**ALCOHOLIC BEVERAGE CONTROL BOARD**

**OF THE CITY OF NEW ORLEANS**

**AGENDA**

ALCOHOLIC BEVERAGE NUISANCE HEARING

TUESDAY, SEPTEMBER 19, 2023

1:00 P.M.

THE ALCOHOLIC BEVERAGE CONTROL BOARD

Earl F. Williams, Chairman

Lisa Manning, Vice-Chair

Adonis Exposé

Robert C. Jenkins, Jr.

Nathan Lewis, Jr.

Jonas Nash

Frank Quinn

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**CALL TO ORDER**

EARL F. WILLIAMS

CHAIRMAN

**ROLL CALL**

ANGELA SARKER

ALCOHOLIC BEVERAGE CONTROL BOARD CLERK

**PLEDGE OF ALLEGIANCE TO THE FLAG**

JONAS NASH

1. **HEARING NUMBER: 01-23 (A), DISTRICT (B) HARRIS/EXPOSÉ**

**PERMITTEE: ALLISON & GLENN, INC.**

**d/b/a NICE GUYS NOLA**

**ADDRESS: 7910 EARHART BOULEVARD, NEW ORLEANS, LA 70125**

**LICENSE NO.**

**SUBMITTED: APRIL 17, 2023**

**Allegations:**

1. **Maximum Permissible Sound Levels**

**City of New Orleans Code Section 66-202 (a)** provides to wit: No person shall operate or cause to be operated any source of sound in such a manner as to create a sound level which exceeds the limits set forth for the receiving land use.

1. **Specific Nuisance Noises Prohibited**

**City of New Orleans Code Section 66-203(5) provides to wit:** It shall be unlawful to use or operate any loudspeaker, loudspeaker system or similar device that is plainly audible upon any street, alley, sidewalk, park or public property for the purpose of commercial advertising or attracting the attention of the public to any building, structure, or vehicle.

1. **Maintaining or Creating a Public Nuisance**

**New Orleans City Code Section 10-157 (a)(20) provides to wit:** Maintaining or creating a nuisance within the meaning of article 667 of the Louisiana Civil Code.

(10) Violation at the premises of any health or sanitation ordinance of the city or the state.

1. **Permitting or Allowing Disturbances of Peace**

**New Orleans City Code Section 10-157 (a)(4) provides to wit:** Allowing or permitting any disturbance of the peace or improper conduct on the permitted premises. Improper conduct, as specified in this subsection, shall consist of convictions of[chapter 54](https://library.municode.com/la/new_orleans/codes/code_of_ordinances?nodeId=PTIICO_CH54CRCO) of the Code of the City of New Orleans - the city's Criminal Code.

1. **New Orleans City Code Section 10-157 (a)(12) provides to wit:** Violation at the premises of any of the provisions of section *26-111* et seq., *30-651* et seq., *66-136* et seq., *66-241* et seq., and chapters 82 and 138 or any other health or sanitation ordinance of the city or the state sanitary code.

**RECOMMENDATIONS:**

1. **RATIFICATION OF 9-19-23 SALES TAX HEARING**

**ADJOURNMENT**