City Amends Alcohol Ordinance

New Law Clarifies Definitions, Strip Wins Right to Open Sunday

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The Lafayette City Council amended a city ordinance over the summer in order to permit the sale of alcohol between 11 a.m. on Sundays and 12 a.m. on Mondays by any licensed establishment who wishes to do so.

Tim Melancon, supervisor of Lafayette's Alcohol Traffic Action Campaign, said that the ordinance was amended for two reasons: to unify and to clarify the law. He stated that the previous ordinance, which allowed only certain establishments to serve alcohol on Sundays, was unenforceable. The city police were being forced to decide whether the establishments, which were open during that time, fit the description of an establishment which was allowed to do so in the ordinance. The problem was that the descriptions were so vague, the police found this to be an impossible task.

However, the new ordinance works on the all or nothing principle. Now, all licensed establishments are allowed to sell alcohol within the described time period, and none are allowed to sell it outside of that time frame. This clarifies the law and makes it enforceable.

Many Lafayette citizens, especially those living around the area called "The Strip", opposed the new ordinance before it was brought into effect. They stated that their main reason for opposition was that Sunday was the only day of the week in which they were allowed peace and quiet.

Melancon said that ATAC is now trying to give these citizens some relief by requiring community service workers to clean the debris often left around that area. He added that the city did look into changing the current noise ordinance, but found that it was in accordance with many of the noise ordinances of surrounding cities.

Therefore, the city is now considering other alternatives such as heightening the current open container laws, which would force patrons to stay within the establishments and hopefully, decrease the noise level.

In addition, Melancon stated, the city is considering a zoning change. If the city decides to implement this change, whenever a bar closes down in the strip area, the city would not permit another bar to open in its place. This would cut down on the number of bars in that particular area, and therefore cut down the noise.

Another major change in the ordinance is that beginning on Jan. 1, 1990, all people who will be selling and serving alcohol, including owners and managers of establishments, will be required to complete a Vendor/Server Training Class, offered by ATAC, before the city will issue them a certificate of qualification for on-premises consumption. This certificate is already required by the city.

In addition, beginning Jan. 1, 1991, all individuals who apply for renewal of certificates of qualification for on-premises consumption must also complete the Vendor/Server course in order to be approved. Servers are required to renew their certificates every two years.

Melancon stated that the course lasts three hours and is mainly an overview of such things as the liability of serving alcohol, the different laws regarding the serving of alcohol, and how to recognize and deal with intoxicated people.

He added that once the law goes into effect, ATAC hopes to establish a refresher course for those who wish to renew their certificates every two years.

Other changes in the ordinance deal with the cost of permits to sell alcohol and the process for revocation and suspension of those permits.

Troy DuFore, manager of Mako's, a bar located on the Strip, said that he likes the new ordinance. He stated that the original ordinance was not fair to bar owners, but that the current one is.

He was forced to close his bar on Sundays for eight weeks while the old ordinance was still in effect. The reason, DuFore said, was that his bar did not meet restaurant standards.

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which was one of the many requirements which could have been met in order to sell alcohol on Sundays. Due to the closure, he estimated that he lost about $10,000 in possible income. "Sundays are one of our biggest nights. Ten to 20 percent of our monthly income is brought in on Sundays," he said.

In addition, DuFore said that he would support a stricter open container law. He said that most of the noise and problems which arise at the Strip occur outside of the establishments, and he would like to see an end to that. He said that he does everything he can to comply with the law and free himself of liability by doing such things as checking age identification at the door of his bar and running minors and loiterers off of his parking lot several times a night.

He said that he has even called the police to remove the minors off of the lot, but that none of it has done any good.

DuFore added that he thinks those citizens who protested the ordinance change were overreacting. He said, "I think those people thought that the bars would be open all day on Sundays, and people would be out here acting crazy."

According to DuFore, just the opposite has occurred. Not all of the bars in the Strip area open on a regular basis on Sundays, and those that do, do not open until late afternoon or early evening. In addition, DuFore said that he tries to promote a casual atmosphere in his bar on Sundays by bringing in entertainment such as comedians.

Melancon stated that he has not heard of any complaints from citizens about the new ordinance since it has taken effect.