

CITY ORDINANCE NO. 1035

AN ORDINANCE providing for the issuance of a Certificate of Qualification to dispense alcoholic beverages, setting forth the qualifications therefor and providing penalties for the violation of this Ordinance.

BE IT ORDAINED by the Slidell City Council, acting as the governing authority of the City of Slidell, Slidell, Louisiana, that:

SECTION I. No person shall dispense alcoholic beverages of a low or high alcoholic content in any business licensed under the Ordinances of the City of Slidell for on-the-premises consumption except those possessing solely a beer license, without having been certified or qualified to do so by the City of Slidell Police Department and without after having complied with the provisions of this Section.

Each applicant having a Certificate of Qualification to dispense alcoholic beverages in a location licensed for on-the-premises consumption shall be photographed and fingerprinted by the Slidell Police Department and furnish detailed background information including proper identification.

Each applicant shall pay to the Police Department at the time of receiving his license a fee of \$15.00 to cover the cost of issuing such certificate.

Each applicant for a Certificate of Qualification to dispense alcoholic beverages shall possess the following qualifications:

1. Is a person of good character and reputation and over 18 years of age and duly qualified under the provisions of this Section.

2. Is a citizen of the United States and of the State of Louisiana, and a resident of the State of Louisiana, continuously for a period of not less than one year next proceeding the date of the filing of this application.

3. Has not been convicted of a felony under the laws of the United States, the State of Louisiana, or any other State or Country.

4. Has not been convicted in this or any other State or by the United States or any other country of soliciting for prostitution, pandering, letting premises for prostitution, contributing to the delinquency of juveniles, keeping a disorderly place or illegal dealing in narcotics as defined in R.S. 40 of this State.

5. Has not had a license or permit to sell or deal in alcoholic beverages by the United States, or any other State thereof, or by a political subdivision of any State authorized to issue permits for licenses, revoked within one year prior to application, or had a judgment of a Court of competent jurisdiction rendered against him involving alcoholic beverages by this or any other State or by the United States for one year prior to this application.

6. Has not been adjudged by the Board of Alcoholic Beverage Control or convicted by any Court of violation of the provisions of Title 26 or Title 28 of the Louisiana Revised Statutes dealing with alcoholic beverages.

7. Has not been convicted of violating any Municipal or Parish Ordinances adopted pursuant to the provisions of R.S. 26:494.

8. Has not had a Certificate of Qualification to dispense alcoholic beverages issued by any other Parish, Municipality, or State suspended or revoked.

SECTION II. The application for a Certificate of Qualification shall be in writing and sworn to and shall contain the full name and correct address of the applicant and shall include a signed statement that he possesses the qualifications set forth in the preceding paragraph.

The Chief of Police may refuse to issue a Certificate of Qualification to dispense alcoholic beverages to any person who lacks any of the qualifications set forth above.

Any act or failure to act by any person certified to be qualified to dispense alcoholic beverages under the provisions of said Section which is a violation of this Ordinance, shall subject such person to have his certificate to dispense alcoholic beverages suspended or revoked by the Chief of Police.

However, the holder of a permit to sell alcoholic beverages at a particular establishment may dispense alcoholic beverages at that establishment without having a Certificate of Qualification required by this Section. The requirements of this paragraph shall apply only to new applicants and shall not apply to those persons presently holding alcoholic beverage permits or licenses.

New employees hired to dispense alcoholic beverages shall be required to secure a Certificate of Qualification within five (5) days of their employment, effective September 1st, 1977. The certificate issued herein shall be kept by the person to whom it is issued for ready and immediate presentation when requested by any peace officer.

Any person aggrieved by the decision of the Chief of Police to refuse to issue or to suspend or revoke a Certificate of Qualification may take a devolutive appeal therefrom to the Slidell City Council within fifteen (15) days of written

notification of the said decision. The appeal must be taken by submitting a written request therefor to the Slidell City Council, and the City Council shall hear said appeal within twenty (20) days of receipt of said Notice of Appeal by the City. The decision of the Chief of Police shall be final unless appealed within the time and in the manner set forth above.

Any person convicted of dispensing alcoholic beverages in violation of this Ordinance shall be fined not more than \$50.00 or incarcerated for fifteen (15) days in jail, or both.

SECTION III. If any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications and to this end, the provisions of this act are hereby declared severable.

SECTION IV. All Ordinances, or parts of Ordinances, in conflict herewith are hereby repealed.

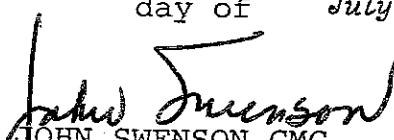
SECTION V. EFFECTIVE DATE. The effective date of this Ordinance shall be *September 1st, 1977* at 12:01 o'clock A.M.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: 5

NAYS: 0

And the Ordinance was declared adopted on this, the 26th day of July 1977.


JOHN SWENSON CMC
CITY CLERK


FRANK N. CUSIMANO
MAYOR