

ORDINANCE #65236
Board Bill No. 73
Floor Substitute

An ordinance repealing Ordinance 64906 and enacting a new ordinance in lieu thereof prohibiting the issuance of any package or drink liquor licenses for any premises within the boundaries of the Twentieth, Twenty-First, and Third Wards, as said boundaries are currently defined or may be defined in the future, 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 containing an emergency clause.

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

SECTION ONE. Ordinance 64906 is hereby repealed and in lieu thereof the following provisions are enacted.

SECTION TWO. 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 which is located within the boundaries of the Twentieth, Twenty-First, and Third Wards as said boundaries are currently, or may in the future, be drawn.

SECTION THREE. Notwithstanding the provisions of Section Two of this Ordinance, the Excise Commissioner shall have authority to approve transfer of an existing license to another premises within the petition circle of the currently licensed premises as follows:

1. In the case of death of a person licensed under the provisions of this title the Excise Commissioner may transfer the license to the widow or widower or next of kin of such deceased, provided that the transferee meets the requirements and qualifications of this title.

2. In the case of the death or withdrawal of one or more of the members of a partnership to which a license has been issued under the provisions of this title, the Excise Commissioner shall, upon request, transfer the license to permit the remaining partner or partners to operate the business. A license issued under the provisions of this chapter or title may, in the discretion of the Excise Commissioner, be transferred to any other premises within the petition circle of the currently licensed premises, provided that the licensee had obtained neighborhood consent to operate at the currently licensed premises. Provided, however, that no license issued for a motor vehicle service station business can be transferred to a different location.

SECTION FOUR. Notwithstanding the provisions of Section Two, the Excise Commissioner shall have the authority to issue a package 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 grocery or other retail store exceeding thirty thousand (30,000) square feet.

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: July 10, 2001