

1 **BOARD BILL NO. 47** **INTRODUCED BY ALDERMAN CRAIG SCHMID**
2 An ordinance prohibiting the issuance of any package or drink liquor licenses for any
3 currently non-licensed premises within the boundaries of the Twentieth Ward Liquor
4 Control District, as established herein, for a period of three years from the effective date
5 hereof; containing an exception allowing, during the period, for the transfer of existing
6 licenses, under certain circumstances, and the issuance of a drink license to persons
7 operating a restaurant at a previously non-licensed premises, or operating a premises with
8 at least 35% food sales and complying with other requirements set forth herein and
9 having a commercial occupancy permit with certain enumerated conditions attached
10 thereto; and containing an emergency clause.

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

12 **SECTION ONE. LEGISLATIVE FINDINGS.**

13 The existence of alcoholic beverage establishments appears to contribute directly to
14 numerous peace, health, safety and general welfare problems including loitering, littering,
15 drug trafficking, prostitution, public drunkenness, defacement and damaging of
16 structures, pedestrian obstructions, as well as traffic circulation, parking and noise
17 problems on public streets and neighborhood lots. The existence of such problems creates
18 serious impacts on the health, safety and welfare of residents of single- and multiple-
19 family residences within the district, including fear for the safety of children, elderly
20 residents and of visitors to the district. The problems also contribute to the deterioration
21 of the neighborhood and concomitant devaluation of property and destruction of
22 community values and quality of life. The number of establishments selling alcoholic
23 beverages and the associated problems discourage more desirable and needed commercial
24 uses in the area. In order to preserve the residential character and the neighborhood-

1 serving commercial uses of the area, there shall be liquor control requirements on the
2 issuance of new liquor licenses within the area beginning at the intersection of the
3 centerlines of S. Broadway and Interstate 55, and proceeding along the centerlines in a
4 generally clockwise direction south to Kosciusko St., north to Winnebago St., west to
5 Marine Ave., south to Chippewa St., west to Missouri Ave., south to Keokuk St., west to
6 S. Broadway, north on S. Broadway to Jefferson Ave., north to Chippewa St., west to
7 Ohio Ave., south to Keokuk St., west to California Ave., north to Chippewa St., west to
8 Oregon Ave., south to Osage St., east to California Ave., south to Gasconade St., west to
9 Pennsylvania Ave., south to Meramec St., west to Michigan Ave., north to Gasconade
10 St., west to Louisiana Ave., north to Osage St., west to S. Grand Blvd., north to Alberta
11 St., east to Arkansas Ave., north to Chippewa St., east to Tennessee Ave., north to
12 Potomac St., east to Louisiana Ave., north to Gravois Ave., east to Virginia Ave., south
13 to Utah St., east to Compton Ave., north to Gravois Ave., northeast to Juniata St., east to
14 Minnesota Ave., south to Utah St., east to Pennsylvania Ave., south to Cherokee St., east
15 to Nebraska Ave., north to Wyoming St., east to Oregon Ave., north to Juniata St., east to
16 California Ave., south to Wyoming St., east to Texas Ave., south to Utah St., west to
17 Ohio Ave., south to Cherokee St., west to Iowa Ave., south to Miami St., east to Ohio St.,
18 north to Potomac St., east to Indiana Ave., south to Miami St., east to S. Broadway,
19 northeast to Salena St., south to Miami St., east to Cleon St., northeast to President St.,
20 southeast to Second St., northeast to Potomac St., northwest to S. Broadway St., northeast
21 to the point of beginning. Such area shall be known as the Twentieth Ward Liquor
22 Control Area.

May 9, 2008

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Sponsored by Alderman Craig Schmid

1 **SECTION TWO.** The Excise Commissioner is hereby prohibited, for a period of three
2 years, beginning as of the effective date of this Ordinance, from approving the issuance
3 of a package or drink liquor license for any premises, not licensed as of the effective date
4 hereof, which is located within the boundaries of the Twentieth Ward Liquor Control
5 District established in Section One of this ordinance.

