

6.96.020 - Findings.

The City Council finds and declares that:

- (A) It is an appropriate exercise of the licensing power to authorize the operation of social use venues subject to appropriate limitations and conditions.
- (B) Nothing in this Chapter is intended to limit the application of State law and regulations governing marijuana products, drug paraphernalia, marijuana paraphernalia or substances that are classified or to be classified as controlled substances under State law and regulations, including without limitation NRS Chapters 453, 453A and 453D, and regulations adopted thereunder.
- (C) Businesses subject to this Chapter are subject to compliance with State law and regulations in accordance with the terms thereof, notwithstanding any provisions of the Chapter that pertain specifically to and are an exercise of the City's licensing and regulatory powers and jurisdiction.

(Ord. No. 6684, § 1, 5-1-19)

6.96.030 - License required.

- (A) No person shall engage in business as a social use venue within the City without first obtaining a social use venue business license pursuant to this Chapter. The license shall be a privileged license subject to the provisions of LVMC Chapter 6.06. In addition to any other condition that may be imposed upon a business license pursuant to Title 6, the City Council may issue a time-limited license or otherwise condition a license to a specified duration.
- (B) Each licensee under this Chapter shall pay an annual license fee of five thousand dollars.
- (C) A social use venue is authorized to sell, provide or distribute marijuana paraphernalia. Sales of such paraphernalia shall be subject to a general retail license, with license fees to be based on gross sales pursuant to LVMC 6.04.005.
- (D) If the applicant for a social use venue license under this Chapter is someone other than the owner of the property on which the social use venue will be located, the applicant must provide, in connection with the license application, written confirmation by the property owner that the owner is fully aware of the property's intended use.

(Ord. No. 6684, § 1, 5-1-19)

6.96.035 - Medical marijuana dispensary or a retail marijuana store license required.

No license under this Chapter is available to any person other than the holder of a license for a medical marijuana dispensary or a retail marijuana store that is located within the City.

(Ord. No. 6684, § 1, 5-1-19)

Editor's note— Section 9 of Ord. No. 6684, adopted May 1, 2019 provides: "Unless extended by future ordinance, LVMC 6.96.035, as adopted by Section 1 of this Ordinance, shall expire by limitation one year following the effective date of this Ordinance."

6.96.040 - Submittal of documents.

In addition to any other requirements for a license application that is subject to LVMC Chapter 6.06, the applicant for a social use venue license under this Chapter must submit the following:

- (A) A written statement acknowledging that the applicant understands applicable federal laws, any guidance or directives issued by the U.S. Department of Justice, the laws of the State of Nevada and the laws and regulations of the City applicable thereto concerning the operation of an establishment. The written statement shall also acknowledge that any violation of any laws or regulations of the State of Nevada or of the City, or any activity in violation of any guidance or directives issued by the U.S. Department of Justice, in such place of business, or in connection therewith, or the commencement of any legal proceeding relating to such establishment by federal authorities, may render the license subject to immediate suspension or revocation.
- (B) A written statement to the Director that the applicant will hold harmless, indemnify, and defend the City against all claims and litigation arising from the issuance of a license, including any claims and litigation arising from the establishment, operation, or ownership of the establishment.
- (C) Provide an acknowledgement that the applicant is seeking a privilege under LVMC Chapter 6.06 and understands that each principal must be found suitable to hold such license by the City Council prior to the issuance of any license; that the applicant understands and acknowledges that the burden of proving qualifications to receive a license is at all times on the applicant; that the granting of a license is at the discretion of the City Council; and that the applicant agrees to abide by the decision.

(Ord. No. 6684, § 1, 5-1-19)

6.96.050 - Submittal of plans.

