ALCOHOLIC BEVERAGE CONTROL BOARD OF THE CITY OF NEW ORLEANS

AGENDA

SALES TAX HEARING

TUESDAY, AUGUST 20, 2019

11:30 A.M.

HEARING OFFICER
DIEDRE PIERCE KELLY

ALCOHOLIC BEVERAGE CONTROL BOARD CLERK
CHRISTOPHER W. ROBERTS

1. HEARING NUMBER: 21-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: 640 CARONDELET, LLC
d/b/a BALISE RESTAURANT
ADDRESS: 640 CARONDELET STREET, NEW ORLEANS, LA 70130
LICENSE NO. 187821 and 187822
SUBMITTED: MAY 20, 2019

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, 10/2018, 11/2018, and 12/2018; 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: 31-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: TAKONIA N. SMITH
d/b/a CARMOUCHE ROCK BOTTOM LOUNGE
ADDRESS: 3801 TCHOUPITOULAS STREET, NEW ORLEANS, LA 70115
LICENSE NO. 187322 and 187323
SUBMITTED: MAY 20, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2018 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:

(11) Delinquent Sales Tax – 10/2018, 11/2018, 12/2018, and 1/2019; total of 4 months.
Failure to pay any sales, amusement, or other excise taxes due the city in connection with the licensed premises.

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

d. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 1 month.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

3. HEARING NUMBER: 34-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: BAYOU BISTRO LOUISIANA CUISINE, LLC
d/b/a BAYOU BISTRO
ADDRESS: 3340 BIENVILLE STREET, NEW ORLEANS, LA 70119
LICENSE NO. 189267 and 189268
SUBMITTED: MAY 20, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2018 ABO, 2 months, Delinquent 2019 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:

(11) Delinquent Sales Tax – 5/2018, 6/2018, 7/2018, 8/2018, 9/2018, 10/2018, 11/2018, 12/2018, and 1/2019; total of 9 months.
Failure to pay any sales, amusement, or other excise taxes due the city in connection with the licensed premises.

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

RECOMMENDATIONS:

4. HEARING NUMBER: 39-19 (TX), DISTRICT (D) BROSSETT/SILVESTER
PERMITTEE: SEA-Q SEAFOOD VS BARBEQUE, LLC
d/b/a SEA Q
ADDRESS: 5750 HAYNE BOULEVARD, NEW ORLEANS, LA 70126
LICENSE NO. 196167 and 196168
SUBMITTED: JUNE 18, 2019

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 – 1/2019, 2/2019, 3/2019, and 4/2019; 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:

5. HEARING NUMBER: 40-19 (TX), DISTRICT (D) BROSSETT/SILVESTER
PERMITTEE: S & I FOOD STORE, INC.
d/b/a S & I FOOD STORE
ADDRESS: 4350 STEMWAY DRIVE, NEW ORLEANS, LA 70126
LICENSE NO. 189026 and 189027
SUBMITTED: JUNE 18, 2019

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 – 8/2018, 10/2018, 11/2018, and 1/2019; 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.

c. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 3 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

6. HEARING NUMBER: 41-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: DAVE & BUSTER'S OF LOUISIANA, INC.
d/b/a DAVE & BUSTERS
ADDRESS: 1200 POYDRAS STREET, UNIT 601, NEW ORLEANS, LA 70113
LICENSE NO. 189002 and 189003
SUBMITTED: JUNE 18, 2019

Allegations:

a. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 3 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

7. HEARING NUMBER: 42-19 (TX), DISTRICT (A) GIARRUSSO/WILLIAMS
PERMITTEE: DTB SOCIAL HOUSE, LLC
d/b/a DTB SOCIAL HOUSE
ADDRESS: 8201 OAK STREET, SUITE 100, NEW ORLEANS, LA 70118
LICENSE NO. 157657 and 157658
SUBMITTED: JUNE 18, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2018 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:

(11) Delinquent Sales Tax – 11/2018.
Failure to pay any sales, amusement, or other excise taxes due the city in connection with the licensed premises.

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

RECOMMENDATIONS:

8. HEARING NUMBER: 43-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: FRERET BEER ROOM, LLC
d/b/a FRERET BEER ROOM
ADDRESS: 5018 FRERET STREET, NEW ORLEANS, LA 70115
LICENSE NO. 189339 and 189340
SUBMITTED: JUNE 18, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2019 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:

(11) Delinquent Sales Tax – 6/2018.
Failure to pay any sales, amusement, or other excise taxes due the city in connection with the licensed premises.

