

Material being deleted is [~~bracketed and struck out~~];
Material being added is underscored.

BILL NO. 5-3-11-3

SUMMARY – A business license ordinance to repeal Title 6, Chapter 6.12, Section 6.12.966 to eliminate the tobacco permit requirement for tobacco retailers.

ORDINANCE NO. 3954
(of Clark County, Nevada)

AN ORDINANCE TO REPEAL TITLE 6, CHAPTER 6.12, SECTION 6.12.966, TO ELIMINATE THE TOBACCO PERMIT REQUIREMENT FOR TOBACCO RETAILERS.

WHEREAS, licensed tobacco retailers are required to pay business license fees, calculated on the basis of gross revenues earned from the sale of tobacco products, as well as a thirty dollar annual tobacco permit fee, in accordance with Title 6, Chapter 6.12, Section 6.12.966 and Section 6.12.969,

WHEREAS, the Board of County Commissioners recognizes that the dual requirement of a tobacco permit and a gross revenue based license for the sale of tobacco products is duplicative in nature,

WHEREAS, the Board of County Commissioners is desirous of eliminating redundancies in the business licensing functions and, whenever possible, to lighten the compliance/reporting burden upon businesses,

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

SECTION 1. Title 6, Chapter 6.12, Section 6.12.966 is hereby repealed as follows:

~~[6.12.966 Tobacco permit.~~

~~Any person licensed to sell tobacco by means of vending machines or in conjunction with another gross retail license as defined in NRS 370 shall pay a permit fee of thirty dollars annually. All tobacco sales must be reported under the appropriate gross license. This license will be exempt from the provisions of the application processing fee of Chapter 6.08 of this code.]~~

SECTION 2. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining portions 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 3. 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 4. 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 3rd day of May, 2011.

PROPOSED BY: Commissioner Susan Brager

PASSED on the 17th day of May, 2011.

AYES: Susan Brager
Lawrence L. Brown III
Tom Collins
Chris Giunchigliani
Mary Beth Scow
Steve Sisolak
Lawrence Weekly

NAYS: None

ABSTAINING: None

ABSENT: None

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

BY: Susan Brager
SUSAN BRAGER, Chair

ATTEST:

Diana Alba
DIANA ALBA, County Clerk

APPROVED AS TO FORM:

Jeffrey Trull
JEFFREY TRULL
Deputy District Attorney