

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5220

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: MR. STEFANCIK

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ON THE 25 DAY OF JUNE , 2014

ORDINANCE TO AMEND ORDINANCE C.S. NO. 13-2988, ADOPTED AUGUST 1, 2013, AND TO AMEND AND REENACT THE PARISH CODE OF ORDINANCES, CHAPTER 3 ALCOHOLIC BEVERAGES, ARTICLE VII ALL WARDS, SECTION 3-157.00(C), TO MAKE CHANGES TO PROVISIONS FOR THE ISSUANCE OF SPECIAL EVENT PERMITS.

WHEREAS, it is necessary to amend the Parish Alcoholic Beverage Control Laws to provide updated local procedures for the issuance of permits for special events which include the sale or provision of alcoholic beverages in consideration of recent changes to State permitting procedures.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that it amends and reenacts Parish Code of Ordinances Chapter 3 Alcoholic Beverages, Article VII All Wards, Section 3-157.00 (C), to update provisions for Special Event Permits as follows, to wit:

ARTICLE VII ALL WARDS

Section 3-157.00 Classes of Permits

C. Special Events Permit:

1. Special Events are events open to the general public where alcoholic beverages are sold, or included as part of a general admission or other type fee. Special Events do not include private parties where no sales are made or fee charged.

2. For Special Events, St. Tammany Parish will issue a special, temporary retail alcoholic beverage permit, or permit letter, through the Department of Development for the duration of UP TO three (3) consecutive days only. A wholesaler can deliver beverages only to the place listed on the permit and only on the days allowed by the permit. A maximum 12 Special Event permits may be issued to any one person, partnership, corporation, or entity within a single calendar year. Multiple permits may be applied for and issued for a consecutive period of dates not to exceed 12 days total. Special Event permits will not be required to pay an annual permit fee required by Sec. 3-158.00.

3. All Special Event permits or permit letters issued by the Parish, regardless of type, are retail alcoholic beverage permits. As such, and in accordance with the provisions of La. R.S. 26:85 and 273, any individual or organization engaged in business as a producer, manufacturer or wholesaler of alcoholic beverages or any organization whose membership is composed of persons engaged in business as a manufacturer or wholesaler of alcoholic beverages does not qualify for a Special Event permit, unless allowed an exception under state law.

4. Application for a Parish Special Event Permit or Permit Letter shall be made by submission of a completed and signed copy of the State Office of Alcohol and Tobacco Control (OATC) special event application form, to be filed with that Office, to the Parish Department of Development no less than twelve (12) days prior to the start date of the Special Event and an application fee of \$ 25.00 .

~~2All applicant information must agree with all of the documents submitted with the application for a Special Event permit. The dates and locations must be exactly the same on all local and state documents and leases (if applicable).~~

~~5. Two types of Special Event alcoholic beverage permit are issued by St. Tammany Parish: i. Type A permits are issued to non-profit organizations which are able to provide some type of written proof of their non-profit status. To qualify for this permit, applicants must submit all of the following: a. Written~~

~~proof of non-profit status. Document issued by the La. Office of the Secretary of State is preferred; -b. A copy of the completed State Office of Alcohol and Tobacco Control (OATC) special event permit application to be filed with said office; -c. A valid signed and dated lease, contract or written permission from the property owner to hold the special event at the location indicated on the parish application, and to sell or otherwise provide alcoholic beverages on the property in conjunction with the special event; -d. A completed and notarized parish application form; and -e. \$ 15.00 fee. - ii Type B permits are issued to persons who do not meet the requirements for a Type A Special Event permit. To qualify for a Type B Special Event permit, applicants must meet the same requirements of a retail permittee found in La. R.S. 26:80 and R.S. 280, and submit all of the following: a. A copy of the completed State Office of Alcohol and Tobacco Control (OATC) special event permit application to be filed with said office;~~

~~b. A valid signed and dated lease, contract, or written permission from the property owner to hold the special event at the location indicated on the parish application, and to sell or otherwise provide alcoholic beverages on the property in conjunction with the special event;~~

~~c. A completed and notarized parish application form; and -d. \$ 100.00 fee.~~

5. ~~iii.~~ Upon submission and approval of the above required documents and fee by the Parish Department of Development, a permit or permit letter will be provided to the applicant granting permission to sell or otherwise provide alcoholic beverages at the special event, subject to issuance of a state permit for the special event issued by the State OATC.

6. ~~iv.~~ Once received, it is required of the applicant to provide a copy of the State OATC permit to the Department of Development prior to the start date of the Special Event. ~~permit.~~ Failure to provide a copy of the State OATC permit to the parish may result in an immediate revocation of the parish permit and the disallowance of the sale or other provision of alcoholic beverages at the special event.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon final adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 10 DAY OF JULY , 2014 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

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R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

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PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: June 26 , 2014

Published Adoption: \_\_\_\_\_ , 2014

Delivered to Parish President: \_\_\_\_\_ , 2014 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_ , 2014 at \_\_\_\_\_