

ORDINANCE #69002
Board Bill No. 161

An ordinance repealing Ordinance 68809 and in lieu thereof enacting a new ordinance prohibiting the issuance of any package or drink liquor licenses for any currently non-licensed premises within the boundaries of the Tenth Ward Liquor Control District, as established herein, for a period of three years from the effective date hereof; containing an exception allowing, during the moratorium period, for the transfer of existing licenses, under certain circumstances, and the issuance of a drink license to persons operating a restaurant at a previously non-licensed premises; and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ordinance 68809 is hereby repealed and in lieu thereof the following provisions are enacted:

SECTION TWO. LEGISLATIVE FINDINGS. The existence of alcoholic beverage establishments appears to contribute directly to numerous peace, health, safety and general welfare problems including loitering, littering, drug trafficking, prostitution, public drunkenness, defacement and damaging of structures, pedestrian obstructions, as well as traffic circulation, parking and noise problems on public streets and neighborhood lots. The existence of such problems creates serious impacts on the health, safety and welfare of residents of single- and multiple-family within the district, including fear for the safety of children, elderly residents and of visitors to the district. The problems also contribute to the deterioration of the neighborhood and concomitant devaluation of property and destruction of community values and quality of life. The number of establishments selling alcoholic beverages and the associated problems discourage more desirable and needed commercial uses in the area. In order to preserve the residential character and the neighborhood-serving commercial uses of the area, there shall be a moratorium on the issuance of new liquor licenses with the area beginning at the point of intersection of Chippewa St and S Kingshighway Blvd, and proceeding westerly along Chippewa St to Brannon Ave, and proceeding northerly along Brannon Ave to Pernod Ave, and proceeding westerly along Pernod Ave to Macklind Ave, and proceeding northerly along Macklind Ave to Fyler Ave, and proceeding westerly along Fyler Ave to Hampton Ave, and proceeding northerly along Hampton Ave to Manchester Ave, and proceeding easterly along Manchester Ave to S Kingshighway Blvd, and proceeding southerly along S Kingshighway Blvd to Southwest Ave, and proceeding westerly along Southwest Ave to Brannon Ave, and proceeding southerly along Brannon Ave to Magnolia Ave, and proceeding westerly along Magnolia to Macklind Ave, and proceeding southerly along Macklind to Arsenal St, and proceeding easterly along Arsenal St to Morganford Rd, and proceeding southerly along Morganford Rd to Miami St, and proceeding westerly along Miami St to Alfred Ave, and proceeding southerly along Alfred Ave to Tholozan Ave, and proceeding westerly along Tholozan Ave to S Kingshighway Blvd, and proceeding southerly along S Kingshighway Blvd to the point of beginning.. Such area shall be known as the Tenth Ward Liquor Control Area.

SECTION THREE. The Excise Commissioner is hereby prohibited, for a period of three years, beginning as of the effective date of this Ordinance, from approving the issuance of a package or drink liquor license for any premises, not licensed as of the effective date hereof, which is located within the boundaries of the Tenth Ward Liquor Control District established in Section Two of this ordinance.

SECTION FOUR. Notwithstanding the provisions of Section Three of this Ordinance, the Excise Commissioner shall have authority to:

- (1) Approve transfer of an existing license to another premises within the petition circle of the currently licensed premises, pursuant to the provisions of subsection (B) of section 14.06.330 of Ordinance 68536; and
- (2) Issue a drink license for a premises, not licensed as of the effective date of this Ordinance, which currently is or will be, upon opening, operated as a restaurant, as such term is defined in section 14.01.390 of Ordinance 68536.
- (3) Approve the renewal of an existing license under the provisions of Section 14.08.090 of Ordinance 68536.

SECTION FIVE. EMERGENCY CLAUSE. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: October 20, 2011