

Summary: An ordinance creating Chapter 8 of Title 4 of the Lincoln County Code authorizing Lincoln County to license casinos and gaming establishments operating within Lincoln County and to assess license fees for the privilege of operating such businesses within Lincoln County as authorized under Nevada Revised Statutes chapter 244 and allowed under Nevada Revised Statutes chapter 463.

BILL NO. 2008-__

ORDINANCE NO. 2008-__

AN ORDINANCE CREATING CHAPTER 8 OF TITLE 4 OF THE LINCOLN COUNTY CODE AUTHORIZING LINCOLN COUNTY TO LICENSE GAMING ESTABLISHMENTS OPERATING WITHIN LINCOLN COUNTY AND TO ASSESS LICENSE FEES FOR THE PRIVILEGE OF OPERATING SUCH BUSINESSES WITHIN LINCOLN COUNTY AS AUTHORIZED UNDER NEVADA REVISED STATUTES CHAPTER 244 ALLOWED UNDER NEVADA REVISED STATUTES CHAPTER 463, AND OTHER MATTERS PROPERLY RELATED THERETO

WHEREAS, pursuant to the authority of NRS 244.335, Lincoln County may adopt an ordinance or ordinances governing gambling games or devices outside of an incorporated city and may impose and collect license taxes for revenue or regulation or both on such business located or operating within Lincoln County;

WHEREAS, it is necessary for promoting the health, safety, and general welfare of the citizens of Lincoln County and to allow for orderly and timely development of gaming and gaming establishments to occur in Lincoln County that the County be able to establish and implement controls and guidelines governing gaming and gaming establishments within Lincoln County;

WHEREAS, a uniform system of ordinances regarding the approval, administration, and enforcement of gaming and gaming establishments within Lincoln

County is necessary to ensure the health, safety, and general welfare of the citizens of Lincoln County;

WHEREAS, the current Lincoln County Business and License Code (Title 4) does adequately provide sufficient guidelines, requirements, and approvals for the licensing and regulation of such businesses that are necessary and appropriate for the protection of the public health and welfare; and

WHEREAS, the Commissioners have determined that it is in the public interest to adopt and implement an ordinance governing the licensing and operation of casinos and gaming establishments to ensure that the County has an appropriate application, review, and approval process governing the development and operation of casinos and gaming establishments in effect before Lincoln County receives its first application for the development of a gaming establishment;

**THE BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF LINCOLN DO ORDAIN:**

Title 4

BUSINESS AND LICENSE REGULATIONS

Chapter 8

GAMING CONTROL

SECTION:

- 4-8-01: Statutory Authority
- 4-8-02: Definitions
- 4-8-03: License Required
- 4-8-04: Applications - Content, Procedures and Fees
- 4-8-05: Investigation Requirements and Procedures
- 4-8-06: Board Action on Application
- 4-8-07: Qualifications for License or Finding of Suitability
- 4-8-08: Location of Gaming Establishments
- 4-8-09: Nonconforming locations
- 4-8-10: Refund of License Fees
- 4-8-11: License Fees
- 4-8-12: Renewal Application Procedures
- 4-8-13: License Non-transferable
- 4-8-14: License Classifications- Requirements and Restrictions
- 4-8-15: Posting Licenses
- 4-8-16: Temporary Licenses
- 4-8-17: Discontinuance of Operations
- 4-8-18: Addition or Deletion of Games, Slot Machines, or Gaming Devices
- 4-8-19: Changes to Licensee or Operations
- 4-8-20: Special Events Permit
- 4-8-21: Grounds for Disciplinary Action
- 4-8-22: Application of Other Ordinances

4-8-01: STATUTORY AUTHORITY:

Pursuant to the provisions of Nevada Revised Statutes chapters 244 and 463, the Lincoln County Board of County Commissioners may adopt ordinances governing and regulating gaming and gaming establishments occurring within the County.

4-8-02: DEFINITIONS:

As used in this chapter, the words and terms defined in this section have the meanings ascribed to them, unless the context clearly indicates a different meaning. Any word or term not defined in this section which appears in this chapter shall have the definition ascribed by the Nevada Gaming Control Act and statutes ancillary thereto, and as defined by the regulations of the Nevada Gaming Commission unless the context clearly indicates a different meaning.

