

Commissioner Petit: 2021-8-ORD Matthew Jewell, Parish President/Dept. of Planning and Zoning an ordinance to revise home occupation operational regulation 9 regarding alcohol sales.

Ms. Stein: Thanks Mr. Chair. The home occupation regulations have gone through a number of revisions since they were adopted in 1981. The latest in 2015 we did a major overhaul of the zoning ordinance. The home occupations regulations were beefed up kind of in response to post Katrina type things that had occurred over time. We have a lot of in home cosmetologist, they were very often inquiring how they could offer complementary wine, champagne, whatever to customers. It got them in a catch 22 with the state. The state does not allow that, we didn't want people even offering complimentary alcohol in their houses in association with their business. Since that time, Covid gave us a beating and the restriction, a little bit more now than what we intended. We don't want people drinking in their house, anybody can drink in their house, we don't want people selling alcohol in their house or offering alcohol in their house but we have a number of folks who would like to offer alcoholic beverages through their home based catering businesses, through their food truck, through other types of businesses that would not be in their house. So this tiny text change would be accomplish that and get us out of the way for any food based business who would, not barrooms in their houses. So we're in support

Commissioner Keen: Point of clarification. Less than 50% of the business in other words, its not a for sale, is it complimentary only. You're not selling alcohol out of your home correct?

Ms. Stein: the businesses that they operate would be able to and the state uses the term dispense alcoholic beverages, that applies to everything, sale or complimentary.

Mr. Albert: It's about enabling a service.

Commissioner Keen: This is a crucial moment to whatever service you have.

Mr. Albert: Yes, there's no tavern or barroom aspect to the house. It's like previously you were a bartender that did shows as part of your act, you can get a home occupation for that because it involved alcohol period. As long as you're not selling it, you can get your cart and go. It could be the only business. All it's saying is that previous language basically anything in your business, let's say you're a caterer and part of your business was making sure there was a cash bar, that would have been a no go. Now you can be a caterer and have full availability of services, you're not going to store all of that food, beer and wine at your house. No one is going to come to your house for food and drink. It would just allow you to take that cart or that stand, it's really opening up the options to catering so that we as a parish are not in the way, if they have a problem it's with the state. They would have to get all their licensing which is a rigorous process.

Commissioner Petit: Question, a construction company of 12 workers decides to have a Christmas party at the house and there's a home occupation because I do paperwork out of the house, that would put me in violation of this ordinance, right? If I were to have a get together and drinks weren't even sold they were just dispensed

Ms. Stein: I think there's a line between a party and an activity, an event for a business. We would never want employees at the home for a home based business, that's actually one of the operational regulations. They're not supposed to come to the house to pick up a pay check, to pick up a work assignment, anything along those lines.

Mr. Albert: If there was a clause no alcoholic beverages will be sold, offered or provided in a commercial capacity, that would deal with what you're talking about.

Commissioner Petit: I'm just wondering who we're catching with this because this would apply to everyone who has a home occupation, not just new permits correct?

Mr. Albert: Yes. You're potentially talking about an unintentional consequence. We can fix that with that clause.

Commissioner Galliano: Does the same rule apply for a liquor license? You can't live next to a school and have this kind of activity?

Ms. Stein: Yes. Our department in Chapter 3 of the ordinance, it's required to look at any alcoholic beverage business and determine the distance from the protected uses, the schools, the libraries, the daycares and churches. So yes that would most likely be a problem for anybody who comes to us with a home based business that would also have to comply with those locational restrictions but that's something that we're adept with, we review those all the time.

Commissioner Petit: Any other clarifications before we open the public hearing? Ok we'll open the public hearing for 2021-8-ORD anyone here to speak in favor or against? Seeing none we'll close the public hearing for 2021-8-ORD. Do you want to read the edited line before we vote?

Ms. Stein: So the ordinance would change to no alcoholic beverages shall be sold, offered or provided. The full added clause would be – "in a commercial capacity, in the home where the occupational license is held in connection with the operation of the home occupation".

Commissioner Petit: Do I have a motion to approve

Commissioner Keen moved to approve 2021-8-ORD. Second by Commissioner Price.

YEAS: Petit, Keen, Price, Galliano

NAYS: None

ABSENT: Ross, Schexnaydre, Frangella

Commissioner Petit: That passes unanimously and will go to the Council.