

CITY OF HAMMOND
ORDINANCE NO. _____

An Ordinance Relative to Alcoholic Beverages and Sunday Alcohol Sales

BE IT ORDAINED by the City Council of Hammond, Louisiana in legal session convened, that the City of Hammond hereby amends Chapter 5 to provide as follows:

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Chapter 5 - ALCOHOLIC BEVERAGES

ARTICLE I. - IN GENERAL

Sec. 5-2. - Closing hours.

All stores, shops, saloons, bars, barrooms, nightclubs, lounges, restaurants, or any other place of business, premises, or establishment licensed under this chapter to sell and/or serve alcoholic beverages in, on, or within the place of business, premises, or establishment, even if purchased elsewhere for consumption on said premises, shall be closed at 2:00a.m.o'clock continuously until 8:00 o'clock a.m. the same day and shall be closed at 2:00 o'clock a.m. Sunday and shall be closed continuously until 11:00 o'clock a.m. the same day, except as provided below. All such establishments shall terminate the sale and services of alcoholic beverages and liquors at closing time. No person shall be allowed on the premises of these establishments beyond 2:15 o'clock a.m. except salaried employees and the owner thereof whose presence therein is required for routine maintenance and/or cleanup of the premises.

(1) Grocery stores, supermarkets, and drug stores which realize at least sixty (60) percent of their monthly revenue from the sale of merchandise other than alcoholic beverages are exempted from this section relative to the closing hours.

A licensed Restaurant may remain open continuously for 24 hours a day, but may not sell alcoholic beverages between the hours of 2:00 o'clock am and 8:00 o'clock am Monday through Saturday and from 2:00 o'clock a.m. until 11:00 o'clock am on Sunday.

ARTICLE II. – PERMITS

Sec. 5-16. - Definitions.

For the purposes of this article, the following terms have, the respective meanings ascribed to them in this section, except in those instances where the context indicates a different meaning.

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Restaurant or *Restaurant Business* means an establishment which meets all of the following:

- a. Operates a place of business whose purpose is primarily to prepare food and food items for consumption and to serve meals and meal items to the general public.
- b. Must service food on all days of operation.
- c. Must file a copy of the applicant's menu together with the application, both new and renewal.

- d. Must furnish an affidavit from the local health department showing compliance with all applicable health and sanitary requirements with new application.
- e. Must gross a minimum of sixty (60) percent of its monthly revenue from the sale of food, food items and non-alcoholic beverages.
- f. Must maintain separate sales figures for alcoholic beverages.
- g. Operates a bona fide restaurant by having a fully equipped kitchen facility and dining room manned and operated at all times that alcoholic beverages are sold.
- h. Maintains a written record of the name, address and telephone number of all vendors and supplies of food, food item and non-alcoholic beverages and alcoholic beverages; and maintains, for a minimum period of twelve (12) consecutive months previous to application for renewals, all records of purchases and delivery of food, food items and non-alcoholic beverages and alcoholic beverages to the permittee's place of business, including, without limitation, all billings, invoices, statements of account, delivery tickets and receipts of food, food items and non-alcoholic beverages and alcoholic beverages.

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Sec. 5-17. - Permit required prior to conduct of activities, required information.

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- (e) All applications, whether new or renewal, for a permit to sell alcoholic beverages shall be in writing, sworn to in front of a notary public, and shall contain the full name of the applicant along with a complete description and correct address of the premises in which the business is located.
- (f) For new restaurants without prior business experience on which to base a determination of percentage of food, food item and non-alcoholic beverages sales, a temporary permit may be issued by the collector for ninety (90) days after which time evidence of all purchases and sales, as may be deemed necessary by the collector, will be required to make the permit permanent.
- (g) For purposes of verifying that the permittee meets the requirements for a restaurant business, the permittee shall, annually, as determined by the city, cause to be delivered to the permit office a CPA audit statement, at the cost of permittee, verifying that the required monthly income of the permitted business is from non-alcohol sales. Furthermore, any permittee, upon applying for an initial permit herein, specifically agrees to deliver to the administration of the city and/or any representative so designated by the mayor, within one hundred and twenty (120) days of the issuance of said permit a CPA audit of the ratio of alcohol and non-alcohol sales for the three-month period immediately following the effective date of the permit. On written demand, all records required to be maintained by this section on any matter and/or which would tend to establish the ratio of alcohol to non-alcohol sales by permittee shall be delivered to the city within twenty (20) days of receipt of written demand by the city.
- (h) The permit issued under this chapter to restaurant businesses shall be subject to revocation by the city council at any time following a hearing as provided for all of the licenses and/or permits issued under this section and a determination that the permittee fails to meet the criteria set forth in this section.

This ordinance shall be effective as of the date of signature by the Mayor.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on _____, 2016 of the Hammond City Council and discussed at a public meeting held on _____, 2016; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by _____ and a Second by _____ the foregoing ordinance was hereby declared adopted on _____, 2016, by the following roll call vote:

Votes: Johnny Blount () Jason Hood () Janice Carter Beard () Lemar Marshall () Mike Williams () Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this _____ day of _____, in the year 2016, at Hammond, Tangipahoa Parish, Louisiana.

Mike Williams
President, Hammond City Council

Pete Panepinto
Mayor, City of Hammond

Tonia Banks, Clerk
Hammond City Council