

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: April 9, 2026

CALENDAR NO. 35,420

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER MORRELL

AN ORDINANCE to amend and reordain section 10-107 of the Code of the City of New Orleans to clarify application requirements, provide timelines for granting applications, and provide for an appeal right; and otherwise to provide with respect thereto.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**

2 **ORDAINS**, That section 10-107 of the Code of the City of New Orleans, Louisiana is amended to read

3 as follows:

4 **“CHAPTER 10. – ALCOHOLIC BEVERAGES**

5 **ARTICLE II. – PERMITS**

6 **DIVISION 3. – APPLICATION**

7 **Sec. 10-107 – Issuance of temporary permit.**

8 (a) The department of safety and permits shall issue a 60-day temporary alcoholic beverage
9 outlet permit and shall recommend for approval within ten days of the submission of a
10 complete application, provided that:

11 (1) The use specified in the alcoholic beverage outlet permit application is a
12 permitted use, valid conditional use, or valid legal non-conforming use within the
13 zoning district of the subject property.

14 (2) Neither the applicant nor the listed business owner(s) have been found guilty of a
15 violation related to alcoholic beverage sales or public safety within the previous
16 365 days.

17 (3) Neither the applicant nor the listed business owner(s) have applied for more than
18 one temporary alcoholic beverage outlet permit for the subject property within
19 365 days of submission of a complete application.

- 20 (b) Within ten days of the issuance of a temporary alcoholic beverage outlet permit, the
21 department of revenue shall issue a 60-day temporary occupational license pursuant to
22 Sec. 150-953 of this code and, if applicable, a temporary mayoralty permit for live
23 entertainment, provided that the use is a permitted use, valid conditional use, or legal
24 non-conforming use within the zoning district of the subject property, as confirmed by
25 the department of safety and permits. Failure of the department of revenue to grant or
26 deny a temporary alcoholic beverage outlet permit and, if applicable, temporary
27 mayoralty permit for live entertainment shall result in the automatic issuance of the
28 temporary permit.
- 29 (c) For the purposes of this chapter, a "complete application" shall mean the submission of
30 the following:
- 31 (1) Application for a temporary occupational license and, if applicable, a temporary
32 mayoralty permit for live entertainment;
 - 33 (2) State alcoholic beverage permit;
 - 34 (3) State health permit;
 - 35 (4) State fire marshal approval;
 - 36 (5) Approval of the district councilmember for the subject property for the temporary
37 alcoholic beverage outlet permit and, if applicable, the mayoralty permit for live
38 entertainment; and
 - 39 (6) Payment of all applicable permit fees.
- 40 (d) Each of the temporary alcoholic beverage outlet permit, temporary occupational license,
41 and, if applicable, temporary mayoralty permit for live entertainment shall expire 60 days
42 after issuance and shall not, on its own, entitle the applicant to an alcoholic beverage
43 outlet permit, occupational license, or mayoralty permit for live entertainment or
44 automatic renewal thereof, as issued under the authority of this chapter.
- 45 (e) If a building permit has been issued to the applicant for construction or renovation of the
46 applicant's premises, the department of safety and permits shall not issue a temporary
47 alcoholic beverage outlet permit until a certificate of occupancy has been issued in
48 connection with the construction or renovation of the applicant's premises.
- 49 (f) Temporary alcoholic beverage outlet permits, temporary occupational licenses, and, if
50 applicable, temporary mayoralty permits for live entertainment shall not be renewed.

- 51 (g) The provisions of this section shall cease to be effective on July 1, 2027. Nevertheless,
 52 any temporary alcoholic beverage outlet permit issued prior to this sunset date shall
 53 remain valid until its 60-day expiration date.
- 54 (h) The director of the department of safety and permits is authorized to deny a temporary
 55 alcoholic beverage outlet permit when there is one or more outstanding health, safety, or
 56 building violations associated with the subject property, that, in the opinion of the
 57 director, present a serious threat to the health, safety, or welfare of the public; provided,
 58 however, the director shall provide written justification to the applicant within five days
 59 of denying the permit. The written justification shall specifically identify and explain the
 60 serious threat to the health, safety, or welfare of the public. If the applicant disagrees with
 61 the denial of the permit by the director of the department of safety and permits, the
 62 applicant may appeal the denial of the permit to the Chief Administrative Officer or his
 63 designee.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:
YEAS:
NAYS:
ABSENT:
RECUSED:

REDLINE VERSION:

Sec. 10-107. - Issuance of temporary permit.

