AS THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 8, Chapter 8.20, Section 8.20.020.081 of the Clark County

Code is added as follows:

8.20.020.081 Neighborhood Specialty Grocery Market

(a) A "neighborhood specialty grocery market" means a business located in a building, or in a portion of a building which is segregated physically or spatially from the rest of

the building, selling groceries at retail and having not less than five hundred square feet, nor more than two thousand square feet of floor space, exclusive of warehouse and office areas, devoted to the display of such groceries.

(b) Operating Requirements:

- (1) A neighborhood specialty grocery market must maintain at least one restroom available for public use during all hours the store is open for business;
- (2) A neighborhood specialty grocery market must also maintain more than 75 percent of its retail space dedicated to the sale of groceries;
- (3) A neighborhood specialty grocery market shall only operate during the hours of 6:00 a.m. and 8:00 p.m.; and
- (4) A neighborhood specialty grocery market may provide for the on-premise consumption of prepared foods and grocery items at tables, booths, or a counter by patrons.

(c) A neighborhood specialty grocery market is eligible for a package beer, wine and spirit based products liquor license provided that the retail space dedicated to the sale of package beer, wine and spirit based products shall not be more than 5% the total square footage measured in cubic feet;

(d) A neighborhood specialty grocery market is not eligible for the following licenses:

- (1) Gaming;
- (2) Amusement machine;
- (3) Auto wash detailing;
- (4) Service Station; and

(5) Restaurant.

SECTION 2. Title 8, Chapter 8.20, Section 8.20.020.265 of the Clark County Code is amended as follows:

8.20.020.265 Package beer, wine and spirit based products license.

A "package beer, wine and spirit based product license" permits the sale of beer, wine, and spirit based products for which the alcoholic content does not exceed seventeen percent by volume or thirty-four proof and is clearly labeled as such, in unopened original containers for off-premises consumption only.

(a) A package beer, wine and spirit based product license shall be granted only to the following licensed businesses:

- (1) A convenience store;
- (2) A tavern;
- (3) A main bar (except when issued in conjunction with a live entertainment venue);
- (4) A full bar when issued in conjunction with a restaurant at a regional commercial retail mall;
- (5) A resort hotel;
- (6) A liquor store;
- (7) A grocery store;
- (8) A specialty merchandise store;
- (9) A time-share facility;
- (10) A drug store;
- (11) A wine cellar business;
- (12) A gift store;

(13) A supper club, provided that the sale of beer, wine, and spirit based products are recorded and included in the grocery to alcohol ratio as the sale of alcohol for all supper clubs;

(14) A hotel with not less than one hundred guest rooms, as defined in Section 8.20.020.140, provided that the packaged beer, wine and spirit based products are displayed within a locked cabinet accessible only to hotel staff and are sold only in unopened, original, and individual containers to hotel guests for off-premises consumption; or

(15) A neighborhood specialty grocery market.

(b) All package beer and wine establishments licensed prior to the convenience store restriction may be renewed so long as they remain otherwise eligible for licensure.

SECTION 3. Title 8, Chapter 8.20, Section 8.20.020.270 of the Clark County Code is amended as follows:

SECTION 4. 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 5. This ordinance shall take effect and be in force from and after its passage and publication thereof by title only, together with the names of the County Commissioners voting for and 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 _____, 2011.

PROPOSED BY: Commissioner _____

PASSED on the ____ day of _____, 2011.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

THE LIQUOR AND GAMING
LICENSING BOARD OF CLARK
COUNTY, NEVADA

BY: _____

Chairman

ATTEST:

DIANA ALBA, County Clerk

This ordinance shall be in force and effect from and after the _____ day of _____, 2011.