Applicant means any person who has applied for a county gaming license, finding of suitability, or other approval relating to gaming or gaming establishments.

Application means a written request containing complete and accurate information required for the issuance of a county gaming license, finding of suitability, approval as a key employee, or for approval of any act or transaction for which Board approval is required or permitted by this chapter.

Board means the Lincoln County Liquor and Gaming Licensing Board as authorized by NRS 244.352 and provided for by chapter 9 of this title.

Casino means a gaming establishment that holds a nonrestricted gaming license issued by the Nevada Gaming Commission and by the board pursuant to this chapter.

Club means an association of persons, whether incorporated or unincorporated, for the promotion of some common object, but not including associations organized for any commercial or business purpose. A club must be chartered under, or a duly recognized affiliate of, a national service association or organization, or other non-profit organization having at least fifty members.

Commercial complex means a building, or group of buildings located on a single parcel of land or having shared parking facilities, principally used or designed or intended to be used for business offices and retail sales establishments.

Condition means the action of the board, relating to the issuance of a license or resulting from a disciplinary hearing, whereby terms are imposed upon the licensee with which it must comply in order to avoid a license revocation or suspension.

Control means the direct or indirect possession of the power to direct or cause the direction of the management or policies of an entity whether through the ownership of voting securities, by contract, or otherwise.

Convicted means a finding of guilt as an adult offender by a jury or trial court, whether said finding is appealed or not. A person so convicted shall be deemed convicted until such finding is overturned by a court of competent jurisdiction or by pardon.

Disciplinary action means action taken by the board pursuant to chapter 9 of this title to suspend, restrict, limit, condition, revoke or impose other sanctions upon a gaming license or licensee.

Finding of suitability means that a person is found to comply with the requirements of this chapter which are prerequisite to involvement with a gaming license. A finding of suitability relates only to the specific involvement for which it is made. If the nature of the involvement changes from that for which the applicant has been found suitable, or if, in the judgment of the board, new information concerning the applicant's suitability has become available, he may be required to submit himself to a new determination of suitability by the board.

Game or gambling game means any game played with cards, dice, equipment, or any mechanical, electromechanical or electronic device or machine for money, property, checks, credit, or any representative of value, including, without limiting the generality of the foregoing, faro, monte, roulette, keno, bingo, fan-tan, twenty-one, blackjack, seven-and-a-half, big injun, klondike, craps, poker, chuck-a-luck, Chinese chuck-a-luck (dai shu), wheel of fortune, chemin de fer, baccarat, pai gow, beat the banker, panguingui, slot machine, any banking or percentage game, or any other game or device approved by the Nevada Gaming Commission, but does not include games played with cards in private homes or residences or in clubs in which no person makes money for operating the game, except as a player, or games operated by charitable or educational organizations which are approved by the Nevada State Gaming Control Board pursuant to the provisions of NRS 463.409.

Gaming or gambling means to deal, operate, carry on, conduct, maintain, or expose for play any game as defined in this section.

Gaming device means any slot machine or other mechanical, electromechanical, or electronic contrivance, component, or machine used in connection with gaming or any game which affects the result of a wager by determining win or loss.

Gaming establishment means one business operated under the same management in the same building or adjoining buildings, connect by open doorways, halls, or other avenues of ingress or egress, where any game or slot machine permitted by law and operated pursuant to a nonrestricted or restricted gaming license.

Gaming license means the license issued by the board which authorizes the person named therein to engage in gaming in the county.

Resort Hotel means any building or group of buildings that is maintained as and held out to the public to be a hotel where sleeping accommodations are furnished to the transient public and that has:

1. More than 50 rooms available for sleeping accommodations;
2. At least one bar with permanent seating capacity for more than 30 patrons that serves alcoholic beverages sold by the drink for consumption on the premises;
3. At least one restaurant with permanent seating capacity for more than 60 patrons; and
4. A gaming area within the building or group of buildings.

