



# CITY OF FALLON CLERK'S OFFICE

55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874

## GAMING LICENSE APPLICATION

Date of Application: _____			
Application Type: <input type="checkbox"/> Restricted (See NRS 463.0189) Complete Section A below. <input type="checkbox"/> Nonrestricted (See NRS 463.0177) Complete Sections A and B below.			
Name: _____		Title: _____	
Last	First	MI	
Business Entity Type: <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> DBA			
<input type="checkbox"/> Corporation <input type="checkbox"/> Association <input type="checkbox"/> Other:			
Business Name: _____			
Business Owner(s):			
Name			Title:
<b>SECTION A</b>			
			License Amount
Slots:		@    \$9.00    each	\$
21 Games:		@    \$40.00    each	\$
Keno Games:		@    \$40.00    each	\$
Sports Book:		@    \$40.00    each	\$
Race Book:		@    \$40.00    each	\$
Table Games:		@    \$40.00    each	\$
Other:		@    \$40.00    each	\$
<b>LICENSE FEE TOTAL:</b>			\$
<b>SECTION B</b>			
How many guestrooms will be at this premises? _____			
How many parking spaces will be at this premises? _____			

I declare under penalty of perjury that the foregoing is true and correct:

1. That I have received and read a copy of Chapter 5.52 of the Fallon Municipal Code – Gaming Licenses;
2. That upon approval of a Gaming License, I will conduct the business and business establishment in accordance with the provisions of the laws of the State of Nevada, the United States, and the ordinances of the City of Fallon applicable to the conduct of business; and



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3. That the above information is true and correct to the best of my knowledge and belief and that such declaration is made with the full knowledge that any failure to disclose, misstatement, or other attempt to mislead may be considered sufficient cause for denial of a business license.

\_\_\_\_\_  
Applicant's Signature

### OFFICIAL USE ONLY – REVIEWED BY

City of Fallon Engineering/Building Department	_____	Date: _____
City of Fallon Chief of Police	_____	Date: _____
City of Fallon/Churchill County Fire Dept.	_____	Date: _____
City of Fallon Attorney's Office	_____	Date: _____

### OFFICIAL USE ONLY:

Account No.

License No.

Payment Received By:

## Chapter 5.52 - GAMING LICENSES<sup>31</sup>

### Sections:

#### 5.52.010 - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Gaming" or "gambling" shall have the meaning ascribed to them under NRS 463.0153 as it may from time to time be amended.

"Nonrestricted gaming license" shall have the meaning of nonrestricted license or nonrestricted operation as set forth in NRS 463.0177 as it may from time to time be amended.

"Premises" shall mean either one parcel of real property or contiguous parcels of real property owned by the same person(s) or entity(ies).

"Restricted gaming license" shall have the meaning of restricted license or restricted operation as set forth in NRS 463.0189 as it may from time to time be amended.

(Ord. No. 749, 2-3-2015)

#### 5.52.020 - Additional requirements for holders of restricted or nonrestricted gaming licenses.

In addition to the requirements set forth in this chapter, a person or entity who intends to operate a gambling establishment within the City of Fallon under the privilege of a restricted or nonrestricted gaming license issued by the State of Nevada must obtain a City of Fallon restricted or nonrestricted gaming license.

In order to apply for a City of Fallon restricted or nonrestricted gaming license, a business license applicant must indicate their intention to operate a gambling establishment within the City of Fallon under the privilege of a restricted or nonrestricted gaming license issued by the State of Nevada upon the application for a City of Fallon business license under [Section 5.04.030](#) of this title. An applicant must meet the requirements set forth in this chapter.

(Ord. No. 749, 2-3-2015)

#### 5.52.030 - Application for restricted or nonrestricted gaming license reviewed by city council.

Upon application by a holder of a restricted or nonrestricted gaming license as set forth above, review of the application shall be placed upon the first available properly noticed agenda for a regularly scheduled city council meeting. The city council shall discuss the application and allow public comments on the application. The city council, by majority vote, may deny the application based upon a failure of the applicant to meet the requirements of this chapter or upon a finding by the majority of the city council that the approval of the application would be in violation of the laws and/or ordinances of the State of Nevada, Churchill County, City of Fallon or other regulatory authority.

Applicants seeking a) an exemption under [Section 5.52.040](#) subsection C. and subsection D., b) relief from the application of [Section 5.52.050](#), or c) transfer of a restricted or unrestricted gaming license pursuant to [Section 5.52.060](#) shall apply to the city council for review of such matters using the appropriate form available at the city clerk's office.

All such matters shall be decided by the city council in the same manners as provided above.

