

ORDINANCE #69159
Board Bill No. 4
Committee Substitute

An ordinance prohibiting the issuance of any 3 a.m. closing permits for any currently non- 3am licensed premises within the boundaries of the Twenty-Eighth Ward Liquor Control District, as established herein, for a period of three years from the effective date hereof; containing exceptions and allowing, during the moratorium period, for the renewal of or transfer of existing licenses, and the approval of applications currently before the Excise Commissioner, under certain circumstances, and containing an emergency clause.

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

SECTION ONE. The existence of alcoholic beverage establishments with 3am licenses 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. 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 3 a.m. closing permits within the area beginning at the intersection of the centerlines as follows:

Beginning at the point of intersection of the St. Louis City county line and I- 64, and proceeding northerly along the St. Louis City county line to N Skinker Blvd, and proceeding easterly along N Skinker Blvd to Norfolk and Western Rlwy, and proceeding southerly along Norfolk and Western Rlwy to Delmar Blvd, and proceeding westerly along Delmar Blvd to Des Peres Ave, and proceeding southerly along Des Peres Ave to east/west alleyway between Pershing Ave and Waterman Blvd, and proceeding easterly along such alleyway to Laurel St, and proceeding southerly along Laurel St to Pershing Ave, and proceeding easterly along Pershing Ave to north/south alleyway, and proceeding northerly along such alleyway to Laurel St, and proceeding easterly along Laurel St to Waterman Blvd, and proceeding easterly along Waterman Blvd to east/west alleyway, and proceeding easterly along such alleyway to de Giverville Ave, and proceeding easterly along de Giverville Ave to westernmost north/south alleyway between de Giverville Ave and Waterman Blvd, and proceeding northerly along such alleyway to Waterman Blvd, and proceeding easterly along Waterman Blvd to de Baliviere Ave, and proceeding southerly along de Baliviere Ave to de Giverville Ave, and proceeding easterly along de Giverville Ave to de Baliviere Ave, and proceeding southerly along de Baliviere Ave to Norfolk and Western Rlwy, and proceeding easterly along Norfolk and Western Rlwy to vacated Belt Ave, and proceeding northerly along vacated Belt Ave to Pershing Ave, and proceeding westerly along Pershing Ave to Clara Ave, and proceeding northerly along Clara Ave to Washington Ter, and proceeding easterly along Washington Ter to Union Blvd, and proceeding northerly along Union Blvd to Delmar Blvd, and proceeding easterly along Delmar Blvd to N Kingshighway Blvd, and proceeding southerly along N Kingshighway Blvd to Washington Ave, and proceeding easterly along Washington Ave to Olive St, and proceeding easterly along Olive St to N Boyle, and proceeding southerly along N Boyle to Maryland Ave, and proceeding westerly along Maryland Ave to N Newstead Ave, and proceeding southerly along N Newstead Ave to Lindell Blvd, and proceeding westerly along Lindell Blvd to N Kingshighway Blvd, and proceeding southerly along N Kingshighway Blvd to S Kingshighway Blvd, and proceeding southerly along S Kingshighway Blvd to I- 64, and proceeding westerly along I- 64 to Tamm Entrance, and proceeding southerly along Tamm Entrance to Oakland Ave, and proceeding westerly along Oakland Ave to Louisville Ave, and proceeding southerly along Louisville Ave to Berthold Ave, and proceeding westerly along Berthold Ave to Clayton Ave, and proceeding westerly along Clayton Ave to I- 64, and proceeding westerly along I- 64 to the point of beginning.

Such area shall be known as the Twenty-Eighth Ward Liquor Control District.

SECTION TWO. The Excise Commissioner shall not, for a period of three years, beginning as of the effective date of this Ordinance, approve the issuance of 3 a.m. closing permits for any premises which is located within the boundaries of the Twenty-Eighth 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 3am license to another owner of the same premises within the petition circle of the currently licensed premise, pursuant to the provisions of subsection (B) of section 14.06.330 of Ordinance 68536; and

- (2) Approve the renewal of an existing license under the provisions of Section 14.08.090 of Ordinance 68536.
- (3) Approve the issuance of a 3:00 a.m. closing permit license under the provisions of Chapters 14.06 and 14.08 of Ordinance 68536 if the application for such license was requested and filed prior to April 17, 2012.

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: May 25, 2012