

ORDINANCE NO. JO-020-2021

A JOINT ORDINANCE OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL SUSPENDING UNTIL OCTOBER 1, 2021 THE ENFORCEMENT PROVISIONS ASSOCIATED WITH THE REQUIREMENT THAT CLASS A-RESTAURANT CONDITIONAL PERMIT HOLDERS COMPLY WITH CERTAIN PROVISIONS OF CHAPTER 6, ARTICLE I, SECTION 6-1 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES

BE IT ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

WHEREAS, Chapter 6, Article II, Section 6-48(a) of the Lafayette City-Parish Consolidated Government Code of Ordinances requires Class A-restaurant conditional permit holders to submit quarterly sales reports; and

WHEREAS, Chapter 6, Article I, Section 6-1 establishes certain criteria relevant to a Class A- restaurant conditional permit holder including meeting the definition of a “Restaurant” as defined in that section, and the failure to meet that criteria subjects the permit holder to the penalties set forth in Sections 6-3, 6-4, and 6-5 of Article I of Chapter 6; and

WHEREAS, Class A-restaurant conditional permit holders have faced a series of extraordinary challenges beginning in 2020 and continuing during calendar year 2021 including multiple orders issued by the Governor related to the COVID-19 pandemic, the declaration of an emergency in February of 2021 as a result of a winter storm, and the cancellation of numerous events, festivals, and other gatherings due to the uncertainty caused by the COVID-19 pandemic; and

WHEREAS, the Lafayette City Council and the Lafayette Parish Council find that as a result of the above listed factors, enforcement actions based on the requirement set out in Chapter 6, Article I, Section 6-1 defining “Restaurant”, and in particular part (a) of that definition, would unfairly impact the Class A-restaurant conditional permit holders; and

WHEREAS, the Lafayette City Council and the Lafayette Parish Council find that Class A-restaurant conditional permit holders should continue to submit quarterly sales reports as set out in Chapter 6, Article II, Section 6-48(a) of the Lafayette City-Parish Consolidated Government Code of Ordinances so that Lafayette City-Parish Consolidated Government can review and analyze the reports to help determine the effect of the above listed events; and

WHEREAS, the Lafayette City Council and the Lafayette Parish Council find that a suspension of enforcement actions based on the failure of a Class A-restaurant conditional permit holder to meet the requirement in part (a) of the definition of a “Restaurant” in Section 6-1 is appropriate for a limited period of time.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

SECTION 1: All of the above "Whereas" clauses are adopted as part of this joint ordinance.

SECTION 2: All enforcement actions against Class A-restaurant conditional permit holders for failure to meet the requirement in part (a) of the definition of a "Restaurant" found in Chapter 6, Article I, Section 6-1 are hereby suspended.

SECTION 3: This suspension shall become effective upon the effective date of this joint ordinance and shall remain in effect until October 1, 2021.

SECTION 4: Class A-restaurant conditional permit holders shall continue to submit quarterly sales reports as set out in Chapter 6, Article II, Section 6-48(a) of the Lafayette City-Parish Consolidated Government Code of Ordinances.

SECTION 5: All ordinances and resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 6: After first having been adopted by a majority of the authorized membership of both the Lafayette Parish Council and the Lafayette City Council, this joint ordinance shall become effective upon signature of this joint ordinance by the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon override of a veto, whichever occurs first.

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RECEIVED

APR 06 2021

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Development and Planning Department
Office of the Director (Route 9010)

TO: Cydra Wingerter

DATE: April 5, 2021

FROM: Mary Sliman

SUBJECT: Restaurant Conditional Suspension Ordinance

The attached ordinance is regarding the suspension of enforcement for the Restaurant Conditional permits until October 1, 2021. Due to the Governor's multiple orders related to the COVID-19 pandemic, our department would like to suspend enforcement for Restaurant Conditional permittees so as not to penalize the businesses during these difficult times. We will continue to collect the quarterly sales reports as required by Chapter 6.

We request that Council Introduction be scheduled for Tuesday, April 20, 2021.

Please call if you have any questions or require additional information in this matter.

Sincerely,

Mary Sliman
Director

MS:sab

Attachment

LAFAYETTE JOINT COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: A joint ordinance of the Lafayette City Council and the Lafayette Parish Council to suspend until October 1, 2021 the enforcement provisions associated with the requirement that class A-restaurant conditional permit holders comply with certain provisions of Chapter 6, Article I, Section 6-1 of the Lafayette City-Parish Consolidated Government Code of Ordinances.

2) ACTION REQUESTED: Adoption of Ordinance

3) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: April 20, 2021

B) FINAL ADOPTION: May 4, 2021

4) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) Cover Memo (1 page)

B) Submittal Item Justification Form (1 page)

C) Ordinance (2 pages)

5) FISCAL IMPACT:

 Fiscal Impact (Explain)

 X No Fiscal Impact

RECOMMENDED BY:

Mary M Seiman
MARY SEIMAN, DIRECTOR
DEVELOPMENT AND PLANNING

APPROVED FOR AGENDA:

Cydra Wright
CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. JO-020-2021

1. This ordinance was introduced:
April 20, 2021
YEAS: Tabor, K. Naquin,
Carlson, Guilbeau, Rubin
NAYS: None
ABSENT: None
ABSTAIN: None

Final disposition by **Parish Council**:
May 4, 2021
YEAS: Tabor,
Carlson, Guilbeau, Rubin
NAYS: None
ABSENT: K. Naquin
ABSTAIN: None

This ordinance was introduced:
YEAS: Lewis, A. Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None

Final disposition by **City Council**:
YEAS: Lewis, A. Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on April 23, 2021.

3. This ordinance was presented to the Mayor-President for approval on May 3, 2021, at 11:00 o'clock a.m.

ASST. 
CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

A. Approve this ordinance, the 12 day of MAY, 2021, at 1:00 o'clock p.m.

B. Veto this ordinance, the _____ day of _____, 2021, at _____ o'clock _____m., veto message is attached.

C. Line item veto certain items this _____ day of _____, 2021, at _____ o'clock _____m., veto message is attached.


MAYOR-PRESIDENT

5. Returned to Council Office ~~with~~ without veto message on May 13, 2021, at 11:57 o'clock a.m.

6. Reconsideration by Council (if vetoed):

On _____, 2021, the Councils did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2021, at _____ o'clock _____m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.

ASST. 
CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on May 7, 2021.