Key employee means an individual having the power to exercise a significant influence over decisions concerning any part of the operation of a gaming establishment.

Licensee means any person to whom a valid gaming license has been issued.

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

Nonrestricted license or nonrestricted gaming mean a gaming license for, or an operation consisting of, sixteen or more slot machines or gaming devices, or a license for, or an operation consisting of, any number of slot machines or gaming devices, together with any other game, race book or sports pool, or bingo at any one establishment.

Operation means the conduct of gaming.

Owner means any person with an indirect or direct ownership interest in a liquor licensee, and includes any person receiving any percentage of profits directly or indirectly from gaming operations.

Person means any natural person, firm, partnership, corporation, limited liability company, association and other form of business organization now or hereafter legally recognized.

Place of worship or church means a building or portion of a building that people regularly attend to participate in or hold religious services, meetings, and other activities.

Premises means the tract of land on which a gaming establishment is located and all buildings, restaurants, hotel or motel structures, recreational facilities, shops, arcades, support and maintenance rooms and parking lots which are connected and operated in such an integral manner as to form a part of the same operation or complex as the gaming establishment, whether under separate leases or not.

Quarter means a period of three consecutive months commencing on the first day of January, April, July, or October, in any year.

Race book means an operation that accepts wagers on events held at tracks with pari-mutuel wagering.

Restricted license or restricted gaming means a gaming license for, or an operation consisting of, not more than fifteen slot machines which are incidental to the primary business at the establishment, but not any other game or gaming device.

School means any public, private, or religious educational institution or class maintained or conducted for the purpose of offering a course of instruction similar to that customarily offered in the public schools of this state to students in the first through the twelfth grades.

Slot machine means any electronic, mechanical, electrical, or other device, contrivance, or machine which, upon insertion of a coin, token, or similar object therein, or upon payment of any consideration, is available for play or operation, the play or operation of which, whether by reason of the skill of the operator or application of the element of chance, or both, may deliver or entitle the person playing or operating the machine to receive cash, premiums, merchandise, tokens, or anything of value, whether the payoff is made automatically from the machine or in any other manner.

Slot operator means any person who places slot machines in a licensed location for a fixed amount or percentage, or for any consideration without being on the license issued for the location.

Sports pool means the business of accepting wagers on sporting events by any system or method of wagering.

4-8-03: LICENSE REQUIRED:

A. It is unlawful for any person who is not the holder of a valid gaming license issued pursuant to this chapter to:

1. Deal, operate, carry on, conduct, maintain, or expose for play within the county any gambling game, gaming device, slot machine, or race book or sports pool;
2. Receive, directly or indirectly, any compensation, reward, or any percentage or share of the money or property played, for keeping, running, or carrying on any gambling game, gaming device, slot machine, or race book or sports pool; or
3. Provide or maintain any information service with the primary purpose to aid the playing or making of wagers on sporting events of any kind.

B. Except for those persons engaged in the manufacture or distribution of gaming equipment, and those persons required to be found suitable pursuant to NRS 463A, any person required to be licensed or to be found suitable by the Nevada Gaming Commission in connection with any gaming activity taking place within the county shall apply for licensing or finding of suitability to the county, as herein provided, within thirty days after application to the State Gaming Control Board.

C. Whenever it is the judgment of the board that the public interest will be served by requiring any key employee to obtain a finding of suitability to hold key employee status, the board shall serve upon the licensee notice to make application for key employee approval.

1. The licensee shall, within thirty days after receipt of the notice requiring a finding of suitability of any key employee, present the key employee application to the

board or provide documentary evidence that such key employee is no longer employed by the licensee.

2. An application for a finding of suitability, the investigation, and payment of fees shall be made in accordance with this chapter.

D. If a person required by this section to submit an application fails to do so within the required time and the board makes a finding of unsuitability for that reason, the gaming licensee with whom the person is associated shall immediately terminate its association with that person. Failure to terminate the association is grounds for disciplinary action against the licensee.

