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BILL NO. L-1-18-11-1

SUMMARY: A liquor and gaming ordinance to amend Title 8, Chapter 8.20, Section 8.20.020.105 to add a Wine Cellar Business to the list of establishments eligible for a Full Bar liquor license; and to amend Title 8, Chapter 8.20, Section 8.20.020.430 to allow a Wine Cellar Business the eligibility for a Full Bar liquor license.

ORDINANCE NO. L-251-11
(of Clark County, Nevada)

AN ORDINANCE FOR THE ADDITION OF A LIQUOR LICENSE CATEGORY TO AMEND TITLE 8, CHAPTER 8.20, SECTION 8.20.020.105 TO ADD A WINE CELLAR BUSINESS TO THE LIST OF ESTABLISHMENTS ELIGIBLE FOR A FULL BAR LIQUOR LICENSE; TO AMEND TITLE 8, CHAPTER 8.20, SECTION 8.20.020.430 TO ALLOW A WINE CELLAR BUSINESS THE ELIGIBILITY FOR A FULL BAR LIQUOR LICENSE; 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 8.20.020.105 is amended 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. 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. A full bar liquor license is a retail license and may be issued to a 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.

SECTION 2. Title 8, Chapter 8.20, Section 8.20.020.430 is amended as follows:

8.20.020.430 - Wine cellar business.

"Wine cellar business" means a business that sells glasses of fine wine at retail for on-premises consumption only, and sells packaged bottles of the same fine wines for off-premises consumption only. Fine wines, both retail by the glass and packaged bottles, cannot be given away, comped, or otherwise provided free of charge.

A wine cellar business must also satisfy all of the following requirements:

- (a) Have at least two thousand square feet of floor space for the display of fine wines, including coolers, but exclusive of office space, storage space, and restrooms;
- (b) Maintain an inventory of fine wines of at least one-hundred and twenty thousand dollars;
- (c) Provide seating for at least twenty-five patrons;
- (d) Make all products of the wine cellar business available for sale to the general public during all hours the premises is open for business;
- (e) Maintain at least one restroom on its premises that is available for public use during all business hours;

- (f) Prohibit anyone under the age of twenty-one from entry into a wine cellar business;
 - (g) Comply with Clark County Code Sections 8.20.450 and 8.20.310 for all off-premises package sales of fine wine by the bottle;
 - (h) Refrain from charging any form of admission fees for entry to the licensed premises;
 - (i) Prohibit any form of gaming in a wine cellar business; and
 - (j) A wine cellar business cannot be operated in conjunction with any other type of liquor license or business, except a retail beer and wine liquor license or a full bar liquor license.
- For the purposes of this section only, "fine wine" means any alcoholic liquor obtained by the fermentation of grape juice, or whose fermentation has been stopped by fortification, containing less than twenty-two percent alcohol by content, which is packaged in a glass bottle, and on which the vintage is displayed on either the front or back label.

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 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 18th day of January, 2011.

PROPOSED BY: Commissioner Lawrence Weekly

PASSED on the 15th day of February, 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

THE LIQUOR AND GAMING
LICENSING BOARD OF CLARK
COUNTY, NEVADA

BY: Lawrence Weekly
Chairman

ATTEST:

Diana Alba
DIANA ALBA, County Clerk

This ordinance shall be in force and effect from and after the 1st day of
March, 2011.