

ALCOHOL and NOISE CONTROL**VIOLATION HEARING - JULY 8, 2026**

Businesses have until 5:00 p.m. on 08/12/2026 to FILE AN APPEAL.

VIOLATION DATE	VIOLATOR TYPE	HEARING DATE	BUSINESS NAME	PHYSICAL ADDRESS	PERSON CITED	VIOLATION TYPE	VIOLATION NUMBER	FINE PENALTY	SUSPENSION PENALTY	HEARING STATUS	COMMENTS
3/5/2026	Business	7/8/2026	OASIS HOOKAH LOUNGE	111 MIMOSA PL., LAFAYETTE, LA 70506-	Oasis Hookah Lounge	Sec. 6-31 Alcohol business permit required	1	\$15,325	N/A	Attended	

REQUEST FOR APPEAL OF NOTICE OF DECISION

Upgrade Your Smoke LLC d/b/a Oasis Hookah Lounge

Permit No. 1252

Violation: Section 6-31 - Alcohol Business Permit Required
Notice of Decision dated July 22, 2026

August 11, 2026

RECEIVED

AUG 11 2026

LCG Council Office

VIA HAND DELIVERY AND/OR EMAIL

Clerk of the Lafayette City-Parish Council
705 W. University Avenue
Lafayette, Louisiana

Re: Appeal of Notice of Decision - Upgrade Your Smoke LLC d/b/a Oasis Hookah Lounge

Dear Clerk of the Council:

Please accept this correspondence as the formal written request for appeal by Upgrade Your Smoke LLC d/b/a Oasis Hookah Lounge ("Oasis") from the Notice of Decision dated July 22, 2026, issued following the informal hearing conducted on July 8, 2026.

The Notice finds Oasis responsible for one alleged violation of Section 6-31 of the Lafayette City-Parish Consolidated Government Code of Ordinances and imposes a monetary penalty of \$15,325.00, calculated as "613 days @ \$25/day."

Oasis timely exercises its right to appeal pursuant to Section 6-4(f) and respectfully requests that the Lafayette City-Parish Council overturn the Director's decision or, alternatively, remand the matter to the Director for reconsideration.

I. THE NOTICE OF DECISION FAILS TO IDENTIFY THE LEGAL OR FACTUAL BASIS FOR THE \$25-PER-DAY ASSESSMENT.

The Notice imposes a \$15,325.00 fine by multiplying 613 days by \$25.00 per day. However, the Notice does not identify the ordinance, statute, regulation, penalty schedule, policy, or other legal authority establishing a \$25.00-per-day assessment for the alleged violation of Section 6-31.

Section 6-4 authorizes the Director to impose a fine in appropriate circumstances, but the text of Section 6-4 does not itself establish a \$25.00-per-day penalty or a formula requiring a fine to be calculated by multiplying a fixed daily amount by every calendar day during an alleged period of noncompliance.

The absence of any explanation in the written Decision is particularly important because Section 6-4(h) directs the Council, on appeal, to determine whether the Director acted reasonably and in good faith in assessing the fine. Meaningful review requires disclosure of the legal and factual basis for the particular penalty imposed.

II. THE 613-DAY PENALTY PERIOD IS UNEXPLAINED AND APPEARS ARBITRARY.

The incident giving rise to the present violation occurred on March 5, 2026. Nevertheless, the Director assessed a monetary penalty based upon 613 days of alleged noncompliance. The Notice of Decision does not identify the commencement date of that 613-day period, the event allegedly triggering the commencement of the period, the ending date used in the calculation, or the factual or legal basis for treating the alleged violation as continuing for 613 days.

Section 6-4(h) requires the Council to determine whether the Director acted reasonably and in good faith in assessing the fine. The Council cannot meaningfully perform that review when the Decision does not disclose how the 613-day period was selected. Oasis therefore respectfully requests that the monetary assessment be overturned or, alternatively, that the matter be remanded with instructions that the Director identify the factual and legal basis for: (1) the commencement date of the alleged continuing violation; (2) treating the violation as continuing for 613 days; (3) finding assessable conduct on each day included in that period; and (4) imposing a separate \$25.00 assessment for each such day.

The Notice identifies one alleged violation of Section 6-31, yet the monetary sanction effectively treats the matter as 613 daily violations without explaining the factual or legal basis for doing so. If LCG seeks to impose a daily monetary assessment for 613 separate days, it should identify the dates being assessed, the legal authority permitting each day to be treated separately, and the evidence establishing the conduct giving rise to a violation during the assessed period.

