

AN ORDINANCE TO AMEND CHAPTER 26, ARTICLE XI OF THE GREENSBORO
CODE OF ORDINANCES: SOCIAL DISTRICT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. Chapter 26, Article XI of the Greensboro Code of Ordinances is hereby amended to read as follows:

ARTICLE XI. SOCIAL DISTRICT

Section 26-300. – Purpose and Intent.

- (a) Pursuant to the provisions of North Carolina General Statute 160A-205.4, *et seq*, one or more social districts may be created within the city and the City hereby creates and designates the following social districts:
 - (i) Downtown Greensboro Social District which is designated as shown on a map dated December 9, 2021; the map is available in the Office of the City Clerk, and signage and/or markings shall be posted clearly delineating the boundaries of the Social District.
 - (ii) State Street Social District which is designated as shown on a map dated December 7, 2022; the map is available in the Office of the City Clerk, and signage and/or markings shall be posted clearly delineating the boundaries of the Social District.
- (b) The Downtown Greensboro Social District and the State Street Social District shall be created, designated, and managed in accordance with the requirements contained in North Carolina General Statute 160A-205.4 and Chapter 18B.
- (c) Any person who violates this Article, and any person who aids, abets, encourages, assists in, or contributes to such violation, shall be guilty of a misdemeanor.

Sec. 26-301. – Definitions.

- (a) “Social district” means and refers to a defined outdoor area in which a citizen may consume alcoholic beverages sold by a permittee. This term does not include the permittee's licensed premises or an extended area allowed under North Carolina General Statute 18B-904(h).
- (b) “Permittee” means and refers to a person holding any of the following ABC permits issued by the North Carolina Alcoholic Beverage Control Commission established under North Carolina General Statute 18B-200.:
 - i. An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1).

- ii. An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3).
 - iii. An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5).
 - iv. A mixed beverages permit issued pursuant to G.S. 18B-1001(10).
 - v. A distillery permit issued pursuant to G.S. 18B-1100(5).
- (c) “Non-permittee” means and refers to a person holding no ABC permits issued by the North Carolina Alcoholic Beverage Control Commission.
 - (d) "Person" means and refers to an individual, firm, partnership, association, corporation, limited liability company, other organization or group, or other combination of individuals acting as a unit.
 - (e) "Premises" means and refers to a fixed permanent establishment, including all areas inside or outside the permitted establishment, where the permittee has control through a lease, deed, or other legal process.

Sec. 26-302. – Application.

- (a) The provisions and terms contained in this Article shall be applicable between the hours of 12:00 p.m. and 9:00 p.m., Monday through Sunday. At all other times, the provisions and terms contained in this Article are not in effect and all provisions of State and local laws concerning the possession and consumption of alcohol shall be in full force and effect.
- (b) Any alcoholic beverage purchased for consumption in ~~a the Downtown Greensboro~~ Social District shall (i) only be consumed in ~~the Downtown Greensboro~~ that Social District and (ii) be disposed of before the person in possession of the alcoholic beverage exits ~~the Downtown Greensboro~~ that Social District unless the person is reentering the licensed premises where the alcoholic beverage was purchased. A violation of this Section is a Class 3 misdemeanor.

Sec. 26-303. – Requirements for Sale of Alcoholic Beverages. - A permittee located in or contiguous to ~~a the Downtown Greensboro~~ Social District may sell alcoholic beverages for consumption within ~~the Downtown Greensboro~~ that Social District in which it is located in or contiguous to in accordance with the following requirements:

- (a) The permittee shall only sell and serve alcoholic beverages on its licensed premises.
- (b) The permittee shall only sell alcoholic beverages for consumption in the ~~Downtown Greensboro~~ Social District in which it is located in a container that meets all of the following requirements:

- (1) The container clearly identifies the permittee from which the alcoholic beverage was purchased.
 - (2) The container clearly displays a logo or some other mark that is unique to the ~~Downtown Greensboro~~ Social District in which it is sold.
 - (3) The container is not comprised of glass.
 - (4) The container displays, in no less than 12-point font, the statement, "Drink Responsibly - Be 21."
 - (5) The container shall not hold more than 16 fluid ounces.
- (c) The permittee shall not allow a person to enter or reenter its licensed premises with an alcoholic beverage not sold by the permittee.

Sec. 26-304. – Requirements for Possession and Consumption of Alcoholic Beverages. - The possession and consumption of an alcoholic beverage in ~~a the Downtown Greensboro~~ Social District is subject to all of the following requirements:

- (a) Only alcoholic beverages purchased from a permittee located in or contiguous to the ~~Downtown Greensboro~~ Social District may be possessed and consumed in that Social District.
- (b) Alcoholic beverages shall only be in containers meeting the requirements set forth in Section 26-303 of this Article.
- (c) Alcoholic beverages shall only be possessed and consumed during the days and hours set forth in Section 26-302 of this Article.
- (d) Nothing in this subdivision shall be construed as authorizing the sale and delivery of alcoholic beverage drinks in excess of the limitation set forth in North Carolina General Statute 18B-1010.
- (e) A person shall dispose of any alcoholic beverage in the person's possession prior to exiting the ~~Downtown Greensboro~~ Social District in which the beverage was purchased unless the person is reentering the licensed premises where the alcoholic beverage was purchased.
- (f) ~~A violation of this Section is a Class 3 misdemeanor.~~ A participating non-permittee business is required to always display the uniform sign during the times when the social district is active as to whether the business allows for patrons to enter their business with alcohol.

- (g) All permittee and non-permittee businesses that are part of a social district and allow customers to bring alcoholic beverages onto their premises are required to clearly post signage on any exits that do not open to the social district indicating that alcoholic beverages may not be taken past that point.
- (h) During the days and hours when the Social District is in effect as set forth in Sec. 26-302, a non-permittee business that allows customers to bring alcoholic beverages onto its premises is required to allow law enforcement officers access to the areas of the premises accessible by customers.
- (i) A violation of this Section is a Class 3 misdemeanor.

Sec. 26-305 – Exceptions.

When a Special Event (as that term is used in Article IX of this Chapter) is held pursuant to the issuance of a Special Event Permit (as that term is used in Article IX of this Chapter) the terms of the Special Event Permit supersede the provisions of this Article within the boundaries of the Special Event. Any alcohol purchased within the boundaries of the Special Event may not be taken outside of the Special Event, even if the alcohol is to be taken from the boundary of the Special Event into the boundary of ~~the~~ a Social District. A violation of this Section is a Class 3 misdemeanor.

Sec. 26-306. – Severability.

If any section, phrase, sentence or portion of this ordinance is held void, invalid, unconstitutional or unenforceable for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and such holding shall not affect the validity of the remaining portions thereof.

Section 2. This Amendment shall become effective at 12:00 p.m. on December 21, 2022.

Section 3. That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.