E. In the exercise of its discretion, the board may limit the number of licenses issued pursuant to this chapter. The board may impose any condition it deems appropriate when issuing a license, including, but not limited to a limit on the number of gambling games, gaming devices, or slot machines or a limit on the location of any casino or gaming establishment.

4-8-04: APPLICATION -- CONTENT, PROCEDURES, AND FEES:

A. Each applicant for a license must submit a complete written application under oath, on forms provided by the board. The application must include, at a minimum, the following information:

1. The name and business address of the applicant and the percentage ownership of all owners of the applicant;
2. The type of license for which application is made along with a description of the games, slot machines or gaming devices to be operated; .
3. The type of business organization the applicant comprises and a complete description thereof. A copy of the organizational documents must be included with the application;
4. Where the applicant or an owner of the applicant is a natural person, the name, date of birth, social security number, and address of the natural person;
5. Where the applicant or an owner of the applicant is a corporation, the names and addresses of the officers, directors, and shareholders of the corporation must be listed on the application;
6. Where the applicant or an owner of the applicant is a limited-liability company or partnership, the names and addresses of the members, managers, partners, general partners, and limited partners must be listed on the application;

7. A description of the premises to be licensed, giving the street and number and the portion to be occupied by the establishment for which the license is sought, the name and address of the owner or owners of such premises and of any person holding any interest in the premises including interests held through a mortgage or deed of trust. A copy of all agreements whereby the applicant is entitled to possession of the premises must be included with the application;

8 The names and address of any holder of indebtedness, including holders of bonds, debentures, or other lenders and including whether any of the applicants interests have been pledged or are the subject of a voting trust agreement or other funding device;

9. A statement that if the license is granted, the applicant will conduct the establishment in accordance with the provisions of the laws of the state, the laws of the United States and the ordinances of the county applicable to the conduct of the business.

B. Each application for a license must be accompanied by the following individual applications:

1. For applications by a corporation, an application for a finding of suitability for each officer, each director, and each shareholder owning ten percent or more of the corporation;

2. For applications by a limited liability, an application for a finding of suitability for each manager and of each member owning ten percent or more of the limited liability company;

3. For applications by a general or limited partnership, an application for a finding of suitability of each general partner and each partner owning ten percent or more of the partnership;

4. An application for a finding of suitability owner of an interest in the applicant greater than ten percent. In its discretion, the board may require owners of an interest in the applicant of ten percent or less to apply for a finding of suitability.

5. An application for a finding of suitability of any landlord or lender sharing in a percentage of profits from gaming operations.

C. All applicants that are natural persons must complete and file a personal history questionnaire disclosing information regarding the applicant's family, residences, employment, education, military service and criminal history background and must submit triplicate copies of fingerprints and thumbprints and a personal financial statement that requires the applicant to disclose information regarding his or her current and previous business activities and associates covering at least a ten-year period immediately preceding the date of application and must submit triplicate copies of fingerprints and thumbprints.

D. The applicant may satisfy the requirements of this section by submitting to the board accurate and complete copies of all application documents supplied to the State Gaming Control Board.

E. Each application must be accompanied by and a fifty-dollar (\$50) license processing fee which shall be payable to the county. The processing fee is non-refundable and is in addition to the other fees collected pursuant to this chapter.

F. Each applicant must pay a non-refundable investigation fee deposit of three hundred fifty dollars (\$350.00) for each respective license or finding of suitability. An applicant who has been licensed or found suitable within one year of the date of a new application is not required to pay an investigation fee deposit, but must pay only those costs the sheriff reasonably incurs to update his or her investigation.

G. The sheriff may require prepayment of additional investigation fees as necessary to cover anticipated costs. Any investigation fees paid by the applicant or other person in excess of those necessary to cover the full cost of an investigation, other than the non-refundable deposit, will be refunded to the applicant upon written request. If the applicant withdraws the application prior to the beginning of the investigation, posted deposits will be returned to the applicant or other person.

H. Each applicant is deemed to consent the investigation required herein, to make full disclosure of background information to licensing officials, and agrees that any written or oral statement made or obtained during the application process to or by the board or any member thereof, or the sheriff which is relevant to the purpose of the application process is absolutely privileged and does not impose thereon liability for defamation or constitute a ground for recovery in any civil action.