6 **SECTION THREE.** Notwithstanding the provisions of Section Two of this Ordinance,
7 the Excise Commissioner shall have authority to:

8 (1) Approve transfer of an existing license to another premises within the petition circle
9 of the currently licensed premises, pursuant to the provisions of subsection (B) of section
10 14.06.330 of Ordinance 61289; and

11 (2) Issue a drink license for a premises, not licensed as of the effective date of this
12 Ordinance, which currently is or will be, upon opening, operated as a restaurant, as such
13 term is defined in section 14.01.390 of Ordinance 61289.

14 (3) Issue a drink license only with the following conditions applied and enforced in an
15 area with a Cherokee Street address from the west curblineline of Iowa Avenue to the east
16 curblineline of Nebraska Avenue

17 A. No package liquor and premises must be operated as a restaurant with gross
18 food sales constituting at least 35% of gross sales; and

19 B. Operator of the premises must have and maintain at all times written
20 permission to use a public commercial parking facilities within 350 feet of the premises:
21 with a minimum of at least 15 parking spaces (paved, striped, having a six foot good
22 quality, sturdy ornamental metal fence surrounding it and adequate lighting, and with
23 concrete wheel stops, all complying with City of St. Louis requirements); and if there is

1 live entertainment or live performances, with a minimum of at least 30 parking spaces
2 (paved, striped, having a six foot good quality, sturdy ornamental metal fence
3 surrounding it and adequate lighting, and with concrete wheel stops, all complying with
4 City of St. Louis requirements); and having at a minimum at least 30 additional parking
5 spaces for every 1000 square feet of business space in excess of the first 1000 square feet
6 of business space; and

7 C. Hours of operation limited to weekdays on Sunday through Thursday from 6
8 a.m. to midnight; and on weekends from 6 a.m. on Friday to Saturday at 1:30 a.m. and
9 from 6 a.m. on Saturday to Sunday at 1:30 a.m.; and

10 D. Operator must hire and maintain a security guard, licensed by the State of
11 Missouri, patrolling the outside of the premises, including adjacent public areas, if the
12 establishment has an occupancy load limit of over 100 people, from 9 p.m. to closing
13 time; and

14 E. Outside video camera(s) must be operated and taping 24 hours per day/seven
15 days per week to view all areas from the establishment to the centerline of all adjacent
16 streets and alleys with the capability of viewing all activity, facial features, and license
17 plate numbers at all times of light or darkness; with tapes of all activity retained by the
18 operator of the establishment for a period of at least 14 days after the taping and available
19 to the Excise Commissioner, law enforcement, Alderman of the 20th Ward, and the City
20 of St. Louis; and available for viewing by computer internet access in real time with a
21 password, provided to the Excise Commissioner, law enforcement, Alderman of the 20th
22 Ward, and the City of St. Louis; and

1 F. No more than two (2) establishments having a liquor license with gross food
2 sales less than 50% of gross sales within 350 feet of each other; and

3 G. No outside performances, sales, distribution, cooking, storage, equipment,
4 beer garden, or activities; and

5 H. Doors and windows closed except for entry and exit from street facing doors
6 and no music or noise audible outside of the establishment; and

7 I. No board-up or bars on windows or doors; and

8 J. Sidewalk tables for restaurant purposes only may only be permitted in
9 accordance with an extension of premises permit with an appropriate 4 foot high good
10 quality, sturdy, black ornamental metal fence separating the tables from the rest of the
11 minimum 4 foot wide public sidewalk; and

12 K. Operator must clean from the premises to the middle of all adjacent alleys and
13 streets on a daily basis, maintain a public trash can (approved by the City) in front of the
14 premises, empty the public trash can at least once per week and as needed, and maintain a
15 locked commercial dumpster that is emptied at least weekly and as needed; and

16 L. "No Loitering" must be enforced around the premises and "No Open
17 Containers" must be enforced around the premises; and

18 M. Premises must have a commercial occupancy permit issued by the City of St.
19 Louis with the conditions set forth in A through L hereinabove.

20 **SECTION FOUR. EMERGENCY CLAUSE.**

21 This being an ordinance for the preservation of public peace, health and safety, it is
22 hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of

- 1 Article IV of the Charter of the City of St. Louis and therefore this ordinance shall
- 2 become effective immediately upon its passage and approval by the Mayor.