

ORDINANCE NO. 3434  
(Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON,  
NEVADA, TO AMEND CHAPTER 4.05 – BUSINESS LICENSE FEE  
SCHEDULES - OF THE HENDERSON MUNICIPAL CODE.

WHEREAS, Ordinance 3291 was adopted on October 6, 2015; and

WHEREAS, Ordinance 2023 was adopted on November 21, 2000; and

WHEREAS, Ordinance 1961 was adopted December 21, 1999; and

WHEREAS, Ordinance 1579 was adopted on June 20, 1995; and

WHEREAS, Ordinance 1301 was adopted on April 21, 1992; and

WHEREAS, Ordinance 113 was adopted on April 2, 1955; and

WHEREAS, the City has conducted a comprehensive review of the business license title;  
and

WHEREAS, updates are currently required to ensure consistency with the Nevada Revised  
Statutes and City policies and practices; and

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

SECTION 1. Section 4.05.288 Medical marijuana application, origination, license and  
indemnification fees is hereby amended as follows:

4.05.288 Marijuana-Medical marijuana [application, origination, license and  
indemnification ]fees.

See chapter 4.116 for licensing requirements.

A. Each applicant for any medical marijuana establishment license as  
identified in this chapter shall pay to the city at the time of application for  
preliminary finding of suitability for a medical marijuana establishment, a non-  
refundable application fee in the amount of \$10,000.

B. Origination fees, in addition to the semiannual license fees listed in this  
section, are imposed for the following and are payable prior to issuance of the  
license:

Class I medical marijuana establishment	\$60,000.00
Class II medical marijuana establishment	\$80,000.00

## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

Class III medical marijuana establishment	\$100,000.00
Class IV medical marijuana establishment	\$60,000.00
Class V medical marijuana establishment	\$60,000.00
Class VI medical marijuana establishment	\$60,000.00
Independent testing laboratory	\$15,000.00

C. Medical marijuana establishment licenses are not prorated, are fixed and established, and the semiannual fees must be paid in advance beginning with the second semiannual license period from the date of issuance by all persons receiving such licenses, respectively as follows:

Class I medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
Class II medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
Class III medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
Class IV medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
Class V medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
Class VI medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
Independent testing laboratory	Gross Revenue <sup>2</sup>

<sup>1</sup> A portion of gross revenue collections will be used for antidrug education programs to be administered by the police department.

<sup>2</sup> Each independent testing laboratory shall pay semiannual license fees in accordance with section 4.05.010 beginning with the second semiannual license period from the date of issuance.

D. No semiannual fee shall be due for the first semiannual license period for the license classifications set forth in subsection C of this section.

E[D]. Prior to the issuance of a medical marijuana establishment license, all [persons] receiving such licenses, and all owners as defined in section 4.116.010, officers, board members and directors, shall execute an indemnification and release agreement with the city on a form approved by the city. All persons receiving such licenses shall [and] pay an indemnification fee in the amount of \$25,000.00.

SECTION 2. Section 4.05.289 Marijuana-Retail marijuana fees is hereby established as follows:

4.05.289 – Marijuana-Retail marijuana fees.

See chapter 4.118 for licensing requirements.

A. Each applicant for any retail marijuana establishment license as identified in this title shall pay to the city at the time of application for a retail marijuana establishment, a non-refundable application fee in the amount of \$1,000.

B. Origination fees, in addition to the semiannual license fees listed in this section, are imposed for the following and are payable prior to issuance of the license:

<u>Retail marijuana cultivation facility</u>	<u>\$60,000.00</u>
<u>Retail marijuana product manufacturing facility</u>	<u>\$60,000.00</u>
<u>Retail marijuana testing facility</u>	<u>\$15,000.00</u>
<u>Retail marijuana store</u>	<u>\$60,000.00</u>

C. Retail marijuana establishment licenses are not prorated, are fixed and established, and the semiannual fees must be paid in advance beginning with

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the second semiannual license period by all persons receiving such licenses, respectively as follows:

<u>Retail marijuana cultivation facility</u>	<u>3% of Gross Revenue <sup>1</sup></u>
<u>Retail marijuana product manufacturing facility</u>	<u>3% of Gross Revenue <sup>1</sup></u>
<u>Retail marijuana testing facility</u>	<u>Gross Revenue <sup>2</sup></u>
<u>Retail marijuana store</u>	<u>3% of Gross Revenue <sup>1</sup></u>

<sup>1</sup> A portion of gross revenue collections will be used for antidrug education programs to be administered by the police department.

