

RESOLUTION NO. _____ OF 2014

A RESOLUTION TO AMEND RESOLUTION NO. 219 OF 2013 WHICH SUSPENDED CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES ON March 2, 2014 RELATIVE TO DISPENSING, SALE AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES AT 4041 FERN AVENUE FOR MARILYNN'S PLACE, MARDI GRAS CELEBRATION AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN Oliver Jenkins

WHEREAS, Marilynn's Place located at 4041 Fern Avenue will host a Mardi Gras Celebration on March 2, 2014 between the hours of 12:00 noon and 12:00 midnight; and

WHEREAS, the establishment desires to dispense, and allow the consumption and sale of alcoholic beverages on the parking lot of the establishment, between the hours of 12:00 noon and 12:00 midnight; and

WHEREAS, Resolution No. 219 of 2013 authorized the consumption and sale of alcoholic beverages for the Mardi Gras Celebration, but for a different time period, which needs to be amended; and

WHEREAS, Section 106-130(6) provides that unless otherwise excepted, all uses shall be operated entirely within a completely enclosed structure; and

WHEREAS, any special exception approval granted to the establishment for alcoholic beverage sales, consumption and/or dispensing does not specifically authorize outside sales and/or consumption on the premises; and

WHEREAS, Section 10-80(a) makes it unlawful for any person to sell, barter, exchange or otherwise dispose of alcoholic beverages except within those sections of the city wherein such sale is permitted by the applicable zoning ordinance; and

WHEREAS, Section Chapter 10-103(a)(5) provides that the city council may suspend or revoke any permit if a retailer allows any person to consume any alcoholic beverage on the licensed premises or on any parking lot or open or closed space within or contiguous to the licensed premises without a proper license; and

WHEREAS, the adoption of this resolution would allow the dispensing, sale and consumption of alcoholic beverages on the parking lot of Marilynn's Place, 4041 Fern Avenue, on March 2, 2014 for a Mardi Gras Celebration.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the “Now, Therefore Be It Resolved” paragraph of Resolution No. 219 of 2013 is hereby amended to read as follows:

“NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that Sections 106-130(6), 10-103(a)(5) 10-80(a) and 10-172 are hereby suspended on March 2, 2014 for a Mardi Gras Celebration, between the hours of 12:00 noon and 12:00 midnight, at Marilynn’s Place, 4041 Fern Avenue.”

BE IT FURTHER RESOLVED that all other applicable provisions of the City of Shreveport Code of Ordinances shall remain in full force and effect.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or application, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:

City Attorney’s Office