Before the issuance of a license pursuant to this Chapter, the applicant must submit:

- (A) For approval by the Department:
 - (1) A security plan designed to ensure compliance with this Chapter.
 - (2) A training plan by which employees and principals will receive and successfully complete training regarding the effects of marijuana use, overconsumption, safety standards, and sanitation standards, with such training to be provided by a properly licensed provider capable of certifying the successful completion of training. The curriculum must consist of not fewer than two hours of instruction and include, without limitation, instruction on the following topics:
 - (a) The clinical effects of marijuana on the human body;
 - (b) Methods of identifying intoxicated persons;
 - (c) Relevant provisions of State laws and City ordinances concerning the selling and possession of marijuana;
 - (d) Proper sanitation with respect to the use of marijuana paraphernalia and the consumption of edibles, to the extent not regulated by Southern Nevada Health District;
 - (e) Methods of preventing and halting fights and other disturbances of the peace; and
 - (f) Methods of preventing the entry of minors into establishments.
 - (3) For social use venues that will allow smoking or vaping, or both, an air quality plan that provides for the operation of an air purification system that is adequate to remove from the ambient air any smoke or vapor that contains THC compounds so as to mitigate the impact of those compounds on employees of the establishment.
- (B) For approval by the Department of Fire and Rescue, a fire safety plan designed to ensure the safety of employees, patrons and the public.

(Ord. No. 6684, § 1, 5-1-19)

6.96.060 - Work cards required.

Each employee of a social use venue must first obtain and maintain a valid work card pursuant to LVMC Chapter 6.86.

(Ord. No. 6684, § 1, 5-1-19)

6.96.070 - Intoxication prohibited.

It is unlawful for an employee or principal of a licensee to be intoxicated or under the influence of alcohol, marijuana or marijuana products while working on the premises during business hours.

(Ord. No. 6684, § 1, 5-1-19)

6.96.080 - Unlawful acts.

During any time a social use venue business is in operation, whether or not another business is being operated in the same location, it is unlawful for the social use venue business to:

- (A) Employ a person under the age of twenty-one years (or allow such an employee) to handle marijuana, marijuana products or marijuana paraphernalia.
- (B) Allow any person under the age of twenty-one years inside the establishment.
- (C) Sell, provide or distribute marijuana, marijuana products within or on the premises of a social use venue.
- (D) Allow the consumption of marijuana or marijuana products within the view of the general public from outside the establishment.
- (E) Allow the smoking of marijuana within any outdoor area.
- (F) Allow within the establishment the use of any paraphernalia or equipment that does not comply with the fire safety plan approved by the Department of Fire and Rescue.
- (G) Allow the delivery to the establishment of marijuana or marijuana products except in accordance with applicable requirements of the State regulating authority.
- (H) Provide or allow on the premises the sale or consumption of alcoholic beverages.
- (I) Store marijuana or marijuana products on the premises or allow such storage on the premises.
- (J) Allow any room to be used for the consumption of marijuana or marijuana products that is not immediately accessible to law enforcement or any patron of the establishment.

(Ord. No. 6684, § 1, 5-1-19)

6.96.090 - Additional requirements.

Each social use venue shall:

- (A) Comply with the odor control and disposal requirements that are set forth in LVMC 6.95.130 and 6.95.190, respectively, regarding other marijuana-related establishments.
- (B) Comply, as applicable, with the requirements of the security plan, training plan, air quality plan and fire safety plan approved pursuant to LVMC 6.96.050.

- (C) Be responsible for maintaining and conducting all activities upon, and providing security and security measures for, the premises in accordance with applicable statutes, regulations, ordinances, license conditions, and the approved security and fire safety plans.
- (D) Not knowingly permit upon the premises any violation of applicable statutes, regulations, ordinances, license conditions, or the approved security and fire safety plans, or permit nuisances or other activities that endanger the health or safety of patrons, employees or the public.
- (E) Ensure that at least one qualified person is on the premises at all times during the hours of operation. For purposes of this subsection, "qualified person" means a principal or key employee who has been approved for suitability pursuant to LVMC 6.06.060.

(Ord. No. 6684, § 1, 5-1-19)

6.96.100 - License suspension.

In addition to and independent of any other remedy available under this Title, the Director or Metro may suspend a license immediately for a period not to exceed ten days under any of the following circumstances:

- (A) Alcoholic beverages have been sold or served or are found on the premises.
- (B) Employees of the establishment are found in possession of illegal substances.
- (C) Employees of the establishment have consumed marijuana or marijuana products while working.
- (D) Marijuana or marijuana products are being stored on the premises.

(Ord. No. 6684, § 1, 5-1-19)

CHAPTER 6.98 - PET SALES