



## NIGHTCLUB GENERAL INFORMATION HANDOUT

A Nightclub business is administered under Las Vegas Municipal Code Chapter 6.39 and Chapter 6.50. A nightclub license is not transferable. The following information provides general guidelines for a nightclub license. Please refer to Title 6 of the Las Vegas Municipal Code and Title 19 of the Unified Development Code for detailed information.

### DEFINITIONS:

**"Live Entertainment"** includes live music (with or without dancing), recorded or digital music played for patrons by a live disc jockey or electronic device, karaoke entertainment or other state shows, such as a magician, comedian other similar type of performance artist.

**"Minor"** means a natural person under the age of twenty-one years of age.

**"Nightclub"** means an indoor or outdoor drinking, dancing, or entertainment establishment that does its primary business after dark, has a dance floor or open area free of tables and chairs that would allow dancing or assembly occupancies, and has sound equipment to allow live or recorded music played for the purpose of dancing (whether or not dancing actually occurs). The operation of the establishment may (but is not required to) include any of the following: Onsite consumption of alcoholic beverages, a bar area, a fee for admittance, a promoter contracted to provide entertainment, and the sale of prepared food. In order to qualify as a nightclub, any sale of prepared food must be accessory to the primary business operation, and gross receipts from the sales thereof may not exceed gross receipts from the sales of alcoholic beverages. The term does not include an establishment that is licensed (or qualifies) as an erotic dance establishment under LVMC [Chapter 6.35](#) or a teenage-related establishment licensed under LVMC [Chapter 6.80](#).

1. A nightclub licensed establishment wishing to provide alcoholic beverages shall not be issued unless the applicant possesses the following alcoholic beverage licenses:
  - a. Beer Wine Room
  - b. General On-Sale
  - c. Tavern
  - d. Tavern-Limited
  - e. Urban Lounge
2. Hours of Operation: The hours of operation for a nightclub shall be determined by the Director at the time of permanent license approval. If there is a conflict between the hours of operation for a nightclub approved by the Director for the nightclub license and hours of operation approved by the City Council pursuant to either:
  1. An alcoholic beverage licensed for an establishment; or
  2. An approved land use entitlement permitting the operation of a nightclubThe condition regarding the hours of operation approved by the City Council shall supersede the Director determination.
3. Security Plan Required: Prior to the approval of any temporary or permanent license, the licensee shall present to the Director a security plan for approval, and a license shall not issue until such plan is approved by the Director. The Director shall issue, and may revise on an as-needed basis, an official policy to describe the scope of the required security plan for the benefit of potential licensees.
4. If a licensed establishment is within 500 feet of a residential property, post signs at locations clearly visible within the club and at both on and off-site parking areas, requesting patrons to respect residents of adjacent residential neighborhoods by being quiet when leaving.

5. Outdoor activities: Unless otherwise permitted by land use entitlement approved for such establishment, any and all activities associated with a licensed establishment shall be conducted entirely within the interior of such establishment, except for the following:
  1. The checking of patrons' identification;
  2. Valet parking activities;
  3. The sale of admission tickets for current or future events;
  4. Eating, drinking or dancing when specifically allowed outside by LVMC Title 12 special event permit; or
  5. Within the Downtown Entertainment Overlay District, the use of outdoor speakers or other sound amplification devices, but only if and to the extent the speakers or devices:
    - a. Are not located on sidewalks or within the public right-of-way; and
    - b. Are directed toward the establishment's lounge or dining area and away from public right-of-way.
6. If patrons are waiting outside the licensed establishment for entry into such establishment, the licensee shall organize and maintain its patrons in line as follows:
  1. Each outdoor patron line must be on private property or on public sidewalk.
  2. If on a sidewalk, such line shall be parallel to and against the structure of the licensed establishment;
    - a. Line shall not be more than two abreast (two persons next to one another);
    - b. Line shall only be maintained on a sidewalk that is not located in a residential neighborhood
    - c. Line shall not restrict reasonable pedestrian movement on the sidewalk; and
    - d. Line shall not obstruct the entrance to any other establishment that is open for business.
7. Noise: No interior noise shall be audible beyond the property line with the doors closed, unless a more restrictive requirement exists elsewhere in the Las Vegas Municipal Code, then the more restrictive requirement applies. Note: The Entertainment District is exempt from noise restrictions.
8. A nightclub (alcohol) license shall not be issued if the establishment is located on property not properly entitled for a nightclub land use pursuant to LVMC Title 19. Any nightclub lawfully licensed and operating prior to December 1, 2014, may be licensed pursuant to Chapter 6.39 without obtaining land use approvals for a nightclub land use pursuant to LVMC Title 19, notwithstanding LVMC 6.39.020(B).
9. Any existing business that is considered a nightclub pursuant to Chapter 6.39 shall apply for and obtain licensure as a nightclub (alcohol) by October 1, 2015 or completely cease the nightclub operations by November 1, 2015.
10. Minors are prohibited at a nightclub (alcohol) establishment;

Exceptions:

- a. It is unlawful for a licensee to allow the entry of any minor on the premises of a nightclub, except as specifically allowed pursuant to LVMC Title 12 special event permit, or where a nightclub serves meals at a restaurant upon its premises and the minor is eating a meal within the designated restaurant area. These limited exceptions permitting minors into an establishment licensed as a nightclub are exclusive to Chapter 6.39, and no other provision of this code, such as LVMC 6.50.450(F), shall permit the entry of a minor into an establishment licensed as a nightclub.
- b. If a nightclub serves meals at a restaurant upon its premises, such nightclub must designate a restaurant area to be approved by the Director, and such nightclub may permit minors to patronize the designated restaurant area only for the express purpose of eating a meal and only between the hours of 6:00 a.m. and 10:00 p.m.
- c. Signs indicating that minors are not permitted upon the premises of the nightclub must be posted at all entrances to the permitted establishment, and if there is a restaurant serving meals upon the premises of the licensed establishment, additional signs must designate the restaurant area of the establishment. The signs, as well as the locations for placement of the signs within the establishment shall be submitted and approved by the Director.
- d. Chapter 6.39 does not preclude a licensee from employing a minor between eighteen and twenty-one years of age as a person providing entertainment at the establishment, provided that such person departs upon completion of his or her performance.