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

d. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 1 month.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

9. HEARING NUMBER: 45-19 (TX), DISTRICT (A) GIARRUSSO/WILLIAMS
PERMITTEE: BROMCOX ENTERPRISES, LLC
d/b/a BAR CULTURE
ADDRESS: 4033 TULANE AVENUE, NEW ORLEANS, LA 70119
LICENSE NO. 187115 and 187116
SUBMITTED: JUNE 24, 2019

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 – 1/2019, 2/2019, 3/2019, and 4/2019; 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:

10. HEARING NUMBER: 48-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: 1840 THALIA, LLC
d/b/a REVOLUTION
ADDRESS: 1840 THALIA STREET, NEW ORLEANS, LA 70113
LICENSE NO. 190083 and 190084
SUBMITTED: JUNE 24, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2019 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:

(11) Delinquent Sales Tax – 6/2018, 7/2018, 8/2018, 9/2018, 10/2018, 11/2018, 12/2018, 1/2019, 2/2019, 3/2019, and 4/2019; total of 11 months.
Failure to pay any sales, amusement, or other excise taxes due the city in connection with the licensed premises.

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

d. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 1 month.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

11. HEARING NUMBER: 49-19 (TX), DISTRICT (D) BROSSETT/SILVESTER
PERMITTEE: WHISKEY & STICKS, LLC
d/b/a WHISKEY & STICKS
ADDRESS: 2513 BAYOU ROAD, NEW ORLEANS, LA 70119
LICENSE NO. 192465 and 192466
SUBMITTED: JUNE 18, 2019

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 – 7/2018 and 8/2018; total of 2 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.

c. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 4 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

12. HEARING NUMBER: 51-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: OLIVE CATERING SERVICE, LLC
d/b/a DEANIE'S ON MAGAZINE
ADDRESS: 2200 MAGAZINE STREET, NEW ORLEANS, LA 70130
LICENSE NO. 190187 and 190186
SUBMITTED: JUNE 18, 2019

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 – 12/2018, 1/2019, and 3/2019; total of 3 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:

13. HEARING NUMBER: 53-19 (TX), DISTRICT (C) GISLESON PALMER/GALLAGHER
PERMITTEE: FIRST & LAST STOP BAR, LLC
d/b/a FIRST & LAST STOP BAR
ADDRESS: 1843 PAUGER STREET, NEW ORLEANS, LA 70116
LICENSE NO. 186801 and 186802
SUBMITTED: JUNE 18, 2019

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 – 11/2018, 1/2019, and 3/2019; total of 3 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.

c. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 1 month.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

14. HEARING NUMBER: 54-19 (TX), DISTRICT (C) GISLESON PALMER/GALLAGHER
PERMITTEE: RB BOURBON, LLC
d/b/a CABARET
ADDRESS: 327 BOURBON STREET, NEW ORLEANS, LA 70130
LICENSE NO. 192949 and 192950
SUBMITTED: JUNE 18, 2019

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 – 1/2019, 2/2019, and 3/2019; total of 3 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 30-69: Mayoralty permits required for various callings or occasions (Live Entertainment); Delinquent 2 months.
Permits shall not be required for the sale by an individual of tickets at or below face value to athletic contests or other amusement events, provided that tickets are not sold or offered for sale within 750 feet of the grounds of the Superdome when the event related to the ticket is being conducted or within six hours of the scheduled commencement of such event.

Except for such sale by an individual of tickets at or below face value to athletic contests or other amusement events, within said 750-foot buffer zone, every person who shall desire to use the public streets, sidewalks or other public or private places of business establishments for the conduct of any of the businesses or callings hereinafter set forth shall first apply to and obtain from the department of finance a permit. Such permit shall in each instance state the occasion for which it is issued and the date upon which it will expire and shall be in addition to any other tax or license to which permittee may be liable. Except as otherwise provided, annual permits expire on December 31. Such permits, however, are not valid within the central business district area bounded by the river on the east, Claiborne Avenue on the west, Esplanade Avenue on the north, and Howard Avenue on the south, except as provided in this article.

