

# Proposed Alcohol Delivery for Grocery Stores Amendment

21-0103-TXT1 - TEXT AMENDMENT - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amends LVMC 6.50.100, regarding the prohibited delivery of alcoholic beverages to nonrestricted gaming parcels, to remove an exception previously provided for grocery stores.

Contents:

- Summary of the proposed changes
- Draft of the proposed ordinance

Please note:

**[abc]**            bracketed text reflects a deletion  
**abc**            underlined text reflects an addition

Where language indicates that a new Code section is to be added, all provisions in that section are new, although in some cases it is just a replacement for language repealed in a previous section of the ordinance amendment.

**Summary: 21-0103-TXT1 Alcohol Delivery for Grocery Stores**

LVMC	Subject	Existing Language	Proposed Language
<b>6.50.100</b>	<b>Alcoholic beverage license – Ancillary specialty sales</b>	Except for deliveries made directly by a grocery store with an ancillary license issued pursuant to this Section, delivery of alcoholic beverages must not be made to any parcel upon which nonrestricted gaming is conducted.	Removes the exception for grocery stores.

1 **BILL NO. 2021-**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO AMEND LVMC 6.50.100, REGARDING THE PROHIBITED DELIVERY OF  
4 ALCOHOLIC BEVERAGES TO NONRESTRICTED GAMING PARCELS, TO REMOVE AN  
5 EXCEPTION PREVIOUSLY PROVIDED FOR GROCERY STORES, AND TO PROVIDE FOR OTHER  
6 RELATED MATTERS.

6 Sponsored by: Councilman Brian Knudsen

Summary: Amends LVMC 6.50.100, regarding  
7 the prohibited delivery of alcoholic beverages to  
8 nonrestricted gaming parcels, to remove an  
9 exception previously provided for grocery stores.

9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS

10 FOLLOWS:

11 SECTION 1: Ordinance No. 6763 and Title 6, Chapter 50, Section 100, of the Municipal

12 Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.100 reads as

13 follows:

14 **6.50.100:** (A) An ancillary license authorizes the sale of alcoholic beverages for particularized  
15 sales, instruction or tasting as follows:

16 (1) Internet and Related Sales. A person licensed pursuant to this Chapter to  
17 sell alcoholic beverages for off-premise consumption may offer and sell such beverages by telephone, internet  
18 or other electronic means, and may provide for the delivery of such beverages to the premises requested by  
19 the purchaser, either through direct delivery by the licensee or by means of an alcohol delivery support service  
20 that is licensed pursuant to LVMC 6.50.095 and that meets the requirements of that Section and Subsection  
21 (B) of this Section.

22 (2) Instructional Wine-Making. A person authorized to sell alcoholic beverages  
23 pursuant to a package liquor license may instruct persons regarding the making of wine provided that such  
24 licensee first acquires, and maintains in good standing, any required State license or permit.

25 (a) Wines made during the instructional process may be served by the  
26 glass for consumption on the premises of the instructional establishment to those persons involved with the

1 instructional process.

2 (b) Notwithstanding the provisions of LVMC 6.50.430, persons who  
3 have made wine during an instructional process pursuant to this Section may place such wine in bottles or  
4 containers and remove them from the instructional establishment, but only for their personal use.

5 (3) Tasting. A person authorized to sell alcoholic beverages pursuant to a  
6 package liquor, wholesale general or beer/wine/cooler off sale license may provide the tasting of wines and  
7 beers, and cordials or liqueurs (if permitted pursuant to the person's license) pursuant to the following  
8 conditions:

9 (a) The sample must not exceed one-half ounce per drink;

10 (b) The samples must be served on the premises of the licensee for  
11 educational purposes or to promote the sale of packaged alcoholic beverages;

12 (c) The samples shall not be offered in conjunction with a meal at a  
13 restaurant;

14 (d) Persons offering samples of alcoholic beverages must be employees  
15 of the licensee and the person must possess a valid work card; and

16 (e) Bottles of wines, beers, cordials or liqueurs opened for tasting shall  
17 not be sold, otherwise distributed or given away.