The unexplained selection of 613 days is particularly consequential because it is the principal driver of the \$15,325.00 assessment. Selection of a different period would necessarily produce a different fine. Yet the Decision provides no means for Oasis or the Council to determine why 613 days was selected.

If LCG contends that the March 5, 2026 violation was part of a continuing violation extending backward for 613 days, it should be required to identify the legal and factual basis for that determination. The Decision presently contains no such findings. Otherwise, the penalty should only be assessed for the alleged specific date of violation, which assuming the violation occurred, in this case would be March 05, 2026.

Oasis should not be required to speculate as to how LCG arrived at the number 613, nor should the Council be required to speculate in determining whether the Director acted reasonably and in good faith under Section 6-4(h).

III. THE \$15,325.00 PENALTY IS EXCESSIVE AND UNREASONABLE UNDER THE CIRCUMSTANCES.

This was Oasis's first offense for the violation at issue. The Notice of Decision identifies a single violation of Section 6-31 and does not identify any prior adjudicated violation of Section 6-31 by Oasis.

Moreover, the consequences arising from the underlying matter have already extended well beyond this administrative proceeding. The owner was arrested and incarcerated in connection

with the same underlying alleged conduct. He has therefore already experienced substantial personal, financial, and reputational consequences associated with the matter.

LCG now seeks, in addition to those consequences, to impose a \$15,325.00 administrative assessment based upon the unexplained formula of "613 days @ \$25/day." For a first offense, this aggregate enforcement response is extraordinarily severe.

The Decision does not explain why a first violation warrants a five-figure monetary sanction, why \$25.00 was selected as the appropriate daily amount, why 613 days were assessed, or what aggravating circumstances justify the cumulative penalty.

Section 6-4(h) expressly charges the Council with determining whether the Director acted reasonably and in good faith in assessing the fine. That inquiry permits the Council to consider the nature of the violation, the absence of prior violations of the same provision, the consequences already imposed in connection with the underlying conduct, and the proportionality of the particular sanction selected.

Oasis does not ask the Council to disregard the ordinance or prevent LCG from enforcing its laws. It asks the Council to determine whether the cumulative enforcement response to this first offense - including arrest, incarceration, and now an additional \$15,325.00 administrative assessment - has become disproportionate to the regulatory objective sought to be achieved.

Under these circumstances, Oasis respectfully submits that the monetary penalty is excessive and unreasonable and should be overturned.

IV. PERMANENT CESSATION OF OPERATIONS PROVIDES A PROPORTIONATE ALTERNATIVE RESOLUTION.

In an effort to resolve this matter completely and avoid further administrative and judicial proceedings, Oasis is prepared to permanently cease operations and surrender any applicable local permit, provided that such closure and surrender are accepted as a resolution of the monetary penalty.

Permanent closure is a substantial consequence. The owner will lose the business into which he invested substantial time and resources. At the same time, closure eliminates any possibility of a future violation by Oasis and therefore fully addresses the prospective regulatory concern presented by the alleged conduct.

Under these circumstances, requiring the owner to permanently close the business while also requiring payment of an additional \$15,325.00 assessment would be unnecessarily punitive, particularly given that this is the first offense of the violation at issue and the owner has already been arrested and incarcerated in connection with the underlying matter. Additionally, with the business closed, owner would have no way to pay any such penalty.

Oasis therefore requests that the Council overturn the monetary penalty. Alternatively, because Section 6-4(h) provides that the Council may uphold, overturn, or remand the Director's decision and does not authorize the Council itself to alter the amount of a fine, Oasis requests that the matter be remanded to the Director for consideration of permanent cessation of operations and surrender of the applicable permit in lieu of the \$15,325.00 monetary assessment.

This alternative proposal is made without admitting the validity, legality, or proper calculation of the \$15,325.00 assessment, the \$25.00-per-day rate, the 613-day calculation, or the underlying alleged violation. Oasis expressly preserves all objections and defenses.

V. THE AGGREGATE ENFORCEMENT RESPONSE WARRANTS PARTICULAR SCRUTINY UNDER SECTION 6-4(h).

LCG has a legitimate interest in enforcing its alcoholic beverage ordinances. Nevertheless, the ordinance itself requires the Council to review whether the Director acted reasonably and in good faith in assessing the challenged sanction.

Here, a first offense has resulted in arrest and incarceration and is now followed by a \$15,325.00 administrative assessment calculated over an unexplained 613-day period. Oasis is additionally willing to permanently cease operations to ensure that there can be no recurrence of the alleged violation.