<sup>2</sup> Each retail marijuana testing facility shall pay semiannual license fees in accordance with section 4.05.010 beginning with the second semiannual license period.

D. No semiannual fee shall be due for the first semiannual license period for the license classifications set forth in subsection C of this section.

E. Prior to the issuance of a marijuana establishment license, all applicants receiving such licenses, and all owners as defined in section 4.118.010, officers, board members and directors, shall execute an indemnification and release agreement with the city on a form approved by the city. All persons receiving such licenses shall pay an indemnification fee in the amount of \$25,000.00. If a marijuana establishment is co-located with a medical marijuana facility licensed pursuant to chapter 4.116 and has previously paid the indemnification fee required under subsection 4.05.288(E), then no additional payment shall be required.

SECTION 3. Section 4.05.289.01 Marijuana distributor is hereby established as follows:

4.05.289.01 – Marijuana distributor.

For purposes of this title, marijuana distributor shall have the same meaning as NRS 453D.030 as may be amended or renumbered.

A. Each marijuana distributor must obtain and thereafter maintain the appropriate license pursuant to NRS Chapter 453D;

B. Each marijuana distributor must comply with all applicable Nevada Revised Statutes and provisions of this title; and

C. For each marijuana distributor the semiannual license fee shall be \$50.00 per vehicle used in the delivery or transportation of marijuana or marijuana related products within the city.

SECTION 4. Section 4.05.289.02 Marijuana management company is hereby established as follows:

4.05.289.02 – Marijuana management company.

For purposes of this title, marijuana management company means a business providing a marijuana establishment with any operations or management services, including but not limited to contract labor, marketing services, consulting services or facility management expertise.

A. Each marijuana management company must comply with subsection 4.116.070(F) or 4.118.070(F), as applicable;

B. Each marijuana management company must comply with all applicable Nevada Revised Statutes and provisions of this title; and

C. For each marijuana management company the license fee shall be \$75.00 semiannually.

SECTION 5. Section 4.05.420 is hereby amended as follows:

4.05.420 - Business License Summary of Fees

HMC	License Classification/Description  (See specific code section for details related to license classification.)	Semiannual Fee  (Unless otherwise denoted)
4.05.105	Accounting firm	\$100.00 for the 1 <sup>st</sup> professional and \$75.00 for each additional professional.  \$100.00 for each professional business located outside the city.

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

		(See section 4.05.070 for full details.)
4.05.110	Advertising business	\$75.00
4.05.115	Advertising space—Leasing or selling	\$290.00
4.05.117	Air ambulance service	\$200.00
4.05.120	Airline	\$250.00 for the principal location and \$100.00 for each ticket office or counter.
4.05.123	Alarm systems	\$65.00
4.05.125	Antique dealer	\$150.00
4.05.130	Apartment house or apartment complex	Less than 5 apartments – no license required.  5 to 10 apartments - \$35.00  Excess of 10 - \$35.00 plus \$2.50 for each additional apartment in excess of 10.
4.05.135	Architectural firm	\$100.00 for the 1 <sup>st</sup> professional and \$75.00 for each additional professional.  \$100.00 for each professional business located outside the city.  (See section 4.05.070 for full details.)

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

4.05.140	Astrologer	\$100.00
4.05.145	Auctioneer	\$250.00 Auction permit - \$50.00 (See section 4.08.080.)
4.05.150	Automobile leasing	\$75.00
4.05.153	Automobile pawnbroker	\$100.00
4.05.155	Automobile rental agency	\$125.00
4.05.160	Automobile towing	\$75.00
4.05.165	Bail bond agency, bail enforcement agency	\$100.00
4.05.170	Bank, savings and loan, thrift, trust company	\$500.00
4.05.175	Barbershop and cosmetology establishment	\$50.00 for the 1 <sup>st</sup> barber or cosmetologist; and \$25.00 for each additional barber or cosmetologist.
4.05.180	Bookkeeping	\$75.00
4.05.185	Bowling alley	\$25.00 for the 1 <sup>st</sup> alley and \$12.50 for each additional alley.
4.05.190	Broadcasting facility	\$75.00
4.05.195	Broker	\$50.00
4.05.200	Car - Automobile dealership — New	\$4.00 per new vehicle \$2.00 per used vehicle \$1.00 per new vehicle —wholesale