(Ord. No. 749, 2-3-2015)

#### 5.52.040 - Requirements for issuance of nonrestricted gaming license.

A. No City of Fallon nonrestricted gaming license shall be granted to or maintained by the holder of a nonrestricted gaming license issued by the State of Nevada unless such licensee maintains, on the same premises which licensee holds a nonrestricted gaming license, no fewer than sixty guestrooms which comply with the requirements of NRS Chapter 447 as it may from time to time be amended, and which rooms shall be held out to the public as and for transient nightly occupancy and licensee shall maintain one off-street parking space for each guestroom maintained as required herein, plus an additional number of parking spaces equal to twenty percent of the number of guestrooms available. If, in computing the twenty percent required, a fraction of a parking space results which fraction exceeds fifty percent of a parking space, an additional parking space shall be required. The parking requirements set forth herein this section shall supersede and replace the parking requirements set forth in [Section 21.52.030](#) of the City of Fallon Municipal Code.

B. In addition to the parking requirements of subsection A. of this section, no City of Fallon nonrestricted gaming license shall be granted to or maintained by the holder of a nonrestricted gaming license issued by the State of Nevada unless such licensee maintains, on the same premises which licensee holds a nonrestricted gaming license, no fewer than one off-street parking space for every one hundred fifty square feet of gaming and restaurant floor space.

C. Except as otherwise provided in this section, the provisions of subsection A. and subsection B. do not apply to any entity which holds a valid nonrestricted gaming license on the date the ordinance codified in this section becomes effective.

D. The provisions of subsection A. and subsection B. do not apply to any entity having an application for a nonrestricted gaming license pending with the State of Nevada on April 17, 2012, providing that it is issued within one year from the date of the application.

(Ord. No. 749, 2-3-2015)

#### 5.52.050 - Effect of discontinuation of nonrestricted gaming for twenty-four months.

If gaming operations at any location for nonrestricted gaming under the provisions of this Code are discontinued for twenty-four consecutive months, the exemptions set forth in [Section 5.52.040](#) subsection B. and subsection C. do not apply unless the licensee demonstrates that the discontinuance is due to the demolition and reconstruction, remodeling or expansion of the structure in which the licensed gaming activity took place. The licensee must have obtained a building permit from the City of Fallon for any such work and in any event has the burden of demonstrating that the discontinuance is for the purposes set forth herein. Any such demolition and reconstruction, remodeling or expansion must be diligently pursued and completed in a reasonably timely manner.

(Ord. No. 749, 2-3-2015)

#### 5.52.060 - Restricted and nonrestricted gaming licenses nontransferable.

A. A City of Fallon restricted or unrestricted gaming license issued to any person to conduct or operate a gambling game or gambling device under the provisions of this chapter on any premises located in the City of Fallon may not be used to operate a gambling game or gambling device on any other premises.

B. No restricted or unrestricted gaming license granted under the provisions of this chapter may be transferred by the licensee to any other person except upon application made to the Chief of Police of the City of Fallon, and which application must be approved by a majority vote of the city council, who shall have the power and authority to grant the transfer or deny the request and require that a new and original application be made by the proposed transferee.

C. If the licensee shall cease to operate the licensed business, or if said restricted or nonrestricted gaming license shall be revoked, there shall be no refund on said license, or if a receiver or assignee for the benefit of creditors shall be appointed for said business, or guardian of the property or an individual holding a restricted or nonrestricted gaming license shall be appointed during the time for which such license was granted, or if a person holding a restricted or nonrestricted gaming license shall die during the term for which such license was given, such receiver or assignee or guardian of such a license, or the administrator or executor of the estate of such a deceased licensee, may continue to carry on the licensed business on the premises designated therein for the balance of the term for which said license was effective with the same rights and subject to the same restrictions and liabilities as if he or she had been the original holder of such license, providing the authority of the city council be first obtained. Before continuing such business, such receiver or assignee or guardian or administrator or executor shall file a statement with the city council, setting forth the facts and circumstances by which he or she has succeeded to the rights of the original licensee.

(Ord. No. 749, 2-3-2015)

**5.52.070 - Revocation of restricted or nonrestricted gaming license.**

The city council may revoke a restricted or nonrestricted gaming license granted under this chapter upon determination that a licensee is not in compliance with this chapter. The city council shall schedule a vote on the revocation of the restricted or nonrestricted gaming license for a regularly scheduled city council meeting allowing for no less than ten days' notice to the licensee of the proposed action. The licensee shall be provided an opportunity at the meeting to show cause why the restricted or nonrestricted gaming license should not be revoked.

(Ord. No. 749, 2-3-2015)

**5.52.080 - Fees for restricted and nonrestricted gaming licenses.**

The city council shall fix, by resolution, such fees for restricted and nonrestricted gaming licenses as the city council sees fit, and shall amend said fees from time to time as the city council sees fit.

(Ord. No. 749, 2-3-2015)