(a) The department of safety and permits shall issue a 60-day temporary alcoholic beverage outlet permit and shall recommend for approval within ~~ten~~ **five** days of the submission of a complete application, provided that:

~~(1) — The department is in receipt of a complete application for the alcoholic beverage permit and corresponding occupational license or mayoralty permit for live entertainment, if applicable, including copies of the following required documents:~~

~~(i) state alcoholic beverage permit;~~

~~(ii) state health permit;~~

~~(iii) background check(s) for all listed business owners, as provided by the applicant from a source approved by the department of safety and permits; and~~

~~(iv) state fire marshal approval.~~

~~(2)~~**(1)** The use specified in the alcoholic beverage outlet permit application is a permitted use, valid conditional use, or valid legal non-conforming use within the zoning district of the subject property.

~~(3)~~**(2)** ~~Neither the~~ The applicant ~~nor the~~ and listed business owner(s) have ~~not~~ been found guilty of a violation related to alcoholic beverage sales or public safety within the previous 365 days.

~~(3)~~ **Neither the applicant nor the listed business owner(s) have applied for more than one temporary alcoholic beverage outlet permit for the subject property within 365 days of submission of a complete application.**

(b) Within ten days of the issuance of a temporary alcoholic beverage outlet permit, the department of revenue shall issue a 60-day temporary occupational license pursuant to Sec. 150-953 of this code and, if applicable, a temporary mayoralty permit for live entertainment, provided that the use is a permitted use, valid conditional use, or legal non-conforming use within the zoning district of the subject property, as confirmed by the department of safety and permits. Failure of the department of revenue to grant or deny a temporary alcoholic beverage outlet permit and, if applicable, temporary mayoralty permit for live entertainment shall result in the automatic issuance of the temporary permit.

~~(b)~~(c) For the purposes of this chapter, a "complete application" shall mean the submission of the **following**: required documents explicitly set forth on the city's applications developed pursuant to regulations adopted by the department of safety and permits in accordance with Chapter 2, Article XI of this Code.

(7) **Application for a temporary occupational license and, if applicable, a temporary mayoralty permit for live entertainment;**

(8) **State alcoholic beverage permit;**

(9) **State health permit;**

(10) **State fire marshal approval;**

(11) **Approval of the district councilmember for the subject property for the temporary alcoholic beverage outlet permit and, if applicable, the mayoralty permit for live entertainment; and**

(12) **Payment of all applicable permit fees.**

~~(c)~~(d) **Each of the** The temporary alcoholic beverage outlet permit, **temporary** occupational license, and, **if applicable, temporary** the mayoralty permit for live entertainment, ~~if applicable,~~ shall expire 60 days after issuance and shall not, on its own, entitle the applicant to an alcoholic beverage outlet permit, occupational license, or mayoralty permit for live entertainment or automatic renewal thereof, as issued under the authority of this chapter.

~~(d)~~(e) If a building permit has been issued to the applicant for construction or renovation of the applicant's premises, the department of safety and permits shall not issue a temporary alcoholic beverage outlet permit until a certificate of occupancy has been issued in connection with the construction or renovation of the applicant's premises.

(f) Temporary alcoholic beverage outlet permits, **temporary occupational licenses, and, if applicable, temporary mayoralty permits for live entertainment** shall not be renewed.

(g) The provisions of this section shall cease to be effective on July 1, 2027. Nevertheless, any temporary alcoholic beverage **outlet** permit issued prior to this sunset date shall remain valid until its 60-day expiration date.

(h) **The director of the department of safety and permits is authorized to deny a temporary alcoholic beverage outlet permit when there is one or more outstanding health, safety, or building violations associated with the subject property, that, in the opinion of the director, present a serious threat to the health, safety, or welfare**

of the public; provided, however, the director shall provide written justification to the applicant within five days of denying the permit. The written justification shall specifically identify and explain the serious threat to the health, safety, or welfare of the public. If the applicant disagrees with the denial of the permit by the director of the department of safety and permits, the applicant may appeal the denial of the permit to the Chief Administrative Officer or his designee.