



Department of Business License

JACQUELINE R. HOLLOWAY
DIRECTOR

500 SOUTH GRAND CENTRAL PKY, 3RD FLOOR
BOX 551810

LAS VEGAS, NEVADA 89155-1810

(702) 455-4252

(800) 328-4813

FAX (702) 386-2168

http://www.clarkcountynv.gov/business_license

January 16, 2013

NOTIFICATION OF PROPOSED AMENDMENTS TO CLARK COUNTY CODE, TITLE 6, CHAPTER 6.12, SECTION 6.12.975 (d) TRANSIENT LODGING-MOTELS

Dear Licensees and Community Partners:

Please be notified, pursuant to NRS 237.080, of a proposed amendment to Clark County Code, Title 6, Chapter 6.12, Section 6.12.975(d) for the addition of requirements for transient lodging licensees operating motels to designate a manager and require that the designated manager complete a Landlord Training Program offered by the Las Vegas Metropolitan Police Department in connection with its Crime Free Multi-Housing Program. The proposed amendment is available for your review online at www.clarkcountynv.gov/depts/business_license.

At the request of Commissioner Giunchigliani, the proposed amendment to Title 6, Chapter 6.12, Section 6.12.975(d) will require motel operators to take the following actions:

- Designate an on-site manager who has primary responsibility for the day-to-day operations of the motel, including such activities as reservation transactions, maintaining accounting records, and overseeing building and grounds maintenance.
- In the event the designated on-site manager is a management company, the management company shall designate an employee or employees with the primary responsibilities of an on-site manager.
- All designated on-site managers or designated employees shall complete the Landlord Training Program offered by the Las Vegas Metropolitan Police Department in connection with its Las Vegas Crime Free Multi-Housing Program at no cost.
- A file shall be maintained at each motel location containing proof that the designated on-site manager or designated employee (or the designated employee's supervisor or manager) has completed the Landlord Training Program.
- Motel operators shall have 180 days from the effective date of the ordinance to comply with the requirements. In the event the Landlord Training Program cannot accommodate all applicants for the program, the amendment allows for an extension of time up to an additional 180 days.

In accordance with NRS 237.080, business owners and interested parties may submit data and arguments to the Clark County Board of Commissioners, 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 April 5, 2013.

Sincerely,


Jacqueline R. Holloway
Director

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

BILL NO.: _____

SUMMARY – A licensing ordinance to amend Title 6, Chapter 6.12, Section 6.12.975 by adding new subsections 6.12.975(d)(1)-(6) to add the requirement that motel business licensees designate a manager, or if the manager is a management company, the management company shall designate an employee or employees with primary responsibility as a manager, and require that managers and designated employees, or the designated employee’s manager or supervisor, complete a Landlord Training Program offered by the Las Vegas Metropolitan Police Department in connection with its Las Vegas Crime Free Multi-Housing Program; and provide for other matters properly relating thereto.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 6, CHAPTER 6.12, SECTION 6.12.975 BY ADDING SUBSECTIONS 6.12.975 (d)(1)-(7) TO ADD A LICENSE REQUIREMENT THAT MOTEL BUSINESS LICENESEES DESIGNATE A MANAGER, OR IF THE MANAGER IS A MANAGEMENT COMPANY, THE MANAGEMENT COMPANY SHALL DESIGNATE AN EMPLOYEE OR EMPLOYEES WITH PRIMARY RESPONSIBILITY AS A MANAGER, AND REQUIRE THAT MANAGERS AND DESIGNATED EMPLOYEES, OR THE DESIGNATED EMPLOYEE’S MANAGER OR SUPERVISOR COMPLETE A LANDLORD TRAINING PROGRAM OFFERED BY THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT IN CONNECTION WITH ITS LAS VEGAS CRIME FREE MULTI-HOUSING PROGRAM, AND PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISISONERS OF THE COUNTY OF CLARK,

STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 6, Chapter 6.12, Section 6.12.975 is hereby amended to read as follows:

6.12.975 - Transient lodging establishment.

- (a) For each resort hotel, hotel, motel, time-share project or other similar structure or facility, the license fee shall be twenty-five dollars semiannually for the first eight guest rooms; three dollars per room semiannually for nine to three hundred rooms; where total rooms are more than three hundred, nine hundred dollars semiannually plus two dollars per room semiannually for each room in addition to the first three hundred rooms.
- (b) A resort hotel is defined in Section 8.04.010(X) of this code.
- (c) A hotel, not a resort hotel, is distinguished from a motel in that a hotel contains guest sleeping rooms in a single or connected structure, access to which is controlled through a foyer and hallways, rooms are rented on a day to day basis and hotels do not contain provisions for cooking in individual rooms or suites.
- (d) A motel is defined as being composed of more than one structure providing two or more sleeping rooms rented on a day to day basis with access doors opening to the outside.

(1) In order to obtain and maintain a business license for the operation of a motel, as defined in subsection (d), the applicant or licensee must designate a person who will act as the manager and provide proof to the department that the manager of the motel has completed a landlord-training program. In the event the manager is a partnership, corporation, or other legal business entity, this requirement may be satisfied by providing proof to the department that one or more of the principal owners or officers of the business entity have completed a landlord-training program. In the event the manager is a management company, the management company shall designate an employee or employees primarily responsible for the day to day operations of the motel, including such activities as reservation transactions, maintaining accounting records, and overseeing building and grounds maintenance to attend the landlord-training program. The management company shall provide proof that the designated employee, or the designated employee's supervisor or manager has completed the landlord-training program.

(2) Newly hired managers who have not previously completed the required landlord training program, and are required pursuant to subsection (g) to complete the training, shall be required to complete such program within one hundred eighty (180) days of the date of hire.

(3) A certificate of completion of the "landlord training program" shall be maintained on the premises of each motel containing proof that the current manager, designated employee, or the designated employee's manager or supervisor, as applicable, has completed a landlord-training program or evidence that the current manager has been employed in that capacity for fewer than one hundred eighty (180) days.

(4) All motel licensees and applicants as of the effective date of the ordinance codified in this section shall have one hundred eighty (180) days from the effective date of the ordinance to provide proof to the department that they are in compliance with the landlord training program requirement. The department may extend the one-hundred-eighty-day compliance period up to an additional one hundred eighty (180) days, upon notification from the Las Vegas Metropolitan Police Department that the available landlord training programs offered could not accommodate the number of managers requiring certification within the one-hundred-eighty-day time period for compliance.

(5) "Manager" is defined as a licensee, an employee of a licensee, a manager, or an employee of a management company who has primary responsibility for the day to day operations of a motel, including such activities as reservation transactions, maintaining accounting records, and overseeing building and grounds maintenance.

(6) "Landlord training program" is defined as a program offered by the Las Vegas Metropolitan Police Department in connection with its Las Vegas Crime Free Multi-Housing Program in coordination with the Department of Business License, the Las Vegas Metropolitan Police Department, and property management companies.

- (e) A time-share facility or project is defined in Chapter 6.115 of this title.
- (f) In addition to the above semiannual license fees, if a transient lodging establishment is renting to transient guests as that term is defined in Chapter 4.08

of this code, then taxes must also be charged according to the rates set forth in Chapters 4.08, 4.09 and 4.10 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 ____ day of _____, 2013.

PROPOSED BY: Commissioner _____

PASSED on the ____ day of _____, 2013.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

BY: _____
STEVE SISOLAK, Chair

ATTEST:

DIANA ALBA, County Clerk

APPROVED AS TO FORM:

ROBERT GOWER
Deputy District Attorney