

**2006-0044**

**INTRODUCED BY: BRIAN A. FABRE, COUNCILMAN, DISTRICT II**

An ordinance to amend the Code of Ordinances to revise the location restrictions for the conduct of an alcoholic beverage business.

**WHEREAS,** the St. Charles Parish Code in Chapter 3, Article I, Section 3-1, restricts the location of an alcoholic beverage business within five hundred (500) feet of a public playground or a building used exclusively as a church, synagogue, public library, playground, licensed day care center, school, without noting the statute exception for areas which are divided into subdivisions; and,

**WHEREAS,** Louisiana Revised Statute 26:81, C. (1) prohibits the permitting of premises to sell alcoholic beverages within three hundred (300) feet of a public playground or of a building used exclusively as a church or synagogue, public library, school, or full-time day care center; and,

**WHEREAS,** Louisiana Revised Statute 26:81 (D) authorizes the Parish to extend the prohibition to a distance of five hundred (500) feet from said premises in areas which are not divided into subdivisions with streets, blocks, or sidewalks; and,

**WHEREAS,** it is the desire of the Parish Council to revise the Parish Code to comply with the provisions of the State Statute.

**ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the St. Charles Parish Code is hereby amended in Chapter 3, Article I, Section 3-1, (a) to read as follows:

Section 3-1 Location restrictions.

(a) It shall be unlawful for any person to conduct an alcoholic beverage business within five hundred (500) feet of a public playground or a building used exclusively as a church, synagogue, public library, playground, licensed day care centers, school, except a school for business education conducted as a business college, in areas which are not divided into subdivisions with streets, blocks, or sidewalks.

It shall be unlawful for any person to conduct an alcoholic beverage business within three hundred (300) feet of a public playground or of a building used exclusively as a church or synagogue, public library, school, or full-time day care center in developed areas that are divided into subdivisions with streets, blocks or sidewalks.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: FABRE

NAYS: MARINO, FAUCHEUX, RAMCHANDRAN, WALLS, BLACK, DUHE,  
MINNICH

ABSENT: HILAIRE

PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY.