

ORDINANCE NO. 4074

Amend Henderson Municipal Code Chapter 4.32 – Gambling—Regulations and Licenses

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND SECTIONS 4.32.020 DECLARATION OF POLICY, AND 4.32.040 CONDITIONS APPLYING TO CERTAIN TYPES OF GAMING, TO CHAPTER 4.32 – GAMBLING—REGULATIONS AND LICENSES - OF THE HENDERSON MUNICIPAL CODE.

WHEREAS, the City Council adopted Ordinance No. 3104 on December 17, 2013, amending and restating chapter 4.32 – Gambling—Regulations and Licenses of the Henderson Municipal Code (“HMC”) in its entirety; and

WHEREAS, updates to HMC Sections 4.32.020 and 4.32.040 are currently appropriate for consistency with regulations of the Nevada Gaming Commission, neighboring jurisdictions, and state law set forth in NRS Chapter 463; and

WHEREAS, proposed amendments will also provide for consistency in the licensing process for restricted gaming and slot route operators licensed in the City and other jurisdictions; and

WHEREAS, updates are required to ensure consistency with City policies and practices; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Henderson Municipal Code Section 4.32.020 subsection (A) is hereby amended as follows:

4.32.020 – Declaration of policy.

A. It is found and declared that the public health, safety, morals and welfare of the inhabitants of the city require the regulation and control of all persons engaged in, associated with, or in control of, [or having the right to any portion of] the profits of the business of gaming. All such persons, as hereafter defined in this chapter, shall be licensed and controlled so as to protect the public health, safety, morals, good order and general welfare of the inhabitants of the city and to assist the gaming industry to foster its stability and growth. It is further found and declared that the right to obtain such license is a privilege and that the operation of such gaming facility, when authorized by such license, is a privileged business subject to regulations, and that the license may be suspended, limited, or revoked for cause. The burden of proving qualification to receive or retain any license or finding of suitability is on the applicant.

SECTION 2. Henderson Municipal Code Section 4.32.040 subsection (K) is hereby amended as follows:

4.32.040 – Conditions applying to certain types of gaming.

H. A license will not be required of a location owner or lessor who rents or leases out space for 15 or fewer slot machines or gaming devices on a flat rental basis, **[and who does not participate in the profits,]** or exercise control over the operation of the slot machines or gaming devices.

SECTION 3. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

SECTION 4. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses, or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 5. A copy of this Ordinance shall be filed with the office of the City Clerk and notice of such filing shall be published once by title in the Las Vegas Review-Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance (Initial Publication). Following adoption by the City Council, this Ordinance shall be published by title together with the names of the Council members voting for or against passage (Final Publication). This Ordinance is scheduled for Final Publication on April 18, 2025, in the Las Vegas Review-Journal, at which time it will become effective.

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PASSED, ADOPTED, AND APPROVED THIS 15<sup>TH</sup> DAY OF APRIL, 2025.

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Michelle Romero, Mayor

ATTEST:

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Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on April 1, 2025, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on April 15, 2025, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held April 15, 2025, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Michelle Romero, Mayor  
Councilmembers:  
Carrie Cox  
Monica Larson  
Dan H. Stewart

Those voting nay: None  
Those abstaining: None  
Those absent: Jim Seebock

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Michelle Romero, Mayor

ATTEST:

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Jose Luis Valdez, CMC, City Clerk

Editor’s Note: Pursuant to City Charter Section 2.090(3), language to be omitted is red and enclosed in [brackets], and language proposed to be added is in blue italics and underlined.