

Office of The Mayor
Shreveport, Louisiana

TOM ARCENEUX
MAYOR



505 TRAVIS STREET, SUITE 200
SHREVEPORT, LOUISIANA 71101
(318) 673-5050

January 18, 2024

VETO MESSAGE

BY HAND DELIVERY

Honorable Interim Clerk of Council
Honorable Members of the City Council

Re: Ordinance 179 of 2023

Madam Clerk and Ladies and Gentlemen of the Council:

Pursuant to Section 4.21 of the City Charter, I disapprove Ordinance 179 of 2023 as passed by the City Council. I return Ordinance 179 with this letter, noting my veto on the ordinance.

I have both technical and substantive reasons for my veto.

The technical reason for the veto is that the area described for the applicability of the exception to the open container prohibition could be construed to include the Texas Street Bridge over the Red River. While I do not think that is the intention, the exhibit includes a photograph of the bridge. A better way to describe it would be similar to the way that the excepted area was described by Ordinance 114 of 2003 as amended -- that is, to refer to the area "under the Texas Street bridge."

Substantively, I believe further consideration of and consultation with the Shreveport Police Department and the affected businesses would be appropriate, as well as research to determine the circumstances that led to the repeal of prior exceptions in 2008, and whether any renewed exception addresses those circumstances.

In addition, I do not see the need to extend the exception until 4:00 a.m. The original proposed ordinance would have stopped the open container exception at 2:00 a.m., matching the Bossier City rules. I believe that is more appropriate, and would help with police enforcement downtown after 2:00 a.m.

Very truly yours,

A handwritten signature in blue ink, reading "Tom Arceneaux". The signature is fluid and cursive, with the first name "Tom" and last name "Arceneaux" clearly distinguishable.

Tom Arceneaux
Mayor

cc: Tom Dark
Tari Bradford
Wayne Smith

ORDINANCE NO. 179 OF 2023

**AN ORDINANCE TO AMEND SECTION 10-190 OF THE
CITY OF SHREVEPORT, LOUISIANA, CODE OF
ORDINANCES, RELATIVE TO PROHIBITIONS ON OPEN
CONTAINER ALCOHOL CONSUMPTION, AND TO
OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BY COUNCILMEMBERS: GARY BROOKS, DR. ALAN JACKSON, JR., URSULA
BOWMAN**

BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana in due, legal and regular session convened, that Section 10-190 of the Code of Ordinances be hereby amended to read as follows:

Sec. 10-190. – Drinking in public, open container, generally prohibited; exceptions.

- (a) *Drinking in public, open container—Prohibited in general.* Except as provided in subsection (b), it shall be unlawful to consume alcoholic beverages in public of high or low alcoholic content within the city limits in or on any of the following areas:
- (1) On any public street or sidewalk;
 - (2) On any property zoned so as to permit only packaged alcoholic beverage sales for off-premises consumption;
 - (3) On the parking lot of a business or on other property of a business where said property is open to the public;
 - (4) Within the view of the public outside of an enclosed structure on any public or private property, except that this subsection shall not apply to the owner or resident of the property, or the invited guests of the owner or resident when the owner or resident is present.
- (b) *Exceptions to drinking in public and open container prohibitions.*
- (1) The provisions of subsection (a) shall not apply where said consumption is specifically authorized by:
 - a. A lawful local and/or state issued temporary special event permit;
 - b. By a city council resolution or ordinance; or
 - c. The zoning board of appeals (ZBA).
 - (2) The provisions of subsection (a) shall not apply:
 - a. In or on the banks and waters of a navigable waterway as defined by the laws of the state when such beverages are purchased from any person engaged in the lawful operation of a permitted restaurant, convenience store, or other business in or on the banks of a navigable waterway as defined by the laws of the state, or
 - b. In or on the banks and waters of Cross Lake located within the city limits.
 - c. To persons consuming alcoholic beverages in designated containers on any public street, sidewalk or public area located within the Red River District as described in the map designated as Exhibit “A” [of Ord. No. 179 of 2023].
 - 1) It shall be unlawful for any permittee to sell, barter, give or otherwise dispense alcoholic beverages under the provisions of this section between the hours of 2:00 a.m. to 10:00 a.m. each day of the week.

- 2) It shall be unlawful for any person to possess or consume alcoholic beverages in any parking area in the region.
- 3) It shall be unlawful for any permittee to allow any person to leave the premises with an alcoholic beverage except in a non-glass container not exceeding a volume of 16 fluid ounces which is provided to a customer by the permittee bearing the name or logo of the establishment and that has been approved for use by the Shreveport Police Department.
- 4) It shall be unlawful for any person to possess or consume alcoholic beverages from any container in the region other than a non-glass container received from a permittee bearing the name or logo of the establishment from which it was received.
- 5) It shall be unlawful for any person to re-use or to knowingly allow the re-use of an approved container for an alcoholic beverage and nothing in this section shall be construed to authorize the same.
- 6) It shall be unlawful for any person to possess, dispense or consume any alcohol in the region from an ice chest, vehicle, recreational vehicle or in any other manner except from a licensed permittee in the approved container provided by the permittee.
- 7) It shall be unlawful to use any recreational vehicle, tent, truck or other facility within the region for tailgating, serving, consuming or possessing alcoholic beverages except by licensed permittees from the licensed retail premises.
- 8) Nothing in this section shall be construed to authorize any person to violate the open container law of the City of Shreveport.
- 9) Nothing in this section shall be construed to authorize any person to violate the state and city laws against underage drinking.

