

Draft Ordinance as of 12-27-2016

EXPLANATION: Matter underlined is new; matter in brackets and stricken [--] is material to be repealed.

BILL NO.

ORDINANCE NO.

ORDINANCE TO AMEND TITLE 4 OF THE RENO MUNICIPAL CODE ENTITLED "BUSINESS LICENSE CODE", BY AMENDING CHAPTER 4.04, SECTION 4.04.008 ENTITLED "OTHER DEFINITIONS" BY ADDING TWO NEW DEFINITIONS ENTITLED MANUFACTURING FACILITY, WAREHOUSING/DISTRIBUTION CENTER AND CLARIFYING LANGUAGE TO THE DEFINITION OF GROSS RECEIPTS; TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.

SPONSORED BY: COMMUNITY DEVELOPMENT, BUSINESS LICENSE DIVISION

THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1 Title 4, Chapter 4.04, Section 4.04.008 of the Reno Municipal Code, in accordance with Nevada Revised Statutes, is hereby amended to read as follows;

Sec. 4.04.008. - Other definitions.

As used in any title or ordinance regulating business or requiring a license for the operation of a business, the following definitions apply, except where the context clearly indicates that a different meaning is intended and except where an ordinance concerning a particular business contains a specific provision to the contrary:

Applicant means any person who has applied for a city business license.

Administrative hearing officer means the person designated by the city to hear disputes that arise from the administration of Title 4 and Title 5.

Charitable organization means an organization which:

- (1) Is exempt from federal income tax pursuant to 26 U.S.C. 501(c) of the United States Internal Revenue Code, and
- (2) Has received from the Nevada Secretary of State a certificate of nonprofit corporation, association or society.

Chief of police means the top ranking official at the Reno Police Department or such official's designee.

City means the City of Reno, Nevada.

Coin-operated amusement device means any machine, mechanical, electronic, or video, which upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It includes such devices as marble machines, pinball machines, skill ball, mechanical grab machines and all games, operations or transactions similar thereto under whatever name they may be indicated.

Coin-operated music machine means any music vending machine, contrivance or device which, upon the insertion of a coin, slug, token, plate, disc, or key into any slot, crevice, or other opening, or by the payment of any price, operates or may be operated, for the emission of songs, music or similar amusement.

Coin-operated stationary amusement ride means any machine, which upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally, or which automatically operates as a stationary amusement ride or device, by shaking, bucking, or any other type of movement, or by any blinking or flashing of lights or other electronic device, whether specifically designed for children or not.

Commercial or industrial property includes but is not limited to any structure used primarily for a business purpose.

Extraordinary circumstances means situations which pose an immediate threat to the public health, safety, morals or welfare and where such immediate threat can be remedied by prompt action.

Fire chief means the top ranking official at the Reno Fire Department or such official's designee.

Gross receipts as used in connection with the determination of license fees, means the total amount received for all goods sold or for the performance of any act or service within the City. Gross receipts shall include all receipts, cash, credits, services or property received without any deduction for the cost of property sold, cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever.

Gross receipts shall not include:

- (1) Any taxes required by law to be included in or added to the purchase price and collected from the consumer or purchaser.
- (2) The portion of the receipts of a general contractor which represents payments to subcontractors provided that such subcontractors are licensed under this title and provided the general contractor furnishes the city license office with the names and addresses of the subcontractors and the amounts paid to each subcontractor.
- (3) The receipts from sales of merchandise or services performed beyond the city limits where a business license for such sale or service is required by another political subdivision [~~within the State of Nevada~~].

- (4) Those receipts subject to a franchise agreement with the city.
- (5) The gross receipts of an owner engaged in the business of renting or leasing such owner's commercial or industrial property shall be calculated at four percent of total gross receipts. An owner engaged in the business of renting or leasing such owner's commercial or industrial property and receives gross income in the amount of \$500,000.00 (before the 96 percent exemption) or less, is not required to obtain a business license.

License means any license issued pursuant to this title.

Licensee means any person to whom a license has been issued pursuant to this title.

Manufacturing facility, for the purposes of this chapter, means any manufacturing of products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products.

Person or *persons* means any natural persons, partnerships, firms, joint ventures, societies, associations, clubs, trustees, trusts or corporations, or officers, agents or any kind of personal representative acting, in any capacity, for himself or any other person.

Residential dwelling unit includes, but is not limited to:

- (1) Any hotel, lodging house, apartment house, rooming house, motel or single-family dwelling, with any rental for a period of 28 consecutive days or more.
- (2) Any unit which contains a home-based business as defined in Reno Municipal Code, section 18.06.060.

Warehousing/Distribution center, for the purposes of this chapter, mean any enclosed structure for the storage of goods for distribution or transfer of merchandise to another location. Also, commonly known as a fulfillment center.

SECTION 2. The Reno City Council hereby finds that this ordinance is subject to the requirements of Chapter 237 of NRS, Business Impact Statement process.

SECTION 3. This Ordinance shall be in effect on _____, from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 4. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this _____ day of _____, 2017, by the following vote of the Council:

AYES: _____
 NAYS: _____
 ABSTAIN: _____ ABSENT: _____

APPROVED this _____ day of _____, 2017.

HILLARY SCHIEVE
MAYOR OF THE CITY OF RENO

ATTEST:

ASHLEY D. TURNEY
CITY CLERK AND
CLERK OF THE CITY COUNCIL
OF THE CITY OF RENO,
NEVADA

EFFECTIVE DATE:

DRAFT