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

RECOMMENDATIONS:

15. HEARING NUMBER: 55-19 (TX), DISTRICT (A) GIARRUSSO/WILLIAMS
PERMITTEE: JUDEH SUHAD
d/b/a COYE FOOD STORE
ADDRESS: 9103 FIG STREET, NEW ORLEANS, LA 70118
LICENSE NO. 205639 BEER ONLY
SUBMITTED: JUNE 18, 2019

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 – 8/2018, 9/2018, 10/2018, 11/2018, 12/2018, 1/2019, 2/2019, 3/2019, and 4/2019; total of 9 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:

16. HEARING NUMBER: 56-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: BELMONT RESTAURANTS, LLC
d/b/a GOLDBERG DELI
ADDRESS: 925 COMMON STREET, NEW ORLEANS, LA 70112
LICENSE NO. 188112 and 188113
SUBMITTED: JUNE 18, 2019

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 – 6/2018, 7/2018, 8/2018, 9/2018, 10/2018, 11/2018, 12/2018, 1/2019, 2/2019, and 3/2019; total of 10 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:

17. HEARING NUMBER: 57-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: MIJO 3 ENTERPRISES, LLC
d/b/a SPADES
ADDRESS: 633 SOUTH ROMAN STREET, NEW ORLEANS, LA 70112
LICENSE NO. 190101 and 190102
SUBMITTED: JUNE 24, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2019 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 30-69: Mayoralty permits required for various callings or occasions (Live Entertainment); Delinquent 5 months.
Permits shall not be required for the sale by an individual of tickets at or below face value to athletic contests or other amusement events, provided that tickets are not sold or offered for sale within 750 feet of the grounds of the Superdome when the event related to the ticket is being conducted or within six hours of the scheduled commencement of such event.

Except for such sale by an individual of tickets at or below face value to athletic contests or other amusement events, within said 750-foot buffer zone, every person who shall desire to use the public streets, sidewalks or other public or private places of business establishments for the conduct of any of the businesses or callings hereinafter set forth shall first apply to and obtain from the department of finance a permit. Such permit shall in each instance state the occasion for which it is issued and the date upon which it will expire and shall be in addition to any other tax or license to which permittee may be liable. Except as otherwise provided, annual permits expire on December 31. Such permits, however, are not valid within the central business district area bounded by the river on the east, Claiborne Avenue on the west, Esplanade Avenue on the north, and Howard Avenue on the south, except as provided in this article.

RECOMMENDATIONS:

18. HEARING NUMBER: 58-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: MALLET ENTERPRISES, INC.
d/b/a LYVE NITE CLUB
ADDRESS: 3940 TULANE AVENUE, NEW ORLEANS, LA 70119
LICENSE NO. 184879 and 184880
SUBMITTED: JUNE 24, 2019

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 – 1/2019, 2/2019, 3/2019, and 4/2019; 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:

19. HEARING NUMBER: 61-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: MONTGOMERY NORTON, INC.
d/b/a NICE GUYS
ADDRESS: 7910 EARHART BLVD., NEW ORLEANS, LA 70125
LICENSE NO. 186972 and 186973
SUBMITTED: JULY 16, 2019

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 – 9/2018 and 10/2018; total of 2 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:

20. HEARING NUMBER: 62-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: GROOVEMAKERS, LLC
d/b/a MOE'S ORIGINAL BAR BE QUE
ADDRESS: 3150 CALHOUN STREET, NEW ORLEANS, LA 70125
LICENSE NO. 188395 and 188396
SUBMITTED: JULY 16, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2019 ABO, 1 month.
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 150-953: MCS 17271: Expired 2019 Occupational License, 1 month.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

21. HEARING NUMBER: 63-19 (TX), DISTRICT (D) BROSSETT/SILVESTER
PERMITTEE: JACK MEAT MARKET, INC.
d/b/a JACK MEAT MARKET
ADDRESS: 2279 DERBIGNY STREET, NEW ORLEANS, LA 70117
LICENSE NO. 188772 and 188773
SUBMITTED: JULY 16, 2019

Allegations:

a. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 4 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

22. **HEARING NUMBER: 64-19 (TX), DISTRICT (B) BANKS/EXPOSE'**
PERMITTEE: LOT 1701, LLC
d/b/a LOT 1701, LLC
ADDRESS: 1701 ORETHA CASTLE HALEY BLVD., NEW ORLEANS, LA 70113
LICENSE NO. 190021 and 190022
SUBMITTED: JULY 16, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2019 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 150-953: MCS 17271: Expired 2019 Occupational License, 3 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

23. **HEARING NUMBER: 65-19 (TX), DISTRICT (B) BANKS/EXPOSE'**
PERMITTEE: MID CITY PIZZA, LLC
d/b/a MID CITY PIZZA
ADDRESS: 4400 BANKS STREET, NEW ORLEANS, LA 70125
LICENSE NO. 190389 and 190390
SUBMITTED: JULY 16, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2019 ABO, 3 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 150-953: MCS 17271: Expired 2018 Occupational License, 4 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

