**ALCOHOLIC BEVERAGE CONTROL BOARD**

**OF THE CITY OF NEW ORLEANS**

**AGENDA**

ALCOHOLIC BEVERAGE NUISANCE HEARING

TUESDAY, JUNE 20, 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**

NATHAN LEWIS

1. **HEARING NUMBER: 05-22 (A), DISTRICT (A) GIARRUSSO/WILLIAMS**

**PERMITTEE: LUCKY TAB, LLC**

**d/b/a THE WILLOW UPTOWN**

**ADDRESS: 8200 WILLOW STREET, NEW ORLEANS, LA 70118**

**LICENSE NO.**

**SUBMITTED: OCTOBER 20, 2022**

**Allegations:**

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. **New Orleans City Code Section Improper and Illegal Conduct 10-157 (a)(4)** provides to wit: 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.
2. **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. **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. **HEARING NUMBER: 02-23 (A), DISTRICT (C) King/Quinn**

**PERMITTEE: JENSEN BREW LAB, LLC**

**d/b/a PARLEAUX BEER LAB**

**ADDRESS: 634 LESSEPS STREET, NEW ORLEANS, LA 70117**

**LICENSE NO.**

**SUBMITTED: APRIL 17, 2023**

**Allegations:**

1. **Sales of Alcohol Without License June 1, 2020 – Present**

**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.

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. **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. **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. **MOTION FOR TERMINATION OF CONSENT JUDGEMENT**

 **HEARING NUMBER: 02-18 (A), DISTRICT (B) HARRIS/EXPOSÉ**

**PERMITTEE: CHUCK’S, INC.**

**d/b/a CHUCK’S SPORTS BAR**

**ADDRESS: 510 GRAVIERSTREET, NEW ORLEANS, LA 70130**

**LICENSE NO**. **152647 and 152648**

**SUBMITTED: NOVEMBER 29, 2017**

**Allegations:**

**Permitting Illegal and Improper Conduct**

**(5)** 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.

**(15)** Misstating or suppressing any fact in the application for the city permit.

**Maintaining or Creating a Public Nuisance**

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

**RECOMMENDATIONS**:

1. **RATIFICATION OF 6-20-23 SALES TAX HEARING**

**ADJOURNMENT**