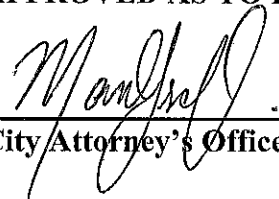
BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective in accordance with the provisions of Shreveport City Charter Section 4.23.

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM:

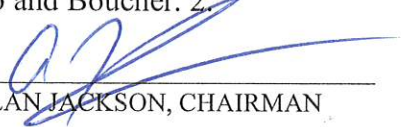


City Attorney's Office

ORDINANCE NO. 179 OF 2023

January 23, 2024

This Ordinance was adopted by the Council on January 9, 2024 and it was vetoed by Mayor Tom Arceneaux on January 18, 2024. On the motion of Councilman Jackson and the second of Councilman Green to override the veto and to adopt the ordinance, the veto was overridden and the ordinance was adopted by the following vote: Ayes: Councilmembers Taylor, Brooks, Jackson, Green, and Bowman. 5. Nays: Councilmembers Taliaferro and Boucher. 2.


ALAN JACKSON, CHAIRMAN

“ADOPTED BY THE CITY COUNCIL JAN 09 2024

DISAPPROVED BY THE MAYOR JAN 18 2024

READOPTED BY THE COUNCIL JAN 23 2024

AND EFFECTIVE ON JAN 31 2024

AT 12:01 O'CLOCK A.M."


LATONYA BOGAN, CHIEF DEPUTY CLERK OF COUNCIL

ORDINANCE NO. 179 OF 2023

December 21, 2023

Read by title and as read motion by Councilwoman Bowman seconded by Councilman Brooks for introduction

January 9, 2024

Having passed first reading on December 21, 2023 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilwoman Bowman seconded by Councilman Brooks for adoption.

AMENDMENT NO. 1 TO ORDINANCE NO. 179 OF 2023: By Councilmembers Brooks, Jackson, and Bowman AMEND THE ORDINANCE AS FOLLOWS:

Amend Sec. 10-190(b)(2)(c)(1) of the proposed Ordinance to read as follows: "It shall be unlawful for any permittee to sell, barter, give or otherwise dispense alcoholic beverages under the provisions of this section between the hours of 4:00 a.m. to 10:00 a.m. each day of the week."

EXPLANATION OF THE AMENDMENT: This amendment changes the starting time for when it is unlawful to dispense alcoholic beverages under the provisions of the section from 2 AM to 4 AM.

Motion by Councilman Brooks seconded by Councilman Jackson to adopt Amendment No. 1 to Ordinance No. 179 of 2023. Motion approved by the following vote: Ayes: Councilmembers Tabatha Taylor, Gary Brooks, Jim Taliaferro, Alan Jackson, James Green, and Ursula Bowman. 6. Nays: Councilmember Grayson Boucher. 1. Absent: 0. Out of the Chamber: 0. Abstentions: 0.

Motion by Councilman Jackson seconded by Councilman Brooks to adopt Ordinance No. 179 of 2023 as amended. Motion approved by the following vote: Ayes: Councilmembers Tabatha Taylor, Gary Brooks, Jim Taliaferro, Alan Jackson, James Green, and Ursula Bowman. 6. Nays: Councilmember Grayson Boucher, 1. Absent: 0. Out of the Chamber: 0. Abstentions: 0.

Disapproved
Approved: _____
- see Veto Message

Tom Arceneaux, Mayor

James Green, Chairman

Approved by the City Council _____

Approved by the Mayor _____

And Effective on _____

at 12:01 O'clock A.M."

LaTonya Bogan, Chief Deputy Clerk of Council

FACT SHEET**CITY OF SHREVEPORT, LOUISIANA****TITLE**

An Ordinance to amend Section 10-190 of the City of Shreveport, Louisiana, Code of Ordinances, relative to prohibitions on open container alcohol consumption, and to otherwise provide with respect thereto.

DATE

12/18/2023

ORIGINATING DEPARTMENT

City Council

COUNCIL DISTRICT

N/A

SPONSOR

Councilmembers Gary Brooks, Dr. Alan Jackson, Jr., and Ursula Bowman

PURPOSE

To amend the Code to allow the consumption of alcoholic beverages in designated containers within the Red River District, subject to certain restrictions.

BACKGROUND INFORMATION

Currently, the Shreveport Code of Ordinances does not allow the consumption of alcoholic beverages in public within the city limits. There are some exceptions provided; however, those exceptions do not include the Red River District. This ordinance would allow for an exception to the consumption of alcoholic beverages in public within the Red River District, subject to certain restrictions which are outlined in the legislation.

