

CHECKLIST/INSTRUCTIONS - SMOKE SHOP AND/OR SMOKE 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](#)

*** IMPORTANT ***

Applications are taken by appointment only, Monday through Thursday.

To make an appointment, call **(702) 229-1840**.

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

Incomplete applications will not be accepted.

REQUIRED FORMS

- [Las Vegas Business License Application](#) (Form #BL001)
- [Temporary License Request](#) - Optional - (Form #PL200), not eligible for licenses that require state approval
 - If requesting a Temporary License and have **NOT** resided in the Las Vegas area for the past two (2) years, a police letter from your previous jurisdiction is required.
- [Responsible Party Acknowledgement Notice](#) (Form #PL233)
- [Financial Questionnaire](#) (Form #PL124) and documentation to support sources of funding (e.g. bank statements, tax returns)
- [Drug Paraphernalia Acknowledgement](#) (Form #PL108)

OWNERSHIP DOCUMENTS (Continued)

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

Corporations:

- Meeting minutes or secretary certificates detailing current officers, directors, and shareholders
- Most recent Annual Report (publicly traded); or
- Most recent Form 10-K filed with SEC (publicly traded)
- Legal document listing stockholders holding more than 10% and/or involved in the day-to-day operation
- Organizational chart of related companies (if applicable)
- If none of the above are available, a notarized affidavit which details shareholders with ownership percentage and officers will be accepted

Limited Liability Companies (LLC):

- Operating Agreement (must include management and membership percentage details)
- Organizational chart of related companies (if applicable)
- If none of the above are available, a notarized affidavit which details managers and members with ownership percentage will be accepted

Partnerships and Limited Partnerships:

- Partnership Agreement
- Organizational chart of related companies (if applicable)
- If a partnership agreement is not available, a notarized affidavit which details the list of partners with ownership percentage will be accepted

SUITABILITY PACKAGE

Suitability package is required for each "Principal" as defined by LVMC 6.02.010 unless they are eligible for a waiver. All hand written forms must be in black ink and in block lettering. Illegible applications 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

Suitability Waiver

- [Principal Waiver General Guideline](#)
- [Waiver of Suitability Request](#) (Form #PL225)
- Driver's License or State-issued Identification Card

OTHER REQUIRED DOCUMENTS

- Filed stamped copy of Certificate of Business Fictitious Firm Name
- Nevada Secretary of State Registration Certificate or Notice of Business Exemption
- Nevada State Sales/Use Tax Permit (copy of permit or proof of application)

OTHER REQUIRED DOCUMENTS (Continued)

- Floor plan:** Drawn 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).
Leased Location: Properly executed Lease Agreement. Authorized privilege business activity must be included in the use of the
- premise. Tenant name on the Lease must match the legal entity name used on the business license application. May be contingent on approval of license; **or**
- Proof of Property Ownership**

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:

- Investigation Fee: \$150.00 per person
- Financial Investigation Fee: \$200 per privilege application

Other Fees:

- If your items need to be notarized, this service can be provided during your appointment for an additional \$5.00 per signature.
- If we make any copies, you will be charged \$1.00 per page