

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

## **AGENDA ALCOHOLIC BEVERAGE NUISANCE HEARING**

**TUESDAY, MAY 21, 2019**

**1:00 P.M.**

### **THE ALCOHOLIC BEVERAGE CONTROL BOARD**

Robert C. Jenkins, Jr., Chairman  
Diedre Pierce Kelly, Vice Chair  
Adonis C. Expose'  
Dr. Skip Gallagher  
Robert Jones, IV  
LaTanja Silvester  
Earl F. Williams



**CALL TO ORDER**  
ROBERT C. JENKINS, JR.  
CHAIRMAN

**ROLL CALL**  
CARLETTA GRAVES  
ASSISTANT ALCOHOLIC BEVERAGE CONTROL BOARD CLERK

**PLEDGE OF ALLEGIANCE TO THE FLAG**  
ROBERT C. JENKINS, JR.  
CHAIRMAN

1. **HEARING NUMBER: 04-19 (TX), DISTRICT (A) GIARRUSSO/WILLIAMS**  
**PERMITTEE: BAR LA LA'S, LLC**  
**d/b/a BAR LA LA'S**  
**ADDRESS: 2802 CHERRY STREET, NEW ORLEANS, LA 70118**  
**LICENSE NO. 190179 and 190180**  
**SUBMITTED: DECEMBER 18, 2018**

**Allegations:**

- a. **New Orleans City Code Section 10-157: (a) Any city retail alcoholic beverage permit shall be suspended or revoked, or remedial sanctions as set forth in section 10-160 shall be imposed, for any of the following reasons:**

**(11) Delinquent Sales Tax – 5/2018, 6/2018, 8/2018, and 10/2018; total of 4 months.**

Failure to pay any sales, amusement, or other excise taxes due the city in connection with the licensed premises.

- b. **New Orleans City Code Section 150-726 to wit:**  
Non-payment of taxes.

**RECOMMENDATIONS:**

2. **HEARING NUMBER: 01-19 (A), DISTRICT (D) BROSSETT/SILVESTER**  
**PERMITTEE: CLUB 3921, LLC**  
**d/b/a PASSIONS**  
**ADDRESS: 3921 DOWNMAN ROAD, NEW ORLEANS, LA 70126**  
**LICENSE NO. 190766 and 190767**  
**SUBMITTED: DECEMBER 18, 2018, AMENDED: JANUARY 15, 2019**

**Allegations:**

- a. **New Orleans City Code Section 10-47. Delinquent 2017 ABO, 2 months.**  
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 alcoholic beverage or to engage in the business of dealer without first having obtained from the department of finance of the city a permit to engage in such business or a temporary number as provided in section 10-108.
- b. **New Orleans City Code Section 10-157: (a) Any city retail alcoholic beverage permit shall be suspended or revoked, or remedial sanctions as set forth in section 10-160 shall be imposed, for any of the following reasons:**

**(5) Permitting Illegal and Improper Conduct** - Permitting any disturbance of the peace or obscene, lewd, sexually indecent, immoral or improper conduct on the licensed premises. Improper conduct, as specified in this subsection, shall consist of actions which violate the penal provisions of this Code or other penal ordinances of the city.

**(22) Maintaining or Creating a Public Nuisance** - Maintaining or creating a nuisance within the meaning of article 667 of the Louisiana Civil Code.

**RECOMMENDATIONS:**

3. **RATIFICATION OF SALES TAX HEARING**