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

		\$1.00 per used vehicle –wholesale  Minimum fee is \$400.00
4.05.203	Check cashing and financial services	\$100.00
4.05.205	Collection agency	\$125.00
4.05.210	Commodities, securities, or mutual funds	\$330.00
4.05.215	Contract labor service	\$150.00
4.05.220	Contractor	\$100.00
4.05.225	Dental office	\$100.00 for the 1 <sup>st</sup> professional and \$75.00 for each additional professional.  \$100.00 for each professional business located outside the city.  (See section 4.05.070 for full details.)
4.05.230	Designer or decorator	\$75.00
4.05.235	Distribution center	\$225.00
4.05.237	Door-to-door solicitor and peddler	\$25.00
4.05.240	Employment agency	\$150.00
4.05.245	Engineering firm	\$100.00 for the 1 <sup>st</sup> professional and \$75.00 for each

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

		<p>additional professional.</p> <p>\$100.00 for each professional business located outside the city.</p> <p>(See section 4.05.070 for full details.)</p>
4.05.250	Finance company	\$400.00
4.05.253	Gaming	<p>Bingo - \$250.00</p> <p>Keno - \$200.00</p> <p>Sports pool - \$300.00</p> <p>Race book - \$300.00</p> <p>All other live games - \$100.00 ea.</p> <p>Slots/gaming devices - \$35.00 per machines</p> <p>Slot Route Operator - \$200.00</p> <p>Gaming fees are due quarterly. Licensees are also subject to gaming tax as set forth in chapter 4.48.</p>
4.05.255	Gasoline, diesel, or motor vehicle fuel sales	\$0.55 per 1,000 gallons – Minimum fee \$200.00
4.05.257	Group care facility	\$100.00
4.05.010	Gross Revenue	See fee chart in section 4.05.010.
4.05.260	Hotel—Motel	0 to 4 rooms – no

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

		<p>license required.</p> <p>5 to 10 rooms - \$35.00</p> <p>Excess of 10 rooms - \$35.00 plus \$2.50 for each additional room in excess of 10.</p> <p>Licensees are also subject to transient lodging tax as set forth in chapter 4.48.</p>
4.05.265	Hypnotist	\$100.00
4.05.270	Insurance agency or company, insurance adjusting firm	\$75.00 for the 1 <sup>st</sup> agent, broker, or insurance adjuster and \$50.00 for each additional agent, broker or insurance adjuster.
4.05.273	Inter-jurisdictional business	\$25.00 <del>of</del> <u>for</u> each vehicle used within the city in pursuit of the business.
4.05.275	Law firm or law office	<p>\$100.00 for the 1<sup>st</sup> professional and \$75.00 for each additional professional.</p> <p>\$100.00 for each professional business located outside the city.</p> <p>(See section 4.05.070 for full details.)</p>
4.05.278	Liquor license origination fees and license fees	

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

	Origination fees:  (In addition to the semiannual license fees listed in this section, origination fees are imposed for the following and are payable prior to issuance of license.)	
	Beer, wine, and spirit-based products off-sale	\$1,000.00
	Beer, wine, and spirit-based products on-sale	\$1,000.00
	Beer, wine, spirit-based products, and liqueur tasting	\$500.00
	Brew pub	\$10,000.00
	Brew pub - combo	\$60,000.00
	Catering liquor	\$1,250.00
	Craft distillery	\$15,000.00
	Craft distillery - combo	\$60,000.00
	Full liquor off-sale	\$10,000.00
	Full liquor on-sale	\$20,000.00
	Gift basket liquor	\$500.00
	Grocery store internet liquor sales	\$2,500.00
	Instructional wine-making facility	\$1,000.00
	Liquor manufacturer	\$5,000.00

