

Introduced March 28, 2023, by Councilman
Borchert, seconded by Councilman Tamborella,
(by request of Administration)

Item No. 23-03-3468

ORDINANCE NO. 4120

An ordinance amending the Code of Ordinances of the City of Slidell,
Chapter 4, Article II, Section 4-31 (Retail dispensing of alcoholic beverages).

WHEREAS, Chapter 4, Article II, Section 4-31(b) of the Code of Ordinances,
City of Slidell, Louisiana, related to retail dispensing of alcoholic beverages, currently
reads:

- (b) All businesses, persons or firms who are permitted to sell or
dispense alcoholic beverages at retail by-the-drink shall close their
doors to entry at 2:00 a.m. daily and remain closed until 6:00 a.m.
daily. No bar, barrooms, lounges, nightclubs, saloons or other types
of businesses permitted for the retail sale of alcoholic beverages for
consumption on the premises shall remain in operation or allow any
persons other than the employees of the permittee to remain on its
premises between the hours of 2:00 a.m. and 6:00 a.m. daily. This
section shall not apply on the following days: January 1, the
Saturday and Monday morning preceding Mardi Gras Day and Mardi
Gras Day itself. Qualified restaurants or cafeterias where at least 60
percent or more of their total business is in the sale of food shall be
exempt from this section, except that they shall be prohibited from
dispensing alcoholic beverages by the drink between 2:00 a.m. and
6:00 a.m. daily.

; and

WHEREAS, the City has determined that excepting select days from the hours
of operation limitations on certain businesses engaged in the retail sale of alcoholic
beverages for on-premise consumption has, overall, a negative impact on the quality of life
for Slidell residents and guests and, therefore, is not advisable moving forward; and

1 **ORDINANCE NO. 4120**
2 **ITEM NO. 23-03-3468**
3 **PAGE 2**

4 WHEREAS, these negative impacts include, but are not limited to, excessive
5 alcohol consumption that can lead to impairment and its consequential effects, excessive
6 noise adversely impacting surrounding residents, and litter in public rights-of-way.
7

8
9 NOW THEREFORE, BE IT ORDAINED by the Slidell City Council that it does
10 hereby amend Chapter 4, Article II, Section 4-31(b) of the Code of Ordinances, City of
11 Slidell, Louisiana to read as follows [deletions reflected with ~~strikethrough~~]:
12
13
14

- 15 (b) All businesses, persons or firms who are permitted to sell or dispense
16 alcoholic beverages at retail by-the-drink shall close their doors to entry
17 at 2:00 a.m. daily and remain closed until 6:00 a.m. daily. No bar,
18 barrooms, lounges, nightclubs, saloons or other types of businesses
19 permitted for the retail sale of alcoholic beverages for consumption on the
20 premises shall remain in operation or allow any persons other than the
21 employees of the permittee to remain on its premises between
22 the hours of 2:00 a.m. and 6:00 a.m. daily. ~~This section shall not apply on~~
23 ~~the following days: January 1, the Saturday and Monday morning~~
24 ~~preceding Mardi Gras Day and Mardi Gras Day itself.~~ Qualified
25 restaurants or cafeterias where at least 60 percent or more of their total
26 business is in the sale of food shall be exempt from this section, except
27 that they shall be prohibited from dispensing alcoholic beverages by the
28 drink between 2:00 a.m. and 6:00 a.m. daily.
29

30 BE IT FURTHER ORDAINED that this ordinance shall be effective upon
31 adoption.
32
33
34
35
36
37
38
39

1 ORDINANCE NO. 4120
2 ITEM NO. 23-03-3468
3 PAGE 3
4

5 ADOPTED this 25th day of April, 2023.

6 
7

8 Bill Borchert
9 President of the Council
10 Councilman at-Large

11 
12

13 Greg Cromer
14 Mayor

15 
16

17 Thomas P. Reeves
18 Council Administrator

DELIVERED	4/26/23
3:45 pm	to the Mayor
RECEIVED	5/2/23
8:35 am	from the Mayor

and pay the permit fees by that date, there shall be added to the fee, in addition to other penalties provided in this chapter, a delinquency penalty of ten percent if the failure is for not more than 30 days, with an additional ten percent for each additional 30 days or fraction thereof during which failure continues. If the dealer fails to make his application before January 1, the city may, without notice or hearing, suspend his right to do business as a dealer in alcoholic beverages.

(b) Renewal of permits may be withheld or denied on the same grounds and in the same manner as an original permit.
(Code 1966, § 3-12)

Sec. 4-31. Retail dispensing of alcoholic beverages.

(a) All businesses, persons or firms permitted to and selling, serving or dispensing alcoholic beverages at retail within the city limits are hereby exempted from the effect and operation of the provisions of R.S. 51:191 and 51:192 so that any such persons, firms or businesses permitted to, may sell, serve or dispense alcoholic beverages at retail on Sunday.

(b) All businesses, persons or firms who are permitted to sell or dispense alcoholic beverages at retail by-the-drink shall close their doors to entry at 2:00 a.m. daily and remain closed until 6:00 a.m. daily. No bar, barrooms, lounges, night-clubs, saloons or other types of businesses permitted for the retail sale of alcoholic beverages for consumption on the premises shall remain in operation or allow any persons other than the employees of the permittee to remain on its premises between the hours of 2:00 a.m. and 6:00 a.m. daily. This section shall not apply on the following days: January 1, the Saturday and Monday morning preceding Mardi Gras Day and Mardi Gras Day itself. Qualified restaurants or cafeterias where at least 60 percent or more of their total business is in the sale of food shall be exempt from this section, except that they shall be prohibited from dispensing alcoholic beverages by the drink between 2:00 a.m. and 6:00 a.m. daily.

(c) No holder of a permit for the retail sale of alcoholic beverages not intended for consumption on premises (packaged sales) shall sell or otherwise dispense any alcoholic beverages between the hours of 2:00 a.m. and 6:00 a.m. daily.

(d) A notice delineating the provisions of this section shall be posted in a conspicuous place on a placard of at least 12 inches by 18 inches, in each place of business which is permitted to sell or dispense alcoholic beverages by the drink.
(Code 1966, § 3-13)

Sec. 4-32. Dealing with persons under the age of 21 years.

It shall be unlawful for any person to sell an alcoholic beverage to a person under the age of 21 years in accordance with R.S. 26:90. All delivery services are required to ascertain through a proper identification check that the person taking delivery of an alcoholic beverage is not a person under the age of 21 years and further shall obtain a signed receipt for all alcoholic beverages delivered.

(Code 1966, § 3-14)

Sec. 4-33. Drive-up windows and/or drive-through buildings.

Drive-up windows and/or drive-through buildings shall be prohibited for any commercial establishment selling and/or dealing in alcoholic beverages.

(Code 1966, § 3-15)

Sec. 4-34. Adoption by reference of certain provisions of the Alcoholic Beverage Control Law.

(a) The following sections of the Alcoholic Beverage Control Law (R.S. 26:1 et seq.) are adopted by reference and are made part of this article insofar as they apply to municipalities, each reference being to the Louisiana Revised Statutes:

R.S. 26:83	Interposed persons.
R.S. 26:84	Misstatement or suppression of fact in application.
R.S. 26:87	Procedure for determination to issue or withhold permit.
R.S. 26:90	Acts prohibited on permitted premises; suspension or revocation of permits.
R.S. 26:91	Additional causes for suspension or revocation of permits; fines.