

Use of Parking Lot or Sidewalk within a Commercial Center or on a Commercially Zoned Property for Purposes of Meeting Social Distancing

During the duration of the State of Nevada Executive Orders and Regulations impacting restaurant, commercial, and retail operations in the city of Las Vegas, City Municipal Code requirements related to permitting requirements for Temporary Commercial Permits (Parking Lot/Sidewalk Sales) are temporarily suspended. The following requirements shall apply to the use of parking lots or sidewalks within a commercial center or on a commercially zoned property for purposes of meeting social distancing guidelines.

General Requirements. Business operations proposing to use a parking lot or sidewalk within a commercial center or on a commercially zoned property shall conform to the following:

1. Applicable State of Nevada Emergency Orders and Regulations (<http://gov.nv.gov/News/Emergency Orders/Emergency Orders/>).
2. State of Nevada social distancing recommendations for tables, chairs, and other furniture and equipment.
3. Maintain a minimum of 6-feet of pedestrian walkway space referred to herein as the "Pedestrian Path."
4. Maintain all fire lanes, parking circulation, and handicap parking spaces and the pedestrian path to the public right-of-way.
5. Any applicable requirements under the business license for the business operations shall apply and extend to any outdoor operations.
6. Permission to use any common outdoor space, on-site sidewalk, or parking area must be obtained from the property owner, where applicable.

Location Requirements.

1. The width of the available on-site sidewalk frontage that may be used shall be the width of the property or tenant space, as applicable. The business may use additional on-site sidewalk not to exceed 50-feet, only with the approval of the adjacent business owner and the property owner. Businesses are strongly encouraged to coordinate use and access.
2. Use of the parking lot area for commercial activity shall not impact more than 50 percent of the required parking for the business(es) using the parking lot area. Adequate traffic barricades should be used to clearly delineate the area being used for the commercial activity.
2. No tables, chairs, umbrellas, merchandise racks, or other objects or equipment shall encroach into the any fire lanes, circulation lanes, handicap parking spaces, Pedestrian Path, sidewalk ramp, or corner curb ramp area.
3. Furniture, fixture, or equipment shall not be permanently affixed within any outdoor area not otherwise approved for such installation.
4. Access to fire hydrants, fire hose building connections for sprinkler systems, and building entrances and exits shall not be obstructed.

Operating Requirements.

1. Outdoor activities may only operate on the on-site sidewalk or parking lot area during operating hours that are consistent with the business operating hours.
2. Removable barriers may be used to define the outdoor activity area.
3. All signage must be compliant with the City's Municipal Code. No advertising shall be permitted except for the business establishment's name and logo.
4. Landscaping planters are permitted. Watering shall be limited to minimize overflow and water waste.
5. Business operators are responsible for cleaning and sanitizing the outdoor activity area.
6. Amplified outdoor music, and sound equipment, sources, and devices that intentionally emit sound may be allowed provided the business owner uses appropriate discretion. In exercising such discretion, such use shall not create a public nuisance.
7. By allowing this temporary use, the City has foremost in mind providing business owners enhanced opportunities and the public with an orderly atmosphere devoid of any act by any person contrary to the highest community standards, and avoiding any substance or appearance of any noisy, unruly, inebriated, disruptive, disorderly, lewd, nude, partially nude, adult oriented, unwholesome, or sexually oriented behavior, business, entertainment, or other activity of any description or to any degree in the outdoor activity area. Any such behavior, business, or activity by the business owner, any invitee or guest of business owner, or anyone else using the outdoor activity area pursuant to this authorization is strictly prohibited. The requirements of this paragraph are specifically acknowledged to be a requirement of this authorization independent of and in addition to any zoning or other government regulation affecting the business operations. The business owner shall immediately cause to be removed from the outdoor activity area any persons who are obviously intoxicated or under the influence of any narcotic or chemical, commits any acts of violence, acts in a loud or unusually boisterous manner, harms or threatens harm to any person or thing, violates any law or regulation applicable to the business operations, or commits or causes, directs, or encourages any person to commit any of the aforementioned acts. The requirements of this paragraph do not apply to members of the public using the public sidewalk for pedestrian travel.

City Reserved Rights.

1. The City reserves the right to order the business operator to remove outdoor activities that (i) creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic; (ii) the business operations present a danger to the health, safety, or general public welfare; and (iii) the business operator violates these requirements or State of Nevada Executive Orders and Regulations.
2. Additionally, the City may require removal, temporary or permanent, of the outdoor activity areas due to City requirements or utility company requirements that have franchise or other rights to the public right-of-way. The business owner shall be responsible to the City for any removal costs if business owner fails to remove the outdoor activities area after reasonable written notice from the City. The City is not responsible for any damage or loss of any business personal property.