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

	Nonprofit club liquor	\$500.00
	Nonrestricted/limited gaming liquor	\$90,000.00
	Restaurant with bar	\$30,000.00
	Tavern	\$60,000.00
	Winery	\$10,000.00
	<u>[Winery – combo]</u>	<u>[\$60,000.00]</u>
	Wholesale/import liquor	\$5,000.00
	License fees:	
	Beer, wine, and spirit-based products off-sale	\$350.00
	Beer, wine, and spirit-based products on-sale	\$350.00
	Beer, wine, spirit-based products, and liqueur tasting	\$200.00
	Brew pub	\$1,000.00
	Brew pub - combo	\$1,200.00
	Catering liquor	\$400.00
	Craft distillery	\$1,000.00
	Craft distillery - combo	\$1,200.00
	Full liquor off-sale	\$750.00
	Full liquor on-sale	\$750.00
	Gift basket liquor	\$200.00
	Grocery store internet liquor sales	\$500.00

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

	Instructional wine-making facility	\$350.00
	Liquor manufacturer	\$1,000.00
	Nonprofit club liquor	\$200.00
	Nonrestricted/limited gaming liquor	\$1,500.00
	Restaurant with bar	\$1,000.00
	Tavern	\$1,200.00
	Urban Lounge	\$1,200.00
	Winery	\$1,000.00
	[Winery – combo]	[\$1,200.00]
	Wholesale/import liquor	\$1,000.00
4.05.280	Locksmith and safe mechanic	\$100.00
4.05.285	Management, marketing, or consulting service	\$75.00
4.05.305	Manufactured housing setup and repair	\$65.00
4.05.287	Massage establishment and Independent massage therapist	<p>Massage establishment - \$100.00 plus \$25.00 for each massage therapist employed by the establishment. This does not include Independent Massage Therapists.</p> <p>Independent Massage Therapist - \$75.00</p>
4.05.288	<u>Marijuana</u> -Medical marijuana [application, origination, license]	

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

	<b>and indemnification ]fees</b>	
	Application fee:	\$10,000.00
	Origination fees: (In addition to the semiannual license fees listed in this section, origination fees are imposed for the following and are payable prior to issuance of license.)	
	Class I medical marijuana establishment	\$60,000.00
	Class II medical marijuana establishment	\$80,000.00
	Class III medical marijuana establishment	\$100,000.00
	Class IV medical marijuana establishment	\$60,000.00
	Class V medical marijuana establishment	\$60,000.00
	Class VI medical marijuana establishment	\$60,000.00
	Independent testing laboratory	\$15,000.00
	License fees:	
	Class I medical marijuana establishment	<b>[6]3%</b> of Gross Revenue <sup>1</sup>
	Class II medical marijuana establishment	<b>[6]3%</b> of Gross Revenue <sup>1</sup>
	Class III medical marijuana establishment	<b>[6]3%</b> of Gross Revenue <sup>1</sup>

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

	Class IV medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
	Class V medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
	Class VI medical marijuana establishment	[6] <u>3</u> % of Gross Revenue <sup>1</sup>
	Independent testing laboratory	Gross Revenue <sup>2</sup> <u>See 4.05.288(C) for details.</u>
	Indemnification fee:	\$25,000.00
<u>4.05.289</u>	<u>Marijuana-Retail marijuana fees</u>	
	<u>Application fee:</u>	<u>\$1,000.00</u>
	<u>Origination fees:</u> <u>(In addition to the semiannual license fees listed in this section, origination fees are imposed for the following and are payable prior to issuance of license.)</u>	
	<u>Retail marijuana cultivation facility</u>	<u>\$60,000.00</u>
	<u>Retail marijuana production manufacturing facility</u>	<u>\$60,000.00</u>
	<u>Retail marijuana testing facility</u>	<u>\$15,000.00</u>
	<u>Retail marijuana store</u>	<u>\$60,000.00</u>
	<u>License fees:</u>	
	<u>Retail marijuana cultivation facility</u>	<u>3% of Gross Revenue<sup>1</sup></u>

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

	<u>Retail marijuana production manufacturing facility</u>	<u>3% of Gross Revenue<sup>1</sup></u>
	<u>Retail marijuana testing facility</u>	<u>Gross Revenue<sup>2</sup></u> <u>See 4.05.289(C) for details.</u>
	<u>Retail marijuana store</u>	<u>3% of Gross Revenue<sup>1</sup></u>
	<u>Indemnification fee:</u>	<u>\$25,000.00</u>
<u>4.05.289.01</u>	<u>Marijuana distributor</u>	<u>\$50.00 per vehicle used in the delivery or transportation of marijuana or marijuana related products within the city</u>
<u>4.05.289.02</u>	<u>Marijuana management company</u>	<u>\$75.00</u>
4.05.290	Medical office	\$100.00 for the 1 <sup>st</sup> professional and \$75.00 for ea. additional professional.  \$100.00 for each professional business located outside the city.  (See section 4.05.070 for full details.)
4.05.297	Mobile food vendor	Fee based on Gross Revenue – See fee chart in section 4.05.010.
4.05.300	Mobile home park	1 to 20 mobile home