18 (4) Individual Access. An owner or beneficial owner of a hotel that is  
19 authorized to sell alcoholic beverages pursuant to a hotel lounge bar license, or an owner or beneficial owner  
20 of a sports arena or convention center that is authorized to sell alcoholic beverages pursuant to a general on-  
21 sale or a tavern license may sell alcoholic beverages by individual access pursuant to the following  
22 conditions:

23 (a) For individual access in a hotel room:

24 (i) The hotel must provide a full-service restaurant that serves  
25 meals no less than twelve hours every day, room service of meals to all rooms no less than twelve hours  
26 every day, and no less than one full-time security guard on duty at all times;

1 (ii) The hotel must provide a secure means by which an adult  
2 transient guest may control the access to the secured cabinet or refrigerator from minors that occupy the hotel  
3 room; and

4 (iii) The adult transient guest shall not permit any minors that  
5 are occupying the hotel room to access the secured cabinet or refrigerator.

6 (b) For individual access in a booth or viewing suite at a convention  
7 center or sports arena:

8 (i) The alcoholic beverages for the booths or viewing suites  
9 shall be provided to the tenant by the licensee. Notwithstanding any other provision of this Chapter, a tenant  
10 of the booth or viewing suite shall not bring any alcoholic beverages into the booth or viewing suite nor  
11 consume any alcohol within the booth or suite that was not provided by the licensee;

12 (ii) The booth or viewing suite must be under the operational  
13 control of the licensee;

14 (iii) The licensee shall possess ultimate control of the cabinet or  
15 refrigerator inside the booth or viewing suite, and the lock of the refrigerator or cabinet shall be designed  
16 such that the key may not be removed from the refrigerator or cabinet without locking the refrigerator or  
17 cabinet;

18 (iv) The licensee shall only deliver the key to the refrigerator or  
19 cabinet to an adult utilizing the booth or viewing area; and

20 (v) The adult in receipt of the key shall not permit any minors  
21 that have access to the booth or viewing area access to the key or access to the open refrigerator or cabinet  
22 containing the alcoholic beverages.

23 (B) Delivery Restrictions. Delivery of alcoholic beverages pursuant to LVMC 6.50.095  
24 or 6.50.100(A)(1) above may only occur pursuant to the following conditions:

25 (1) The person placing an order and the person receiving the alcoholic  
26 beverages must be of legal age to purchase alcoholic beverages;

1 (2) Each sales transaction for delivery shall have written documentation of the  
2 sale and delivery, which shall include at a minimum:

- 3 (a) The business name and address of the selling establishment;
- 4 (b) A detailed list of alcoholic beverages and other items purchased in  
5 each sales transaction;
- 6 (c) The name and address of the purchaser and of the recipient;
- 7 (d) The type of identification used to prove the age of the purchaser and  
8 of the recipient; and
- 9 (e) The signature of the delivery person;

10 (3) If delivery of alcoholic beverages is to be accomplished by someone other  
11 than the selling establishment, the delivery service provider must hold an alcohol delivery support service  
12 alcoholic beverage license pursuant to LVMC 6.50.095 and be in compliance with that Section; and

13 (4) [Except for deliveries made directly by a grocery store with an ancillary  
14 license issued pursuant to this Section, delivery] Delivery of alcoholic beverages must not be made to any  
15 parcel upon which nonrestricted gaming is conducted pursuant to or in accordance with LVMC 6.40.150.

16 (C) Alcoholic beverages sold pursuant to this ancillary license shall be stored in such a  
17 manner that prevents public access.

18 (D) Any ancillary license issued shall be approved on an individual basis indicating the  
19 specialty sale allowed and accounted for based upon the fees specified in LVMC 6.50.350.

20 (E) Notwithstanding any provision of this Title to the contrary, an ancillary license is  
21 nontransferable.

22 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase  
23 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by  
24 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the  
25 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby  
26 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase

1 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,  
2 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

3 SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to  
4 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required  
5 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of  
6 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon  
7 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of  
8 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation  
9 of this ordinance shall constitute a separate offense.

10 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,  
11 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983  
12 Edition, in conflict herewith are hereby repealed.

13 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2021.

14 APPROVED:

15  
16 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 \_\_\_\_\_  
19 LUANN D. HOLMES, MMC  
City Clerk

20 APPROVED AS TO FORM:

21 \_\_\_\_\_  
22 Val Steed, Date  
Deputy City Attorney

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_ day  
2 of \_\_\_\_\_, 2021, and referred to a committee for recommendation, the committee being  
3 composed of the following members \_\_\_\_\_;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2021, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council as first  
7 introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 \_\_\_\_\_  
16 LUANN D. HOLMES, MMC  
City Clerk

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