

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

**COMPLETED AGENDA
ALCOHOLIC BEVERAGE NUISANCE HEARING**

TUESDAY, AUGUST 15, 2023

1:05 P.M.

THE ALCOHOLIC BEVERAGE CONTROL BOARD

Earl F. Williams, Chairman - Present
Lisa Manning, Vice-Chair - Present
Adonis Exposé - Absent
Robert C. Jenkins, Jr. - Absent
Nathan Lewis, Jr. - Present
Jonas Nash - Present
Frank Quinn - Absent



**CALL TO ORDER
EARL F. WILLIAMS
CHAIRMAN**

**ROLL CALL
ANGELA SARKER
ALCOHOLIC BEVERAGE CONTROL BOARD CLERK**

**PLEDGE OF ALLEGIANCE TO THE FLAG
LISA MANNING**

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:

a) 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.

b) 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.

c) 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.

d) 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](#) of the Code of the City of New Orleans - the city's Criminal Code.

e) 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:

Motion to continue the ABCB Nuisance Hearing (Trial) to 9/19/23.

Moved – Williams

Seconded – Nash

4/0

Absent - 3

Expose, Jenkins, and Nash

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

Due to the cancelation of the ABCB Sales Tax Hearing, all matters for ratification were continued to the hearing date of 9/19/2023.

ADJOURNMENT

Motion to adjourn the Nuisance Hearing (Trial)

Moved - Williams

Seconded - Nash

4/0

Absent -3

Expose, Jenkins, and Nash

3:55 P.M.