

**ORDINANCE #69349**  
**Board Bill No. 237**

An ordinance to amend Section 14.08.220 of the Revised Code of the City of St. Louis by repealing said section and enacting in lieu thereof a new Section 14.08.220 relating to 3:00 A.M. closing permits, and containing an emergency clause.

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

**SECTION ONE.** Section 14.08.220 of the Revised Code of the City of St. Louis is hereby repealed and there is hereby enacted a new Section 14.08.220 to be and read as follows:

14.08.220 3:00 a.m. closing permit--Issuance--Conditions--Exemptions.

A. No "3:00 a.m. closing permit" shall be issued to any person unless such person possesses a full drink liquor license, and until the following conditions have been met and complied with:

1. The applicant shall file with the Excise Commissioner an application for a permit setting forth:

- a. The location of the premises;
- b. The total annual gross sales;
- c. If a hotel or resort, the total number of rooms available for transient guests; and
- d. Such additional information and supporting proofs as deemed necessary by the Excise Commissioner.

B. The Excise Commissioner shall be responsible for the issuance of the "3:00 a.m. closing permit," and for insuring that all permit holders comply fully with all the terms and conditions under which such a permit may be issued.

C. The Excise Commissioner may approve the issuance of a "3:00 a.m. closing permit" to any applicant:

1. Possessing a full drink liquor license;
2. Whose premises are located within a convention trade area; and
3. Who meets at least one of the following conditions:

a. The licensed establishment's annual gross sales for the year immediately preceding the date on which the application for a 3:00 a.m. closing permit was filed equal one hundred fifty thousand dollars (\$150,000.00) or more, or

b. The business is a resort.

D. In addition, any applicant for a 3:00 a.m. closing permit for premises located other than in a mall or a resort shall present to the Excise Commissioner a petition indicating approval of the issuance of a "3:00 a.m. closing permit" signed by a majority of the persons residing or conducting any business within the petition circle of the licensed premises and a majority of persons owning property within such circle.

E. Notwithstanding any other provision of this section, the Excise Commissioner shall not issue a 3:00 a.m. closing permit for licensed premises located on or within a resort where there is a direct entrance to such licensed premises which opens onto a public street, alley or sidewalk, unless the licensee has submitted to the Excise Commissioner a petition indicating approval of the issuance of a 3:00 a.m. closing permit signed by a majority of persons residing or conducting any business within the petition circle of the licensed premises and a majority of persons owning property within such circle.

F. Notwithstanding any other provision of this chapter or title, a licensee to whom a 3:00 a.m. permit has been issued shall not allow intoxicating liquor or nonintoxicating beer to be sold or consumed on any portion of the premises permitted as a summer garden or sidewalk cafe between the hours of 1:30 a.m. and 10:00 a.m.

G. Notwithstanding any other provision of this chapter or title, no "3:00 a.m. closing permit" shall be issued to any person or business for premises which is not a resort located within the following areas:

(1) Beginning at the point of intersection of the east side of Kingshighway Boulevard and the south side of Washington Avenue, hence running east along the south side of Washington Avenue to the west side of Taylor, hence running south along the west side of Taylor to the north side of the Forest Park Expressway, hence west along the north side of the Forest Park Expressway, to the east side of Kingshighway Boulevard, hence north along the east side of Kingshighway Boulevard back to the point of beginning;

H. Notwithstanding any other provision of this chapter or title, no "3:00 a.m. closing permit" shall be issued to any person or business for premises which is located within the following areas:

Beginning at the center line of Grand Boulevard and Laclede Avenue; extending west along the center line of Laclede Avenue to the center line of Vandeventer Avenue; extending north along the center line of Vandeventer Avenue to the center line of Lindell Boulevard; extending west along the center line of Lindell Boulevard to the center line of Sarah Street; extending south along the center line of Sarah Street to the center line of Forest Park Avenue; extending west along the center line of Forest Park Avenue to the extension of the west boundary of parcel number 390400135 in the center line of Forest Park Avenue; extending south along the west boundary of parcel 390400135 to its intersection with the north boundary of parcel 390400290; extending west along the north boundary of parcel 390400135 to its intersection with the west boundary of parcel 390400135; extending south along the west boundary of the extension of parcel 390400135 to the middle of Duncan Avenue; extending west along the center line of Duncan Avenue to the center line of Newstead Avenue; extending south along the center line of Newstead Avenue to the center line of Clayton Avenue; extending west along the center line of Clayton Avenue to the center line of Taylor Avenue; extending south along the center line of Taylor Avenue to the northern boundary of the I-64 right-of-way; extending east along the north boundary of the I-64 right-of-way to its intersection with the center line of Prospect Avenue, extending north along the center line of Prospect Avenue and its extension to the center line of Forest Park Avenue, extending east on the center line of Forest Park Avenue to the center line of Grand Boulevard, extending north on the center line of Grand Boulevard to the point of the beginning.

Provided, however, that any establishment within said area which currently has a 3:00 closing permit shall be entitled to continue to operate under the authority granted by such permit including the provisions of Section 14.06.050 and shall further be entitled to apply for an extension of such permit so long as it continues to operate pursuant to the authority of a 3:00 a.m. closing permit.

**SECTION TWO.** 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: December 20, 2012**