I. Each applicant shall also authorize the county to obtain information from criminal justice agencies, financial institutions, and governmental agencies for use in connection with the license application. The applicant shall also sign a release of claims and indemnity agreement to the county for the use of information provided by the applicant or discovered during any investigation thereof.

J. Once an application is complete, the board shall refer the application to the sheriff for review and investigation of the suitability of the applicant.

4-8-05: INVESTIGATION REQUIREMENTS AND PROCEDURES

A. The sheriff is authorized to fully investigate the applicant and to enlist the aid of any state and federal investigation and identification organizations in such investigation. All imprints and all other information obtained by reason of the imprints must be maintained by the sheriff in a confidential file available only to members of the board, and authorized sheriff's department employees.

B. The investigation shall be completed in the shortest possible time, however, the sheriff is required to make a complete investigation and shall be given a reasonable amount of time to verify any information presented or discovered. It is the intent that all investigations shall be completed within sixty days; however, if it is not possible for the sheriff to complete an investigation within sixty days, the sheriff shall report the fact to the board and the board may extend the period of time for investigation.

C. If an applicant or principal of an applicant for a gaming license is concurrently applying for a gaming license from the Nevada Gaming Commission, the sheriff must defer the background investigation to the investigation completed by the Nevada Gaming Control Board, unless the board or sheriff determines that a separate investigation is necessary.

D. No investigation fee shall be required of any applicant who has been previously investigated by Lincoln County, provided the applicant has held a privileged Lincoln County license within one year preceding the present application; however, the Board may require the applicant to undergo an additional background investigation and receive Board approval prior to issuance of a new license.

4-8-06 BOARD ACTION ON APPLICATION:

A. Upon completion of the investigation, the sheriff shall immediately refer the application to the board together with its findings and all facts upon which the findings are based. The board shall then place this item on its next regular meeting at which the sheriff's department shall report its findings from the completed investigation. The application may be acted upon by the board at any regular or recessed regular meeting thereof or at any special meeting.

B. An application for a gaming license, finding of suitability, or other approval by the board constitutes a waiver of confidentiality and privacy as to those matters regarding past and present associations, criminal history, including sealed and expunged records, sources of funds, and other matters disclosed or revealed during the investigation. Such waiver permits interrogation of the applicant at any meeting of the board, concerning any matters contained in the application or information obtained in the course of an investigation. However, information of a confidential nature or showing the applicant's finances, net worth, earnings, or revenues that is submitted as part of the application shall be maintained by the sheriff in a confidential file, available only to the law enforcement officers involved in the investigation and the board, with release permitted pursuant to a subpoena or other order of a court of competent jurisdiction or to a duly authorized agent of any governmental agency acting pursuant to the agency's authority and function.

C. It is unlawful for any person to disclose any item of personal history, financial records, audits, criminal history, or any other item contained in the investigation file to any person except in the course of the necessary administration of this chapter, or upon a lawful order of a court of competent jurisdiction. Any person violating this section shall

be guilty of a misdemeanor and may be punished by a fine of five hundred dollars, or up to six months imprisonment, or by both fine and imprisonment.

4-8-07 QUALIFICATIONS FOR LICENSE OR FINDING OF SUITABILITY:

A. An application to receive a gaming license or finding of suitability may be granted if the board is satisfied that the applicant:

1. Is a person of good character, honesty and integrity;
2. Is a person whose prior activities, criminal record, if any, reputation, habits and associations do not pose a threat to the public interest of the County or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices, methods and activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental thereto, or give to the gaming industry of the County an disreputable, unsavory, or dishonest reputation or bring discredit or dishonor to the gaming industry;
3. Proposes to conduct or be involved with gaming at a suitable location in premises which meet all requirements of county zoning, building, fire, and health codes. Without limiting the foregoing, a nonrestricted gaming license will not be granted unless the premises are located in a geographical area developed pursuant to title 15 of the code.

