

**ALCOHOLIC BEVERAGE CONTROL BOARD
OF THE CITY OF NEW ORLEANS**

**COMPLETED AGENDA
SALES TAX HEARING**

TUESDAY, FEBRUARY 20, 2024

11:32 A.M.



**HEARING OFFICER
FRANK QUINN**

**ALCOHOLIC BEVERAGE CONTROL BOARD CLERK
ANGELA G. SARKER**

- 1. HEARING NUMBER: 102-23 (TX), DISTRICT (D) GREEN/LEWIS**
PERMITTEE: SABA FOOD MART #3, LLC
d/b/a MARATHON (SABA FOOD MART #3)
ADDRESS: 1600 ALLEN TOUSSAINT BOULEVARD, NEW ORLEANS, LA 70122
LICENSE NO.
SUBMITTED: NOVEMBER 14, 2023

Allegations:

a) Sales of Alcohol Without License-Delinquent ABO 2023-2024 (4 months) New Orleans City Code Section 10-47. Permit prerequisite to engaging in business. It shall be unlawful for any person to sell, offer for sale, import, manufacture, distill, rectify or have in possession, for sale, handling, storage or distribution, either at wholesale, retail or otherwise, any alcoholic beverage or to engage in the business of dealer without first having obtained from the department of safety and permits a permit to engage in such business or a temporary number as provided in section 10-108.

b) Expired Occupational License – Delinquent O/L 2023 (10 months)

MCS 17271 Section 150-953, relative to an expired occupational license-new business; License required before commencing.

c) Non-Payment of Taxes Delinquent Sales Tax: 10/22 and 11/23 = (2 months)

New Orleans City Code Section 150-726 to wit: nonpayment of taxes.

New Orleans City Code Section 101-157 (a) (9) to wit: Failure to pay any sales, amusement or other excise taxes, liens, or fines due to the city or state in connection with the premises.

RECOMMENDATIONS:

At a settlement conference on 1/23/2024, Dashia Myles, Assistant City Attorney and Sheba Logan, Permittee reached a consent judgement of \$2800.00 payable within 120 days from the above date.

- 2. HEARING NUMBER: 103-23 (TX), DISTRICT (C) KING/QUINN**
PERMITTEE: FRENCH MARKET RESTAURANT AND BAR, LLC
d/b/a FRENCH MARKET RESTAURANT AND BAR
ADDRESS: 1001 DECATUR STREET, NEW ORLEANS, LA 70116
LICENSE NO.
SUBMITTED: NOVEMBER 14, 2023

Allegations:

a) Sales of Alcohol Without License-Delinquent ABO 2023-2024 (4 months)

New Orleans City Code Section 10-47. Permit prerequisite to engaging in business. It shall be unlawful for any person to sell, offer for sale, import, manufacture, distill, rectify or have in possession, for sale, handling, storage or distribution, either at wholesale, retail or otherwise, any alcoholic beverage or to engage in the business of dealer without first having obtained from the department of safety and permits a permit to engage in such business or a temporary number as provided in section 10-108.

b) Non-Payment of Taxes Delinquent Sales Tax: 10/21, 11/21, and 12/21 = (3 months)

New Orleans City Code Section 150-726 to wit: nonpayment of taxes.

New Orleans City Code Section 10-157 (a) (9) to wit: Failure to pay any sales, amusement or other excise taxes, liens, or fines due to the city or state in connection with the premises.

RECOMMENDATIONS:

Dashia Myles, Assistant City Attorney recommended that the case be dismissed.

- 3. HEARING NUMBER: 104-23 (TX), DISTRICT (B) HARRIS/EXPOSÉ**
PERMITTEE: HARRIS JELK ENTERPRISES, LLC
d/b/a BOULIGNY TAVERN
ADDRESS: 3641 MAGAZINE STREET, NEW ORLEANS, LA 70115
LICENSE NO.
SUBMITTED: NOVEMBER 14, 2023

Allegations:

a) Sales of Alcohol Without License-Delinquent ABO 2023-2024 (4 months) New Orleans City Code Section 10-47. Permit prerequisite to engaging in business. It shall be unlawful for any person to sell, offer for sale, import, manufacture, distill, rectify or have in possession, for sale, handling, storage or distribution, either at wholesale, retail or otherwise, any alcoholic beverage or to engage in the business of dealer without first having obtained from the department of safety and permits a permit to engage in such business or a temporary number as provided in section 10-108.

b) Expired Occupational License – Delinquent O/L 2023 (1 month)

MCS 17271 Section 150-953, relative to an expired occupational license-new business; License required before commencing.

RECOMMENDATIONS:

At a settlement conference on 1/10/2024, Dashia Myles, Assistant City Attorney and John Harris, Permittee reached a consent judgement of \$1000.00 payable within 60 days from the above date.

- 4. HEARING NUMBER: 01-24 (TX), DISTRICT (B) HARRIS/EXPOSÉ**
PERMITTEE: VYBES INTERNATIONAL GROUP, LLC
d/b/a VYBES NATION
ADDRESS: 1681 RELIGIOUS STREET, NEW ORLEANS, LA 70130
LICENSE NO.
SUBMITTED: JANUARY 19, 2024

Allegations:

a) Sales of Alcohol Without License-Delinquent ABO 2023-2024 = Total (8 months)
New Orleans City Code Section 10-47. Permit prerequisite to engaging in business. It shall be unlawful for any person to sell, offer for sale, import, manufacture, distill, rectify or have in possession, for sale, handling, storage or distribution, either at wholesale, retail or otherwise, any alcoholic beverage or to engage in the business of dealer without first having obtained from the department of safety and permits a permit to engage in such business or a temporary number as provided in section 10-108.

RECOMMENDATIONS:

Dashia Myles, Assistant City Attorney recommended that the case be continued to the meeting of 3/19/2024, with service to all parties via certified mail.

- 5. HEARING NUMBER: 02-24 (TX), DISTRICT (B) HARRIS/EXPOSÉ**
PERMITTEE: FIERY CRAB 925, INC.
d/b/a FIERY CRAB SEAFOOD RESTAURANT AND BAR
ADDRESS: 925 COMMON STREET, NEW ORLEANS, LA 70112
LICENSE NO.
SUBMITTED: JANUARY 19, 2024

Allegations:

a) Sales of Alcohol Without License-Delinquent ABO 2021-2022 (15 months) & 2023-2024 (6 months) = Total (21 months)
New Orleans City Code Section 10-47. Permit prerequisite to engaging in business. It shall be unlawful for any person to sell, offer for sale, import, manufacture, distill, rectify or have in possession, for sale, handling, storage or distribution, either at wholesale, retail or otherwise, any alcoholic beverage or to engage in the business of dealer without first having obtained from the department of safety and permits a permit to engage in such business or a temporary number as provided in section 10-108.

RECOMMENDATIONS:

At a settlement conference on 2/19/2024, Dashia Myles, Assistant City Attorney and Yu Fong, Permittee reached a consent judgement of \$4200.00 payable within 30 days from the above date.

6. ADJOURNMENT