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6 Introduced October 8, 1985 by
7 Councilman Callahan, seconded by
8 Councilman Salvaggio
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12 Item No. 85-10-911
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16 ORDINANCE NO. 1889
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19
20 An ordinance amending Ordinance No. 1751, an ordinance amending
21 Chapter 3. Alcoholic Beverages. and Appendix A-Zoning, of the Code
22 of Ordinances of the City of Slidell.
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24 BE IT ORDAINED by the Slidell City Council, in legal session
25 convened, that Ordinance No. 1751 is amended as follows:
26

27 Page 1, Line 43: Delete the period (.) after the word---
28 "Ordinances" and add the following language: or to dinner theaters
29 showing legitimate theatrical stage plays or movies to patrons
30 seated at tables.
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35
36 ADOPTED this 26th day of November, 1985.
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39
40 *Richard B. Van Sandt*
41 Richard B. Van Sandt
42 Councilman, District C
43 President of the Council
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DELIVERED
12-3-85 11:00 a.m.
to the Mayor

RECEIVED
12-4-85 9:45 a.m.
from the Mayor

Salvatore A. Caruso
Salvatore A. Caruso
Mayor

Barbara Manteris Penton
Barbara Manteris Penton
Clerk of the Council

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7 Introduced November 26, 1985 by
8 Councilman Callahan, seconded by
9 Councilman Salvaggio
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13 AMENDMENT A
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18 An amendment amending Item No.85-10-911, an ordinance
19 amending Ordinance No.1751, an ordinance amending Chapter 3. Alcoholic
20 Beverages. and Appendix A-Zoning of the Code of Ordinances of the
21 City of Slidell.
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23
24 BE IT ORDAINED by the Slidell City Council, in legal session
25 convened, that Item No. 85-10-911 is amended as follows:
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27
28 Page 1, Lines 32: Delete the word "productions" and replace
29 with the words stage plays.
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31
32 ADOPTED this 26th day of November, 1985.
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36
37 *Richard B. Van Sandt*
38 Richard B. Van Sandt
39 Councilman, District C
40 President of the Council
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44 *Barbara Manteris Penton*
45 Barbara Manteris Penton
46 Clerk of the Council
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6 Introduced November 26, 1985 by
7 Councilman Callahan, seconded by
8 Councilman Salvaggio
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13 AMENDMENT B
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17 An amendment amending Item No. 85-10-911, an ordinance
18 amending Ordinance No. 1751, and ordinance amending Chapter 3.
19 Alcoholic Beverages. and Appendix A-Zoning of the Code of Ordinances
20 of the City of Slidell.
21

22 BE IT ORDAINED by the Slidell City Council, in legal session
23
24 convened, that Item No. 85-10-911 is amended as follows:

25
26 Page 1, Line 32: Delete the period (.) and add the following
27
28 language: to patrons seated at tables.
29

30
31 ADOPTED this 26th day of November, 1985.
32
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35 *Richard B. Van Sandt*
36 Richard B. Van Sandt
37 Councilman, District C
38 President of the Council
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45 *Barbara Manteris Penton*
46 Barbara Manteris Penton
47 Clerk of the Council
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October 1, 1985

Mr. John Brewer
Council Administrator
City of Slidell
P. O. Box 828
Slidell, Louisiana 70459

Re: Opinion Requests--Council
My File No. 2302.07

Dear John:

This is in reply to your inquiry as to whether a movie theater serving dinner and drinks can be located within a shopping center.

Ordinance No. 1751 prohibits establishment of businesses serving alcoholic beverages in shopping centers unless they are "bona fide restaurants and cafeterias as defined by Section 3-18(c) of the Slidell Code of Ordinances."

Section 3-18(c) does not actually define a bona fide restaurant but requires that the restaurant "do at least 75% of their total business in the sale of food for consumption on the premises of such restaurants."

Our liquor ordinance does not actually define bona fide restaurant. As you will remember, we have used the definition of restaurant from the State liquor statutes in the past. I enclose a copy of that definition for your review.

Putting all of the above together, the movie theater should be permitted in a shopping center only if it meets the definition of restaurant in the State statute and derives 75% of gross income from the sale of food for consumption on the premises.

