
AMENDMENT NO. 1 TO ORDINANCE NO. 90 OF 2022

ORDINANCE NO. 90 OF 2022

AN ORDINANCE TO AMEND SECTION 10-84 OF CHAPTER 10 OF THE CODE OF ORDINANCES RELATIVE TO PHYSICAL SEPARATION OF SALES OF HIGH ALCOHOL CONTENT LIQUOR FOR CONSUMPTION OFF THE PREMISES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

AMENDMENT PROPOSED BY:

Councilmen Grayson Boucher and John Nickelson

INSTRUCTIONS:

Delete and remove from the files the original proposed Ordinance No. 90 of 2022 and substitute the attached **Amendment No. 1 to Ordinance No. 90 of 2022**.

EXPLANATION OF THE AMENDMENT :

1. This amendment retains the physical separation requirement for sales of alcoholic beverages of high alcohol content where the place of business allows persons under the age of twenty-one (21) on the premise.

(h) Shall not allow any person under the age of twenty-one (21) on the premise where alcohol is the primary commodity. Where alcohol is not the primary commodity and the place of business allows persons under the age of twenty-one (21) on the premise, alcoholic beverages of high alcohol content shall only be sold for off-premise consumption in an area physically separated from other business operations.

(1) The physical separation shall consist of an opaque wall at least six (6) feet in height with no door or entrance from the area in which alcoholic beverages of high alcohol content are sold into the area in which other business operations are located.

(2) As used in this section, the term "other business operations" shall mean any business operation, including but not limited to restaurants and businesses where alcoholic beverages are sold for consumption on the premises, but shall not include sales of beverages of low alcoholic content for consumption off the premises.

(3) Physical separation shall not be required when the place of business does not allow any person under the age of twenty-one (21) on the premise.

(4) The provisions physical separation shall not apply to any retail dealer lawfully operating a business in which alcoholic beverages of high alcohol content are sold for consumption off and/or on the premises without the physical separation, as of February 23, 1994, the effective date of this section as originally adopted.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective in accordance with the provisions of Shreveport City Charter Section 4.23.

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM:

City Attorney's Office