24. **HEARING NUMBER: 66-19 (TX), DISTRICT (B) BANKS/EXPOSE'**
PERMITTEE: PERKOFF, LLC
d/b/a NEXT TO NOTHING
ADDRESS: 1001 SOUTH BROAD STREET, SUITE 107, NEW ORLEANS, LA 70125
LICENSE NO. 186090 and 186091
SUBMITTED: JULY 16, 2019

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 – 7/2018, 8/2018, 9/2018, 10/2018, 12/2018, 1/2019, 2/2019, 4/2019, and 5/2019; total of 9 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.

c. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 2 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

25. HEARING NUMBER: 67-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: JAPAN FOOD SERVICE, INC.
d/b/a MIYAKO SEAFOOD & STEAKHOUSE
ADDRESS: 1403 SAINT CHARLES AVENUE, NEW ORLEANS, LA 70130
LICENSE NO. 186162 and 186163
SUBMITTED: JULY 16, 2019

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 – 12/2018 and 2/2019; total of 2 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.

c. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 3 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

26. HEARING NUMBER: 68-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: MICHAEL SERIO
d/b/a MID SERIO'S PO BOYS & DELI
ADDRESS: 133 SAINT CHARLES AVENUE, NEW ORLEANS, LA 70130
LICENSE NO. 188446 and 188447
SUBMITTED: JULY 16, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2019 ABO, 1 month.
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:

(11) Delinquent Sales Tax – 5/2018, 11/2018, and 1/2019; total of 3 months.
Failure to pay any sales, amusement, or other excise taxes due the city in connection with the licensed premises.

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

RECOMMENDATIONS:

27. HEARING NUMBER: 69-19 (TX), DISTRICT (E) NGUYEN/JONES
PERMITTEE: PHUNG LU, LLC
d/b/a HOANG RESTAURANT
ADDRESS: 4664 ALCEE FORTIER BLVD., NEW ORLEANS, LA 70129
LICENSE NO. 190318 and 190319
SUBMITTED: JULY 16, 2019

Allegations:

a. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 3 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

28. HEARING NUMBER: 70-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: JEROME THOMAS
d/b/a MARGIE'S LOUNGE
ADDRESS: 3138 BROADWAY STREET, NEW ORLEANS, LA 70125
LICENSE NO. 189695 and 186696
SUBMITTED: JULY 16, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2019 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 150-953: MCS 17271: Expired 2018 Occupational License, 3 months.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

29. HEARING NUMBER: 71-19 (TX), DISTRICT (D) BROSSETT/SILVESTER
PERMITTEE: E & D OF NEW ORLEANS
d/b/a MARDI GRAS LOUNGE
ADDRESS: 1901 ELYSIAN FIELDS AVENUE, NEW ORLEANS, LA 70117
LICENSE NO. 189532 and 189533
SUBMITTED: JULY 16, 2019

Allegations:

a. New Orleans City Code Section 10-47. Delinquent 2018 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:

(11) Delinquent Sales Tax – 1/2019, 2/2019, and 3/2019; total of 3 months.
Failure to pay any sales, amusement, or other excise taxes due the city in connection with the licensed premises.

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

d. New Orleans City Code Section 150-953: MCS 17271: Expired 2019 Occupational License, 1 month.
Relative to an expired license-new business: License required before commencing.

RECOMMENDATIONS:

30. HEARING NUMBER: 72-19 (TX), DISTRICT (D) BROSSETT/SILVESTER
PERMITTEE: HANKS RESTAURANT & LOUNGE, INC.
ADDRESS: 1443 NORTH ROBERTSON STREET, NEW ORLEANS, LA 70116
SUBMITTED: JULY 17, 2019

Allegations:

a. Count 1: New Orleans City Code Section 10-46. Unlawful to sell without permit or temporary number.
It shall be unlawful for any person, whether as a manufacturer, rectifier, distiller, importer, manufacturer's agent, wholesaler or retail dealer, knowingly to sell, donate or deliver in any place to any person alcoholic beverages unless such person holds a city permit for the sale of such alcoholic beverages or a temporary number.

b. Count 2: 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 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.

c. Count 3: New Orleans City Code Section 10-48. Permits prior to purchase of alcoholic beverages.
All retail dealers must possess a permit as a condition precedent to purchasing, receiving, or engaging in the business of dealing in alcoholic beverages. The location of such business shall be approved by the department of safety and permits for compliance with the comprehensive zoning ordinance and building code prior to the issuance of a permit. An application may be withheld and a solicitor or his wholesaler who sells or delivers alcoholic beverages to the applicant may have their permits suspended or revoked for violation hereof.

d. Count 4: New Orleans City Code Section 10-132. Applications for permit renewals.
- **a.** Every alcoholic beverage outlet permit issued under the authority of this chapter shall expire on May 31 of each year, and must be recertified annually by the department of safety and permits. Applications for renewal shall be submitted by April 1 of each year. The original permit shall be renewed by the permittee to whom it was issued.
- **b.** If a person holding permits under this chapter fails to file an application for renewal in accordance with this chapter by April 1, the department of safety and permits may temporarily withhold the issuance of a renewed alcoholic beverage outlet permit pending proceedings before the alcoholic beverage control board.
- **c.** Renewals are subject to all the rules and provisions of this chapter and may be withheld or denied accordingly.

