

**ORDINANCE #66404**  
**Board Bill No. 133**

An 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. 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 intersection of the centerlines of Morganford Rd. and Tholozan Ave., and proceeding along the centerlines in a generally clockwise direction on Tholozan Ave., west to Kingshighway Blvd., south to Chippewa St., west to Brannon Ave., north to Pernod Ave., west to Macklind Ave., north to Fyler Ave., west to January Ave., north to 59<sup>th</sup> St., northwest and north to Arsenal St., west to Hampton Ave., north on Hampton Ave. to Elizabeth Ave., east on Elizabeth Ave. to Hampton Ave., north on Hampton Ave. to Interstate 44, east to Sublette Ave., north to St. Louis & San Francisco Railway tracks, east to Macklind Ave., north to Manchester Ave., northeast to East Rd., north to Berthold Ave., east to Kingshighway Blvd., south to Southwest Ave., southwest to Brannon Ave., south to Magnolia Ave., west to Macklind Ave., south to Arsenal St., east to the Missouri Pacific Railroad tracks, south to Kemper Ave., east to Kingshighway Blvd., northeast to Juniata Ave., east to Lackland Ave., north to Arsenal St., east to Morganford Rd., south to Hartford Ave., east to Bent Ave., south to Tholozan Ave., west to Missouri Pacific Railroad tracks, southeast to Beck Ave., west to Garnier St., south to Chippewa St., west to Meramec St., northwest to Morganford Rd., north to the point of beginning. Such area shall be known as the Tenth Ward Liquor Control Area.

**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, not licensed as of the effective date hereof, which is located within the boundaries of the Tenth Ward Liquor Control District established in Section One of this ordinance.

**SECTION THREE.** Notwithstanding the provisions of Section Two 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 61289; 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 61289.

(3) Issue a package license for any premises within the following area: Beginning at the west curb line of South Kingshighway at the intersection of South Kingshighway and Oleatha Avenue, thence north along South Kingshighway to its intersection with Fyler Avenue; thence east to the east curb line of South Kingshighway at the intersection of South Kingshighway and Fyler Avenue; thence south along South Kingshighway to its intersection with Oleatha Avenue; thence west to the point of beginning.

**SECTION FOUR. 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: August 2, 2004**