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

		spaces - \$50.00  Excess of 20 spaces - \$50.00 plus \$1.50 for each additional space in excess of 20.
4.05.310	Mortgage lending	\$330.00
4.05.295	Motion picture or television production	\$250.00
4.05.313	Non-medically supervised patient transfer service	\$50.00 per vehicle
4.05.315	Nurse	\$50.00
4.05.325	Office only	\$50.00
4.05.330	Pawnbroker	\$400.00
4.05.333	Private ambulance service	Nonrefundable ambulance service franchise application fee of \$1,000.00 as set forth in HMC 4.80.130 (A); and Fee based on Gross Revenue – See fee chart in section 4.05.010.
4.05.335	Private investigators and related occupations	\$100.00
4.05.340	Property maintenance	\$75.00
4.05.345	Psychic arts practitioner	\$100.00
4.05.020	Public utility licenses	
	Commercial mobile radio service	All revenue received from the first \$15.00 charged monthly for each line of access.

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

	Electric service	5% of Gross Revenue
	Natural gas service	5% of Gross Revenue
	Sewer company	4% of Total Operating Revenue
	Telecommunications service	5% of Gross Revenue
	Video service	5% of Gross Revenue
	Water company	4% of Total Operating Revenue
4.05.350	Publisher	\$100.00
4.05.355	Real estate business	\$75.00 for the 1 <sup>st</sup> individual required to be license by the State of Nevada Real Estate Division and \$50.00 for each additional state license. (See section 4.05.355.)
4.05.357	Reflexology	Establishment - \$100.00  Reflexologist - \$100.00 each.
4.05.360	School	\$65.00
4.05.363	Secondhand dealer	\$125.00
4.05.364	Sexually oriented business	1% of Gross Revenue, except for escorts and outcall entertainers.  Escorts and outcall entertainers - \$100.00.
4.05.365	Social work, behavioral therapy	\$100.00 for the 1 <sup>st</sup>

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

	business	professional and \$75.00 for each additional professional.  \$100.00 for each professional business located outside the city.  (See section 4.05.070 for full details.)
4.05.367	Special event medical service	\$100.00
4.05.370	Surveying firm	\$75.00 for the 1 <sup>st</sup> professional land surveyor and \$50.00 for ea. additional professional land surveyor.
4.05.373	Teenage dancehall—Nightclub	Fee based on gross revenue – See fee chart in section 4.05.010.
4.05.375	Temporary sales permit	\$50.00
4.05.380	Title insurance company	\$300.00
4.05.385	Travel or ticket agency	\$50.00
4.05.400	Veterinary office	\$100.00 for the 1 <sup>st</sup> professional and \$75.00 for each additional professional.  \$100.00 for each professional business located outside the city.  (See section 4.05.070

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## Amend Henderson Municipal Code Chapter 4.05 – Business License Fee Schedules

		for full details.)
4.05.405	Warehouse, storage, or self-storage business.	\$100.00
4.05.410	Businesses not enumerated in schedule	Fee based on gross revenue – See fee chart in section 4.05.010.

<sup>1</sup>A portion of gross revenue collections will be used for antidrug education programs to be administered by the police department.

<sup>2</sup> Each Independent testing laboratory shall pay semiannual license fees in accordance with section 4.05.010 *beginning with the second semiannual license period from the date of issuance.*

SECTION 6. 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 7. 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 8. 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 Review Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on September 8, 2017, in the Review Journal.

PASSED, ADOPTED, AND APPROVED THIS 5<sup>TH</sup> DAY OF SEPTEMBER, 2017.

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Debra March, Mayor

ATTEST:

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Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on August 15, 2017, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on September 5, 2017, 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 September 5, 2017, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye: Debra March, Mayor  
Councilmembers:  
Gerri Schroder  
Dan K. Shaw

Those voting nay: John F. Marz  
Dan H. Stewart

Those abstaining: None  
Those absent: None

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Debra March, Mayor

ATTEST:

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Sabrina Mercadante, MMC, City Clerk