B. A gaming license or finding of suitability shall not be granted unless the applicant has satisfied the board that:

1. He has adequate business probity, competence and experience in gaming or business experience in general; and
2. The proposed financing of the entire operation is adequate for the nature of the proposed operation and from a suitable source.

C. In addition to any other reasons set forth in this chapter or in its discretion, the board may deny a license when:

1. By the granting of such license, a disorderly house or place disruptive to the peace and welfare of the neighborhood may be maintained;
2. The granting of such license may adversely affect the valuation of adjoining and contiguous property;
3. In the judgment of the board, there are ample and sufficient licensees and establishments in the area or place for which the license is to be used to properly serve such area or place;

4. In the judgment of the board, the applicant is not fit and proper to operate gaming; or

5. In the judgment of the board, the particular business that proposes to be associated with gaming is not compatible with gaming or will not enhance the image or welfare of the county;

6. In the judgment of board there are ample and sufficient licensees and establishments in the area or place for which the license is to be used to properly serve such area or place;

7. The Board, in the exercise of its discretion, decides to limit the number of any classification of license provided for in this chapter.

D. A nonrestricted gaming license may only be issued to (a) a resort hotel, (b) an establishment which is eligible to have a nonrestricted license transferred to it pursuant to NRS 463.302 if the board determines at a public hearing that the public health, safety, welfare, and morals of the county inhabitants will not be impaired by issuing a nonrestricted gaming license .

4-8-08 LOCATION OF GAMING ESTABLISHMENTS:

Schools and Places of Worship

1. A gaming license will not be granted within a geographical area developed pursuant to title 15 of the code to any establishment located within one thousand five hundred (1,500) feet of any school or place of worship, unless the school or place of worship is part of a commercial complex, and the board determines at a public hearing that the public health, safety, welfare, and morals of the county inhabitants will not be impaired by the granting of such license.

2. The one thousand five hundred (1,500) foot limitation shall be determined by measurement in a direct line from any place of entry to the school or the entry door of the building used for the place of worship to the customer entry door of the gaming establishment.

4-8-09 NONCONFORMING LOCATIONS:

Establishments that hold a valid restricted gaming license or upon which a slot route operator operates pursuant to a valid restricted gaming license issued prior to _____, 2008, are exempt from any location or distance restrictions imposed by this chapter.

4-8-10: REFUND OF LICENSE FEES:

No license fees paid under this chapter shall be refunded after the start of the license period whether the operation of any game or slot machine or gaming device for which any license was issued has been voluntarily terminated, or the license has been revoked under the provisions of this title, or for any other reason, except in the case of a clerical error or duplicate payment.

4-8-11: LICENSE FEES:

A. It is unlawful for any person to operate a gaming establishment without first having paid the following applicable quarterly license fees in advance on January, April, July and October 1st of each year:

1. Restricted gaming establishments with 15 or fewer slot machines, per machine.....\$10.00
2. Nonrestricted gaming establishments with 16 or more slot machines or gaming devices, per machine..... \$35.00
3. Bingo..... \$300.00
4. Race book \$400.00
5. Sports pool..... \$300.00
6. Keno \$300.00
7. Slot route operator \$300.00
8. Information service \$300.00
9. All other games, per game.....\$200.00

B. The fee must be collected in advance from a licensee and no gaming license fee or tax may be prorated..

C. The fees dues pursuant to this section are not refundable.

D. All license fees due become delinquent if not paid on the date when due. If payment is made after the date when the fee is due and before thirty days after the due date, fifty percent of the license fee shall be assessed as a penalty charge. All licenses for which the license fees have not been paid with thirty days after the due date shall be deemed revoked.

E. The license fees authorized in this section are in addition to those collected by the county pursuant to state statute.

4-8-12: RENEWAL APPLICATION PROCEDURES:

A. The County shall send a written notice to every gaming licensee prior to the due date of each quarterly license fee required; provided, however, that the actual receipt of such notice is not required and shall not be held to waive the payment of a gaming license fee.