Viewed cumulatively, these circumstances warrant careful review of whether the monetary sanction imposed is reasonable and proportionate. Oasis respectfully submits that the purposes of enforcement can be fully accomplished without imposing this additional five-figure penalty.

VI. REQUEST FOR COMPLETE ADMINISTRATIVE RECORD

Because Appellant has not been provided the underlying administrative record, Appellant cannot fully address the merits at this time and expressly reserves the right to supplement or amend this appeal. Appellant requests immediate production and preservation of the complete administrative file, including:

- all notices of violation;
 - all citations;
 - all service records;
 - hearing notices;
 - mailing records;
 - enforcement reports;
 - investigative records;
 - officer notes;
 - complaint records;
 - hearing recordings;
 - hearing minutes;
 - documentary evidence relied upon;
 - documents supporting the alleged 613-day calculation;
 - documents supporting the assessed penalty.
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VII. REQUEST FOR RELIEF

For the foregoing reasons, Upgrade Your Smoke LLC d/b/a Oasis Hookah Lounge respectfully requests that the Lafayette City-Parish Council:

- OVERTURN the Director's July 22, 2026 Notice of Decision and vacate the \$15,325.00 monetary penalty;
- OR, ALTERNATIVELY, REMAND the matter to the Director for reconsideration of the sanction, including consideration of permanent closure and surrender of the applicable permit in lieu of the monetary fine; substantial reduction of the assessed fee, and
- Grant such other relief as the Council determines appropriate.

Oasis expressly reserves all rights, objections, defenses, and remedies available under the Lafayette City-Parish Consolidated Government Code of Ordinances, Louisiana law, and applicable constitutional law, including the right to seek de novo review in the Fifteenth Judicial District Court pursuant to Section 6-4(i).

Please confirm receipt of this appeal and provide notice of the date, time, and location of the hearing before the Council.

Respectfully submitted,



Abdullah Gheith

Upgrade Your Smoke LLC
d/b/a Oasis Hookah Lounge
oasishookah@gmail.com

Via email at : jgordon-wiltz@lafayettela.gov, albreaux@lafayettela.gov, sleger@lafayettela.gov



LAFAYETTE CITY COUNCIL

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District 5

Liz W. Hebert
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District 1

Andy Naquin
District 2

Thomas Hooks
District 4

Joseph Gordon-Wiltz
Clerk of the Council

August 17, 2026

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Upgrade Your Smoke, LLC / OASIS HOOKAH LOUNGE
Oasis Hookah Lounge
111 Mimosa Place
Lafayette, LA 70506

Re: Notice of Appeal Hearing Before the Lafayette City Council

Dear Abdullah Gheith:

This letter shall serve as official notice that the Lafayette City Council will hear the appeal submitted by Upgrade Your Smoke, LLC / Oasis Hookah Lounge concerning the following alcohol violation issued by the Lafayette Consolidated Government Alcohol and Noise Control Division:

Alcohol Violation dated March 5, 2026

The appeal hearing has been scheduled for the regular meeting of the Lafayette City Council to be held as follows:

Date: Tuesday, September 1, 2026
Time: 5:30 p.m.
Location: City-Parish Council Auditorium
Lafayette Consolidated Government
705 West University Avenue
Lafayette, Louisiana 70506

You and/or your representative may appear before the Lafayette City Council at that time to present any information, testimony, or evidence you wish the Council to consider in connection with this appeal.

Should you have any questions regarding this matter, please contact the Council Office at (337) 291-8810.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Gordon-Wiltz', with a long horizontal flourish extending to the right.

Joseph Gordon-Wiltz
Clerk of the Council

cc: Sally Leger, Alcohol & Noise Control Manager

8/17/26 @ 9:45 am
Took envelope to Mail-Room

CERTIFIED MAIL



Council Office
P.O. Box 4017-C
Lafayette, LA 7050



7016 0600 0001 1582 4823
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☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage \$
Total Postage and Fees \$

Sent To Upgrade Your Smoke, LLC / Oasis Lounge
Street and Apt. No., or PO Box No. 111 Mimosa Place
City, State, ZIP+4® Lafayette, LA 70506

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9037 See Reverse for Instructions

Returned to
Council Office
on 8/24/26

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Upgrade Your Smoke, LLC/OASIS
HOOKAH LOUNGE
Oasis Hookah Lounge
111 Mimosa Place
Lafayette, LA 70506



9590 9402 9933 5335 1035 87

2. Article Number (Transfer from service label)

7016 0600 0001 1582 4823

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
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- ☒ Certified Mail®
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- ☐ Collect on Delivery Restricted Delivery
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- ☐ Signature Confirmation Restricted Delivery