TIMETABLE

Introduction: 12/21/2023
Final Passage: 01/09/2024

ATTACHMENTS

Red River District Map

SPECIAL PROCEDURAL REQUIREMENTS

N/A

FINANCES**SOURCE OF FUNDS****ALTERNATIVES****RECOMMENDATION****FACT SHEET PREPARED BY:**

Manushka Gracia-Desgage, Assistant City Attorney

AMENDMENT NO. 1 TO ORDINANCE NO. 179 OF 2023: By Councilmembers Brooks, Jackson, and Bowman

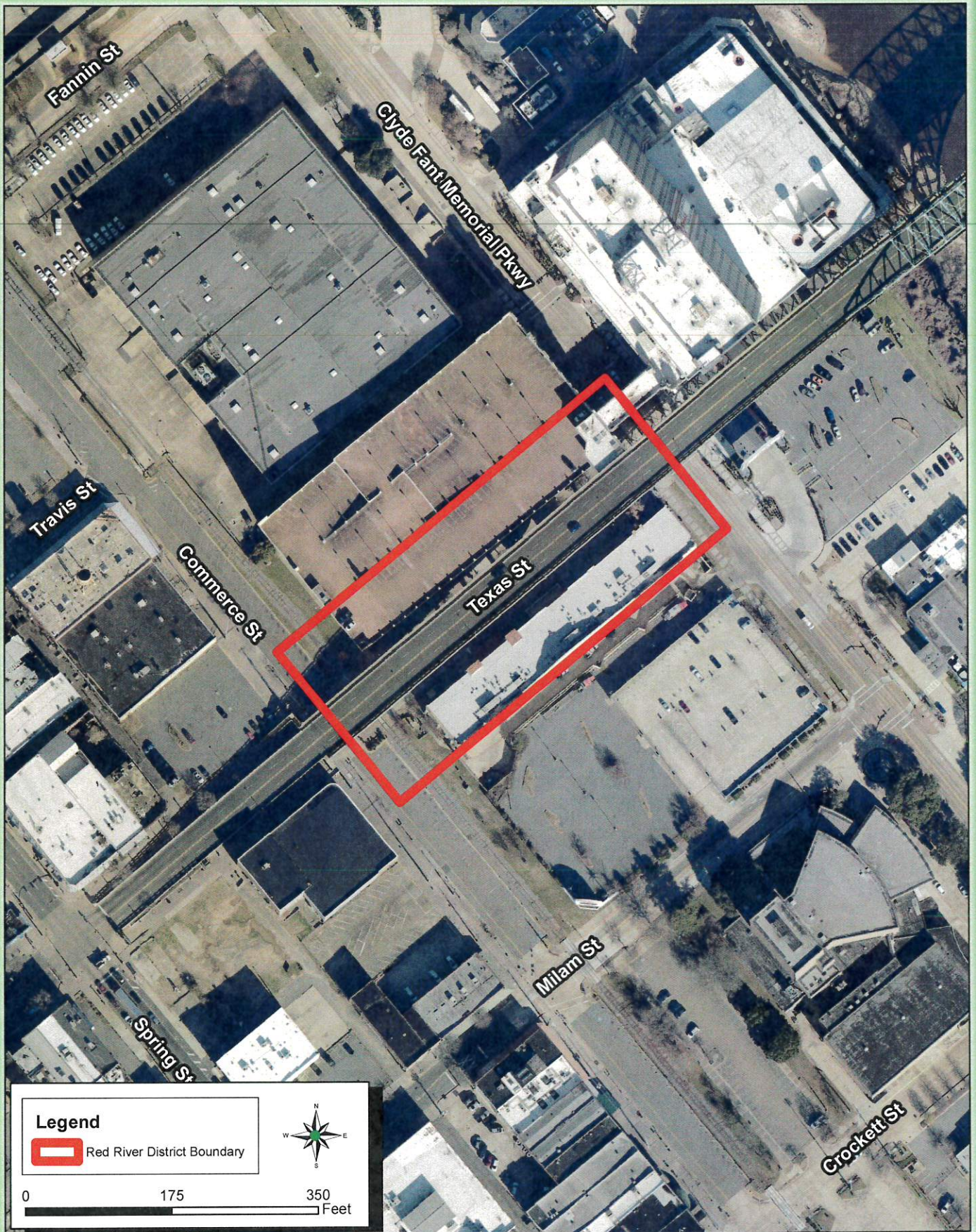
AMEND THE ORDINANCE AS FOLLOWS:

Amend Sec. 10-190(b)(2)(e)(1) of the proposed Ordinance to read as follows:

“It shall be unlawful for any permittee to sell, barter, give or otherwise dispense alcoholic beverages under the provisions of this section between the hours of 4:00 a.m. to 10:00 a.m. each day of the week.”

EXPLANATION OF THE AMENDMENT:

This amendment changes the starting time for when it is unlawful to dispense alcoholic beverages under the provisions of the section from 2 AM to 4 AM.



City of Shreveport

Red River District



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