

## Legislation Details (With Text)

<b>File #:</b>	15-18509	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Policy Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	8/2/2022	<b>In control:</b>		City Council Business Meeting	
<b>On agenda:</b>	8/22/2022	<b>Final action:</b>			
<b>Title:</b>	Social Districts				
<b>Attachments:</b>	1. Social Districts Ordinance.pdf				

Date	Ver.	Action By	Action	Result
8/22/2022	1	City Council Business Meeting	Approved as modified	Pass

## Social Districts

### Action:

- A. Approve the Safe Communities Committee's recommendation to adopt an ordinance establishing Chapter 15, Article XV-Social Districts in the City Code, and**
- B. Amend Chapter 15, Article I, Section 15-3 of the City Code to add references to Article XV-Social Districts.**

### Committee Chair:

Larken Egleston, Safe Communities Committee

### Staff Resource(s):

Debbie Smith, Transportation  
Casey Mashburn, Transportation  
Patrick Baker, City Attorney's Office  
Lisa Flowers, City Attorney's Office

### Explanation

- In the fall of 2021, the NC General Assembly enacted legislation allowing cities to adopt an ordinance designating social districts; in July 2022, the General Assembly enacted legislation to recodify and clarify social districts.
- A social district is a defined area in which a person may consume alcoholic beverages sold by a permittee. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours established for the social district pursuant to NC General Statute Section 15-314. A social district may include privately owned property, including permittees and non-permittee businesses; multi-tenant establishments; and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic.
- North Carolina Law has requirements on establishing and operating a social district. City requirements include:
  - A Council-adopted ordinance designating a social district which includes days and hours of operation, the boundaries map and written description, and a management and maintenance plan,
  - A published Council-approved management and maintenance plan on the city's website, and
  - Registration of the social district with the NC Alcoholic Beverage Control Commission (ABC Commission).

### **Proposed Changes**

- The proposed new ordinance would adopt the state's requirements into the City Code for the creation of social districts in the city by:
  - Establishing requirements for the sale, possession, and consumption of open containers of alcoholic beverages in social districts,
  - Establishing responsibilities of non-permittee businesses and authorizing multi-tenant establishments to participate in social districts,
  - Referencing Standards and Provisions (administrative process),
  - Stipulating that each social district's management and maintenance plan shall be approved by City Council, and
  - Providing a placeholder for future "Established Districts" upon Council adoption.
- Section 15-3: Beer and wine consumption; possession of open container; disposal of containers, would be amended in sub-sections (b) and (d) to add references to Chapter 15, Article XV Social Districts as a permitted exception to established parameters for the consumption and possession of open containers of alcoholic beverages in public.

### **Previous Discussion**

- On June 6, 2022, at the Strategy Session, city staff presented an overview of social districts that described the legislative ability for local governments to opt in and allow social districts.
- On July 11, 2022, Mayor Lyles referred social districts to the Safe Communities Committee to answer the policy question: "Determine if social districts should be implemented in Charlotte."
- On July 28, 2022, the Safe Communities Committee voted unanimously (Council members Egleston, Phipps, Bokhari and Newton; Council member Johnson was absent) to recommend the adoption of Chapter 15, Article XV-Social Districts to allow social districts in the City of Charlotte.
- On August 15, 2022, the City Council received public comment on the adoption of Chapter 15, Article XV-Social Districts.

### **Attachment(s)**

Ordinance