



CHECKLIST/INSTRUCTIONS - SMOKE SHOP/SMOKING LOUNGE

DEFINITIONS:

[LVMC 6.82.010](#)

Smoke Shop - means a business which has, as its principal activity or a primary activity, the sale of tobacco paraphernalia or designated substances, or a business that holds itself out to the public as engaging in that activity.

Smoking Lounge - means a business which offers, as its principal activity or a primary activity, a location and equipment for the consumption of tobacco products.

Tobacco Paraphernalia - means cigarette papers, or wrappers, holders of smoking materials of all types, cigarette rolling machines, and any other item designed for use in the smoking, preparation or consumption of tobacco products. The term does not include tobacco products.

Tobacco Products - means any substance containing tobacco leaf, including but not omitted to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis or any other preparation of tobacco. The term does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence, or any electronic device that enables the introduction of nicotine into the human body but without the presence of tobacco.

Designated Substance - means salvia divinorum or Salvinorum A, including all parts of the plant as salvia divinorum, whether growing or not; any extract thereof, the seeds thereof and every compound, manufacture, salts derivative, mixture or preparation of the plant or its seeds or extracts.

The term *primary activity* means an activity that occupies 11 percent or more of the gross retail floor area or an area designated for use as a smoking lounge that occupies 11 percent or more of the gross lounge area of the business establishment or any activity that produces 51% or more of the total revenue of the business. In businesses that have both tobacco paraphernalia sales and a smoking lounge, if the tobacco paraphernalia retail area and the lounge area combined occupy 11% or more of the total area accessible to the public, or if combined revenue from these activities produces 51% or more of the total revenue of the establishment, this will be considered a primary activity.

These definitions mean that an establishment will be classified as a smoke shop or a smoking lounge under LVMC 6.82 if the establishment falls within the definitions above. These definitions are based on the sale of tobacco paraphernalia or the presence of equipment or a designated area for the consumption of tobacco products. The presence or sale of tobacco or tobacco products is not a requirement.

A business may also fall within the definition of a smoke shop or smoking lounge simply by holding itself out to the public as engaging in that activity. In other words, if your advertising leads people to believe that your establishment is a smoke shop, it is one within the definition. There is no minimum square footage listed in either definition. A kiosk selling tobacco paraphernalia is a smoke shop.

National American Industry Classification System (NAICS Code): 453991

LICENSING:

Smoke shops and smoking lounges must be licensed. Both categories are privilege licenses. This means that all principals of the business must undergo a background check and the license must receive specific approval by the Director.

REQUIRED DOCUMENTS:

- [Las Vegas Business License Application](#) (Form #BL001)
- [Temporary License Request](#) - Optional - (Form #PL200)
- [Financial Questionnaire](#) (Form #PL124) and documentation to support sources of funding
- [Drug Paraphernalia Acknowledgement](#) (Form #PL108)
- [Responsible Party Acknowledgement Notice](#) (Form #PL233)

Corporations:

- Most recent Financial Statements
- List of stockholders holding more than 10% and/or involved in the day-to-day operation
- List of officers and directors as filed with the Secretary of State
- Most recent Annual Report (publicly traded); or
- Most recent Form 10-K filed with SEC (publicly traded)
- Articles of Incorporation
- Organizational chart of related companies (if applicable)

NOTE: If the ownership structure of the entity applying for the license is made up of other entities (i.e., the member of an LLC is a corporation and another LLC), you are required to supply documents for both LLCs and the corporation as outlined under the entity type.

Trusts:

- Complete Trust Agreement and Amendments
- List of all Trustees
- Organizational chart of related companies (if applicable)

Limited Liability Companies (LLC):

- Articles of Organization
- Operating Agreement (must include management and membership percentage details)
- List of members and contributions if not included in Operating Agreement
- Organizational chart of related companies (if applicable)

Partnerships:

- Partnership Agreement
- List of Partners if not in the Agreement
- Organizational chart of related companies (if applicable)

Limited Partnerships:

- Partnership Agreement
- List of Partners and contributions
- Organizational chart of related companies (if applicable)

Suitability package for each "Principal" as defined by LVMC 6.02.010 (Must be completely filled out and typed or printed in INK or application will not be accepted):

- [Personal History Form](#) (Form #PL125)
- U.S. Military Discharge Form DD2214 or equivalent if served in another country, if applicable
- One (1) current photo of head and shoulders, passport size--approximately 2" x 2" (**Must be less than 6 months old**)
- Driver's License or State-issued Identification Card

If born **IN** the United States or abroad to U.S. citizens, provide one of the following:

- Certified copy of Birth Certificate
- Copy of Certification of Birth Abroad

If born **OUTSIDE** the United States or abroad to U.S. citizens, provide one of the following:

- Naturalization Certification
- Copy of Permanent Resident Card
- Employment Authorization Card

OTHER REQUIRED DOCUMENTS:

- Location Lease Agreement or proof of property ownership
- Floor plan, to scale, showing complete business premises, including customer access, customer seating areas, if applicable, display and sales counters, office areas, merchandise storage areas, and compounding areas, if applicable.
- Filed stamped copy of Certificate of Business Fictitious Firm Name
- Nevada State Business Registration or Notice of Business Exemption (copy of license or proof of application)
- Nevada State Sales/Use Tax Permit (copy of permit or proof of application)

FEES: (All fees are non-refundable)**CLV Business Licensing Fees:**

- Initial Processing Fee: \$100.00
- Initial semi-annual License Fee: \$100.00
- Temporary License Request (optional): \$500.00
- Waiver Request Fee (if applicable): \$100.00 per person

LVMPD Suitability Fees:

- \$150.00 per person being investigated
- \$200.00 per privilege license

Notary Fees:

- If your items need to be notarized, a license technician can assist you with this during your appointment for an additional \$5.00 per signature.

EMPLOYEE REQUIREMENTS

- All employees who sell, handle, or serve tobacco or tobacco paraphernalia or have daily control of the operation of a smoke shop or smoking lounge must obtain a work card pursuant to LVMC 6.86 unless they have been approved for suitability as a principal of the business.
- All employees must be at least 18 years of age.
- If an approved principal named on the license is not to be present at least one-third of the hours of operation, the licensee must designate a key employee who will be present at least one-third of the hours of operation, and that key employee must undergo a background check and approved by the Director.

OTHER RESTRICTIONS FOR SMOKE SHOPS

- No person under the age of 18 years may enter or remain in the establishment unless accompanied by his or her parent or legal guardian.
- No tobacco paraphernalia or designated substances may be sold to a person under the age of 18.
- Tobacco paraphernalia must be stored and displayed in a designated area that is not open to view by persons under the age of 18. Except in an establishment that does not permit entry to persons under the age of 18, each entrance to the designated area shall have a sign approved by the Director clearly posted indicating that persons under 18 are not permitted in the area unless accompanied by a parent or legal guardian. Designated areas and signage must have prior approval by the Director.

OTHER RESTRICTIONS FOR SMOKING LOUNGES

- No person under the age of 18 years may be allowed to consume tobacco products.
- All smoking areas must be open to view by employees and patrons.
- No live entertainment may be provided unless the establishment has a night club license or other appropriate license for that activity.

***** IMPORTANT *****

Applications are taken by appointment only, Monday through Thursday.

Call (702) 229-1840 for appointment.

If you are more than 15 minutes late, your appointment will be cancelled.

Incomplete applications will not be accepted and your appointment will be cancelled.

You will need to call back to reschedule.

Return this Checklist with the original application packet PLUS a copy of the original application packet in the following order:

- Ownership/Officer/Corporate Information Form
- Legal Representation Letter, if applicable
- City of Las Vegas Business License Application
- Request for Temporary License
- Personal History Questionnaire
- Authorization to Release Information
- Birth Certificate, Driver's License, Passport, DD214, Certificate of Naturalization, Permanent Resident Card, Employment Authorization Card
- One (1) current photo of head and shoulders, passport size - approximately 2" x 2" (must be less than 30 days old)
- Work Card, Health Card, Alcohol Awareness Card, if applicable
- Work Card - Fingerprint Application
- Personal Bank Statements, if applicable
- Personal Tax Returns, if applicable
- Alcohol Owner/Management Acknowledgement Notice
- Responsible Party Acknowledgement Notice
- Entertainment Verification Form
- Any license specific Acknowledgements or Addendums (Medical Marijuana, Smoke Shops-Drug Paraphernalia Addendum, etc.)
- Waiver Request(s)
- Privilege License Financial Questionnaire, if applicable
- Business Bank Statements
- Business Tax Returns
- Group together documents as listed on your Checklist/Instructions for Corporations; Trusts; LLC's; Partnerships; Limited Partnerships
- Secretary of State documents; Nevada State Business Registration; Business Fictitious Firm Name; Nevada Sales/Use Tax Permit (proof of application)
- Lease Agreement or proof of property ownership
- Purchase/Sale Agreement
- Transfer of Business License
- Floor Plan
- Participation Agreement (Gaming)
- Special Use Permit
- Employee Listing

If we make any copies, you will be charged \$1.00 per page.

Notary services are also offered in our office for a fee.