RECOMMENDATIONS:

31. HEARING NUMBER: 73-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: AUDREY MAES CATERING, LLC
d/b/a HEARD DAT KITCHEN
ADDRESS: 2520 FELICITY STREET, NEW ORLEANS, LA 70113
SUBMITTED: JULY 18, 2019

Allegations:

a. Count 1: New Orleans City Code Section 10-46. Unlawful to sell without permit or temporary number.
It shall be unlawful for any person, whether as a manufacturer, rectifier, distiller, importer, manufacturer's agent, wholesaler or retail dealer, knowingly to sell, donate or deliver in any place to any person alcoholic beverages unless such person holds a city permit for the sale of such alcoholic beverages or a temporary number.

b. Count 2: 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 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.

c. Count 3: New Orleans City Code Section 10-48. Permits prior to purchase of alcoholic beverages.
All retail dealers must possess a permit as a condition precedent to purchasing, receiving, or engaging in the business of dealing in alcoholic beverages. The location of such business shall be approved by the department of safety and permits for compliance with the comprehensive zoning ordinance and building code prior to the issuance of a permit. An application may be withheld and a solicitor or his wholesaler who sells or delivers alcoholic beverages to the applicant may have their permits suspended or revoked for violation hereof.

d. Count 4: New Orleans City Code Section 10-132. Applications for permit renewals.
- **a.** Every alcoholic beverage outlet permit issued under the authority of this chapter shall expire on May 31 of each year, and must be recertified annually by the department of safety and permits. Applications for renewal shall be submitted by April 1 of each year. The original permit shall be renewed by the permittee to whom it was issued.
- **b.** If a person holding permits under this chapter fails to file an application for renewal in accordance with this chapter by April 1, the department of safety and permits may temporarily withhold the issuance of a renewed alcoholic beverage outlet permit pending proceedings before the alcoholic beverage control board.
- **c.** Renewals are subject to all the rules and provisions of this chapter and may be withheld or denied accordingly.

RECOMMENDATIONS:

32. HEARING NUMBER: 74-19 (TX), DISTRICT (B) BANKS/EXPOSE'
PERMITTEE: CAJUN 411, LLC
ADDRESS: 411 BOURBON STREET, NEW ORLEANS, LA 70112
SUBMITTED: JULY 18, 2019

Allegations:

a. Count 1: New Orleans City Code Section 10-46. Unlawful to sell without permit or temporary number.
It shall be unlawful for any person, whether as a manufacturer, rectifier, distiller, importer, manufacturer's agent, wholesaler or retail dealer, knowingly to sell, donate or deliver in any place to any person alcoholic beverages unless such person holds a city permit for the sale of such alcoholic beverages or a temporary number.

b. Count 2: 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 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.

c. Count 3: New Orleans City Code Section 10-48. Permits prior to purchase of alcoholic beverages.
All retail dealers must possess a permit as a condition precedent to purchasing, receiving, or engaging in the business of dealing in alcoholic beverages. The location of such business shall be approved by the department of safety and permits for compliance with the comprehensive zoning ordinance and building code prior to the issuance of a permit. An application may be withheld and a solicitor or his wholesaler who sells or delivers alcoholic beverages to the applicant may have their permits suspended or revoked for violation hereof.

d. Count 4: New Orleans City Code Section 10-132. Applications for permit renewals.
- **a.** Every alcoholic beverage outlet permit issued under the authority of this chapter shall expire on May 31 of each year, and must be recertified annually by the department of safety and permits. Applications for renewal shall be submitted by April 1 of each year. The original permit shall be renewed by the permittee to whom it was issued.
- **b.** If a person holding permits under this chapter fails to file an application for renewal in accordance with this chapter by April 1, the department of safety and permits may temporarily withhold the issuance of a renewed alcoholic beverage outlet permit pending proceedings before the alcoholic beverage control board.
- **c.** Renewals are subject to all the rules and provisions of this chapter and may be withheld or denied accordingly.

RECOMMENDATIONS: