



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**#17**

**Kerri Callais**  
*Councilmember  
at Large*

**Richard "Richie" Lewis**  
*Councilmember  
at Large*

**Gillis McCloskey**  
*Councilmember  
District A*

**Joshua "Josh" Moran**  
*Councilmember  
District B*

**Howard Luna**  
*Councilmember  
District C*

**Wanda Alcon**  
*Councilmember  
District D*

**Fred Everhardt, Jr.**  
*Councilmember  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, FEBRUARY 15, 2022 AT THREE O'CLOCK P.M.

On motion of Mr. Moran, seconded by Mrs. Alcon, it was moved to **adopt** the following ordinance:

## **ORDINANCE SBPC #2412-02-22**

### **Summary No. 3990**

Introduced by: Councilmember Lewis on 2/1/22  
Public Hearing held on 2/15/22

AN ORDINANCE TO **AMEND** CHAPTER 3, ALCOHOLIC BEVERAGES; SECTION 3-16, SPECIFIC QUALIFICATIONS OF APPLICANTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council, the Governing Authority, does hereby ordain that Chapter 3, Alcoholic Beverages; Section 3-16, Specific qualifications of applicants of the St. Bernard Parish Code of Ordinances is hereby amended as per attached Exhibit "A".

**SECTION 2.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

**SECTION 3.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:**            McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

**NAYS:**            None

**ABSENT:**        None



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Page -2-  
Extract #16, continued  
February 15, 2022

**Kerri Callais**  
Councilmember  
at Large

**Richard "Richie" Lewis**  
Councilmember  
at Large

**Gillis McCloskey**  
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District E

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Clerk of Council

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of February, 2022.

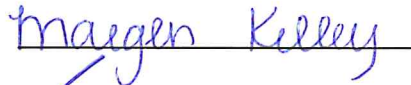
  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
KERRI CALLAIS  
COUNCIL CHAIR

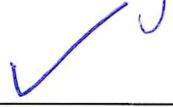
Delivered to the Parish President

2/18/22 10:00am  
Date and Time

Received by



Approved



Vetoed

\_\_\_\_\_

Parish President

  
Guy McInnis

Returned to Clerk of the Council

2/23/22 9:45am  
Date and Time

Received by



**Exhibit "A"**  
**Summary No. 3990**  
**Ordinance SBPC #2412-02-22**

**Chapter 3 – Alcoholic Beverages**

**Section 3-16 – Specific Qualifications of Applicants**

**Sec. 3-16. - Specific qualifications of applicants.**

(a) Applicants under this chapter for parish permits of all kinds shall meet the following qualifications and conditions:

- (1) Is a person of good character and reputation and over eighteen (18) years of age.
- (2) Is a citizen of the United States continuously for a period of not less than one (1) year preceding the date of the filing of the application.
- (3) Is the owner of the premises or has a bona fide written lease therefor. Leases will not be required for license renewals.
- (4) Has not been convicted of a felony under the laws of the United States, this state or any other state or country.
- (5) Is not charged or has not been convicted in this or in any other state or by the United States or any other country of soliciting for prostitution, pandering, letting premises for prostitution, contributing to the delinquency of juveniles, keeping a disorderly place, or illegally dealing in narcotics or stolen property.
- (6) Has not had a license or permit to sell or deal in alcoholic beverages, issued by the United States or any state, or by any political subdivision of a state authorized to issue permits or licenses, revoked within three (3) years prior to the application, or been convicted or had a judgment of any court rendered against him/her involving alcoholic beverages by this or any state or by the United States for three (3) years prior to the application.
- (7) Has not been adjudged by the council or convicted by a court of violation of any of the provisions of this chapter.
- (8) If the applicant has been so convicted, the granting of a permit or of a renewal is within the discretion of the council, after receiving complete report and recommendation from the alcohol beverage and bingo department.

(9) All new and renewal applications are to be forwarded to the sheriff's office to verify that the applicant is current in the payment of sales tax to the parish. If the applicant is found to be delinquent in the payment of sales taxes, the application will not be considered until such time as all taxes are current.

(b) If the applicant is a partnership or anyone in a partnership with or financed by another, all members of the partnership or all the persons in any way financially interested in the business shall also possess the qualifications required of an applicant. The application shall state the full names of all partners and persons financially interested and the names of the persons who shall operate the business, and furnish their proper addresses and each shall furnish his/her affidavit, showing his/her qualifications, as required of the applicant.

(c) If the applicant is a corporation, all officers and directors and each stockholder owning in the aggregate more than five (5) per cent of the stock and the person or persons who shall conduct or manage the business shall possess the qualifications required of an applicant, to be shown by the affidavit of each accompanying the application. However, the requirement as to the residence does not apply to officers, directors, and stockholders of a corporation.

(d) If the applicant's business is to be conducted wholly or partly by one or more managers, agents, servants, employees, or other representatives, those persons shall also possess the qualifications required by the applicant, to be shown by the affidavit of each accompanying the application.

(e) If the applicant, or any other person required to have the same qualifications, does not possess the required qualifications, the permit may be denied.