B. Every gaming licensee shall file, together with the license fees and taxes required by this chapter, an application for renewal which shall be certified by the licensee or manager or officer thereof with an acknowledgment that the ownership and management of the licensee has not changed, that the licensee holds a current and valid state gaming license, and that the establishment is in compliance with all state and local gaming license requirements. The application for renewal shall contain an accurate report of all games, slot machines, or devices operated by the licensee during the preceding quarter.

C. The licensee shall pay, in addition to all other fees and taxes, a license renewal fee of twenty-five dollars quarterly.

D. The renewal application form for quarterly renewal of county gaming licenses, as well as information regarding licensing fees and taxes, renewal procedures, and certification requirements, shall be provided to the licensee in a form and manner consistent with requirements of this chapter.

E. The required license fee for the applicable period of time shall accompany each application for issuance or renewal of a license and shall be paid to the county and submitted to the Lincoln County Treasurer who shall collect, process, and make receipt for all licenses issued, in accordance with state law and county ordinances.

F. Failure to renew a gaming license when required terminates the license without further action by the board and all gaming operations must cease unless and until a new gaming license is issued.

4-8-13: LICENSE NON-TRANSFERABLE:

A. A gaming license issued under the provisions of this chapter is not transferable. Any license issued pursuant to this chapter shall be valid only for the particular establishment described thereon and for the designated number and type of gambling games, slot machines, or gaming devices for which it is issued.

B. Unless otherwise specifically provided by state law, the license is not an asset that may be inherited, sold, assigned, maintained, or operated by a trustee or receiver unless approved by appropriate state and County licensing agencies.

C. A gaming license is personal to the disclosed and investigated owners, stockholders, and managers. A person may not hold an ownership interest in, or share in the revenue from a licensed gaming establishment or operation until licensed or found

suitable as provided in this chapter. Any sale or transfer of ownership of a licensed entity, or granting of any right to all or a portion of the profits derived from a gaming operation to any person which is not approved as provided herein, is grounds for suspension, restriction, or revocation of any and all gaming licenses which that entity may hold.

4-8-14: LICENSE CLASSIFICATION -- REQUIREMENTS AND RESTRICTIONS:

A. An applicant for a gaming license shall provide on the initial or renewal application a complete description of the games, gaming devices, and slot machines which the applicant desires to operate and the name and location of the establishment wherein the gaming will take place. The license issued by the board shall entitle the licensee and employees thereof to carry on, conduct, and operate only the specific type and class of games, gaming devices, or slot machines for which the license is issued for the period of time and at the location stated thereon.

B. A license shall not be required of the owner of a location who rents or leases out space for fifteen or fewer slot machines on a flat-fee rental basis and who does not participate in the profits nor exercise supervision or control over the operation of the slot serves the public interest.

4-8-15: POSTING LICENSE:

All gaming licenses shall be posted in a conspicuous place in the gaming establishment and where gambling games, slot machines, or gaming devices are installed, so that the license may be readily available for inspection by authorized state and county officials.

4-8-16: TEMPORARY LICENSE:

A. In order to protect the goodwill, clientele, and assets of a licensee or licensed establishment during investigation of a new or proposed owner through sale, foreclosure, inheritance, death, insolvency, or other transfer of ownership, the board may, upon the filing of a complete application, payment of all fees, the issuance of a temporary license by the Nevada Gaming Commission, issue a temporary license.

B. The temporary license is effective for such period of time as the temporary license issued the Nevada Gaming Commission is effective. The board may extend the temporary license for a period of not to exceed sixty days, but shall not extend the temporary license for a period exceeding one (1) year from the initial approval of the temporary license.

C. A temporary granted pursuant to this section is subject to all conditions and restrictions of the original license.

4-8-17: DISCONTINUANCE OF OPERATIONS:

If an establishment with a gaming license discontinues operations for a period of sixty days without specific approval of the board, such license shall be revoked automatically, without action by the board. Upon board approval or if the operations are discontinued due to reasons beyond the licensee's control, such as natural disaster or accidental destruction, the board may, for good cause shown, grant a sixty-day approval and may, in its sole discretion, grant additional sixty-day approvals not to exceed, however, a total period of two years including said initial sixty-day period.