Sincerely yours,

Elaine

Elaine W. Guillot

EWG/jkf
Enc.

BEVERAGES

LIQUORS—ALCOHOLIC BEVERAGES

R.S. 26:71.2

business in the
business in any
town, village,
Retail Liquor

Section which has been issued a state Class A Retail Liquor Permit for the sale of beverages of high alcohol content.

(2) Municipal and parish governing authorities may issue "R" permits similar to those provided for in this Section; however, the requirements and fees for such permits shall not exceed that required by this Section. The provisions of this Paragraph shall not apply to those municipal and parish governing authorities that are issuing such permits on July 1, 1984.

place of busi-
ness in a town,
Retail Liquor

B. For purposes of this Section, "restaurant establishment" shall be defined as an establishment:

- (1) Which operates a place of business whose purpose and primary function is to take orders for and serve food and food items;
- (2) Which serves alcoholic beverages in conjunction with meals;
- (3) Which serves food on all days of operation;
- (4) Which grosses sixty percent of its average monthly revenue from the sale of food, food items, and non-alcoholic beverages;
- (5) Which maintains separate sales figures for alcoholic beverages; and
- (6) Which operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises.

bars of gross
retail liquor
in addition to
above:

ANNUAL FEES

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|------|
| -0- |
| 0.00 |
| 0.00 |
| 0.00 |
| 0.00 |
| 0.00 |
| 0.00 |

C. For new restaurant establishments without prior business experience on which to determine the gross revenue from the sale of the items in Paragraph B(4), the assistant secretary may issue a temporary license, which shall be valid for sixty days to allow the establishment to make such determination.

July 13, 1984

D. (1) The permit provided for in this Section shall be applied for annually and issued on July 1 of each year, beginning on July 1, 1984.

represent more
operator's permit.

(2) Both the original and renewal applications for such permit shall be in writing, be sworn to in front of a notary public, and shall contain the following:

text of B/...
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affect public
Peek v. Al-
Cir.1983, 434

- (a) The full name of the applicant.
- (b) A complete description and correct address of the premises in which the restaurant is located.
- (c) proof of issuance of state Class "A" permit.

(3) The original application shall contain a copy of an affidavit from the local health department showing compliance with all applicable health and sanitary requirements.

E. All applications shall be accompanied by an administrative fee, which shall be remitted to the office of alcoholic beverage control as follows:

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this section
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employment
r. Jeffers v.
283.

- (1) For administrative fees for annual new or renewal of permit—twenty-five dollars.
- (2) For a temporary permit as provided for in Subsection C—ten dollars.

F. The permit shall be revoked whenever the establishment's Class A permit is revoked by the state or local Alcoholic Beverage Control Board for failure to meet or maintain criteria required for the permit.

Added by Acts 1984, No. 774, § 1, eff. July 13, 1984.

shall issue,
Class "R"
B of this

On authority of R.S. 24:253, in this section as enacted in 1984, "and" was deleted following "Section" in par. A(1); in pars. B(1) to (4), "Which" was capitalized and "and" was deleted from the end of each paragraph; in par. B(5), "Which" and "; and" were inserted; in par. B(6), "Which" was capitalized; in subsec. C, "Para- graph" was substituted for "Subsection"; in subpars. D(2)(a) to D(2)(c), the first word was capitalized; in subpars. D(2)(a) and D(2)(b), a period was added; in par. E(1), the first word was capitalized and a period inserted; and in par. E(2), "For a" was substituted for "for".

October 9, 1985

PUBLIC NOTICE

Item No. 85-10-911, an ordinance amending Ordinance No. 1751, an ordinance amending Chapter 3. Alcoholic Beverages. and Appendix A-Zoning of the Code of Ordinances of the City of Slidell.

A PUBLIC HEARING will be held on said proposed ordinance at 6:30 P.M. on Tuesday, November 26, 1985 in the Council Chambers, 2055 Second Street.

This proposed ordinance is being printed by title only as required by Ordinance No. 1528.

CITY OF SLIDELL

Barbara Manteris Penton
Clerk of the Council

Publish: Tuesday, October 15, 1985