Vote on Sunday liquor sales ban holds fast

By JAMES MINTON
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CLINTON — The one-vote margin that doomed all Sunday alcoholic beverage sales in East Feliciana Parish's unincorporated areas last month stood at a Police Jury meeting Tuesday.

The jury also voted to pay storage fees for disputed antique furniture and agreed to pay the School Board more to collect the Police Jury's sales tax.

The Police Jury voted 5-4 on Jan. 16 to prohibining businesses from serving alcoholic beverages on Sunday, throwing out an ordinance which allowed restaurants to serve beer and wine on Sunday if food sales account for 60 percent of their revenue.

The jury acted after Juror Jerry Bunch complained that some bars were getting around the partial Sunday ban by "selling food and giving their beer away."

Juror Buck Richardson, one of four jurors opposing the total ban, attempted unsuccessfully Monday to rescind the Jan. 16 motion, but Juror Myron Hall's substitute motion "to leave it like it is" passed by one vote.

Bunch, James F. Hunt, Julius Kennerson and Charles Coleman joined Hall in voting for the substitute motion.

Richardson, Linton Manuel, Larry Beauchamp and Edward Brooks cast the dissenting votes.

Norwood Mayor Ronnie Jett, who owns a grocery store prohibited by municipal ordinance from selling beer on Sunday, said business owners in the unincorporated areas "are hurting" because of the Sunday ban.

He said some municipalities which ban Sunday sales ignore violations, while others have no prohibition.

Owen Coniglio, representing Asplodel Plantation Village, said the jury told ordinance was "basic and well understood," although the question has always been "how to regulate it."

"You can go down to the tax office and see," she said. "You don't even have to go into the place."

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Asked if the jury can prohibit alcoholic beverage sales on Sundays without a public referendum, 20th Judicial District Attorney Hal Ware said two conflicting state laws have yet to be challenged in court.

Courts have ruled that banning Sunday sales without putting the question on the ballot is within a governing body's statutory authority to regulate alcoholic beverages, Ware said.

Another statute, which repealed the state's "bluelaws," appears to say the opposite in that governing bodies cannot "saturate Sunday sales of various items without a referendum."

Although a 1988 attorney general's opinion indicates that the alcoholic beverage statute takes precedence over the blue law repeal because there is no court case on it yet, "the district attorney said on another matter, the jurors held a five-minute executive session, then voted to pay approximately $1,800 in storage fees to a New Orleans auction house and return three pieces of antique furniture to the parish.

The jury last month obtained a preliminary injunction to stop the local garden club from selling the furniture.

As the jury was deliberating the verdict, Marston House, an antebellum home owned by the jury and maintained by the club.

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In other action, the jury:

- Accepted the School Board's offer to collect Police Jury taxes sales for a $20,000 annual fee. The jury previously paid $15,000 for the service, but also maintained the service and provided free garbage service at schools.

- Set a 6:30 p.m. Feb. 20 public hearing concerning Hall's proposal to ban parking on the sides of streets in Richmond Subdivision near Ethel.

- Rejected, by one vote, Kennerson's attempt to name two new commissioners for Gas Utility District 1 after current and former club members protested that the items were donated to the parish for display in the Marston House, an antebellum home owned by the jury and maintained by the club.

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