4-8-18: ADDITION OR DELETION OF GAMES, SLOT MACHINES, OR GAMING DEVICES:

A. Once the board has granted a license, a gaming establishment may add or delete games by written notification and in the case of additional games, full payment of the quarterly licensing fees.

B. The written notification shall include the type and location of the games to be added or deleted. Such license additions or deletions may be granted by the board upon compliance by the licensee with all of the provisions of this chapter and verification of the accuracy of information supplied on the written notification.

4-8-19: CHANGES TO LICENSEE OR OPERATIONS:

A. Each licensee must report to the board within thirty days of such change, the following:

1. Any change in the officers, directors, managers of limited liability companies, and other similarly situated managerial positions. The report must be made in conjunction with the appropriate application for a finding of suitability for any individual holding the position;

2. Any change in the general manager or other key employee. The report must be made in conjunction with the appropriate application for a finding of suitability for any individual holding the position;

3. Any change in persons receiving any portion of the profits of the licensed establishment. The report must be made in conjunction with the appropriate application for a finding of suitability for any person receiving any portion of the profits;

4. Any change in the ownership of the premises of the gaming establishment, unless the licensee is not a party to the transaction effecting such change of ownership. A licensee not a party to the transaction must report the change to the board immediately upon acquiring knowledge of such change of ownership

5. Any change in the name of the business operating under a license.

4-8-20: SPECIAL EVENTS PERMIT:

A. A gaming licensee may apply to the board, on application forms prescribed by the board, for a special events permit for the purpose of increasing the licensee's gaming operations during special event periods. The application must be filed with the board at least two weeks in advance of the special event.

B. A special events permit may only be issued to a licensee that has obtained a holiday or special event permit from the state of Nevada.

C. The board may issue a special event permit upon the filing of an appropriate application by a licensee and the payment of a license fee of \$50.00 per game for each special event.

D. The special event permit shall state the period for which it is issued and the number of table games that are allowed. A special event permit may not be issued to any licensee for more than forty cumulative days during any calendar year, nor for a period longer than ten days during any calendar quarter.

E. The board, in its discretion, may after a hearing, grant a special events permit that permits the operation of any gambling game, slot machine, or gaming device to be conducted at a non-licensed location as specified on such permit for a period not to exceed three days. The applicant shall file an application stating therein the exact use to which the proceeds of the game will be put and guaranteeing that all proceeds obtained from the operations of any gambling game, slot machine, or gaming device will be used only for such specifically-described charitable purposes. Such special events permit may be issued only to an applicant which has been issued a permit by the State Gaming Control Board authorizing the same activity and which is a qualified charitable organization.

4-8-21: GROUNDS FOR DISCIPLINARY ACTION:

The Board may deem that any activity on the part of a licensee, his agents or employees, or a person previously found suitable which is inimical to the public health, safety, morals, good order, and general welfare of the people of the county or which would reflect or tend to reflect discredit upon the county or the gaming industry, or which violates any provision of the Nevada Gaming Control Act (Nevada Revised Statutes chapters 463, 464, 465, and 466) or any regulation of either the Nevada Gaming Commission, the provisions of this or any other title of the code, is grounds for disciplinary action in accordance with chapter 9 of this title.

4-8-22: APPLICATION OF OTHER ORDINANCES:

The County intends to apply the terms, conditions, and policies of all other ordinances in conjunction with the enforcement of this chapter. The fact that such ordinances are not

specifically referred to in this chapter shall in no manner preclude their application to gaming licensees or permittees.

PROPOSED on XXXXXXXX XX, 200X.

PROPOSED by COMMISSIONER _____

PASSEDmonth) (day) (year)

Vote: Ayes: Commissioner_____

Commissioner_____

Commissioner_____

Commissioner_____

Commissioner_____

Nays: Commissioner_____

Commissioner_____

Commissioner_____

Commissioner_____

Commissioner_____

Absent: Commissioner_____

Commissioner_____

Attest:

County Clerk

Ronda Hornbeck, Chairperson of the Board

This ordinance shall be in force and effect from and after the First day of the month of XXXXX of the year 200X.