

2024-0299

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. 24-9-7

An ordinance to amend the St. Charles Parish Code of Ordinances, to revise Chapter 3, Alcoholic Beverages, Article I., In General, Sec. 3-1., Location restrictions. (a) to add a procedure allowing the Parish Council to waive the 500 foot distance requirement for the issuance of a retailer (package house) alcohol license.

WHEREAS, St. Charles Parish enforces a 500 foot distance requirement between businesses selling alcoholic beverages and various protected uses (public playground, church, public library, licensed day care center, etc.); and,

WHEREAS, when a business seeking an alcohol license is located within 500 feet of a protected use, zoning compliance cannot be issued by Planning & Zoning and an alcohol license cannot be obtained from the St. Charles Parish Sheriff's Office; and,

WHEREAS, the opportunity to waive the distance requirement is exclusive to restaurant establishments as outlined in Sec. 3-1. Location restrictions. items (a)(1) and (a)(2); and,

WHEREAS, the St. Charles Parish Council wishes to expand the opportunity to waive the distance requirement for the retail sale of pre-packaged, unopened alcoholic beverages for off-site consumption.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 3, Alcoholic Beverages, Article I., In General, Sec. 3-1., Location restrictions. (a) is amended by adding new text underlined and deleted text in ~~strikethrough~~:

(3) Waiver of distance requirements for retail sales. For purposes of this section, retail sales are defined as the sale of pre-packaged, unopened alcoholic beverages intended for off-site consumption. The parish council may waive the five-hundred-foot requirement from the protected church, synagogue, public library, playground, licensed day care center or school, provided the protected organization agrees in writing to waive opposition to the issuance of a permit for the applicant.

(3) (4) Any permit issued under this section wherein the distance requirements have been waived by resolution of the parish council is not assignable or transferable in any fashion. In the event that the restaurant establishment and/or its ownership is transferred or in the event that the restaurant establishment is closed, any permit issued under this section is deemed voided and will no longer be of any force or effect. However, in the event of dissolution of a partnership by the death of a partner, the surviving partners may operate under the partnership permit.

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

YEAS: MOBLEY, FONSECA, WILSON, SKIBA, PILIE, COMARDELLE,
O'DANIELS, FISHER, DEBRULER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 23rd day of September, 2024, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Bob Fisher
SECRETARY: Michelle Dupontato
DLVD/PARISH PRESIDENT: September 24, 2024
APPROVED: ✓ DISAPPROVED: _____

PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: September 25, 2024
AT: 8:50 am RECD BY: [Signature]