City Council Agenda Item Request
Submit to Clerk's Office
No later than 30 days before proposed Council meeting

1. **Date submitted to Clerk's Office:** August 21, 2025

2. **Primary contact person and Department requesting agenda item:** Jon Fillman, Community & Regional Entertainment Facilities

3. **Requested Council meeting date:** September 9, 2025

4. **Subject:** Permission for the Possession and Consumption of Malt Beverages and/or Unfortified Wine at Outdoor Special Events

5. **Action Requested:** Adoption of resolutions to permit the possession and consumption of malt beverages and/or unfortified wine at the Lovely Asheville Fall Festival to occur on October 11-12, 2025.

6. **Note if time sensitive, and why:** Need consideration for the event, scheduled to occur on October 11-12, 2025.

7. **Potential fiscal impact(s) - if known by staff at time of request:** None

8. **Identify all vendor outreach for Minority & Women Owned Business Enterprises (MWBE).** None

9. **Identify all Boards, Commissions and Council Committees with tentative dates - add in the vote and recommendation from each Board:** None

10. **Identify key issues:**
    - N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events.

    - The City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority, and that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a special event or community festival.

    - Asheville Creative Arts, a registered 501(c)(3) non-profit organization with a mission to provide high-quality, professional theatre, performance, and arts experiences to Asheville audiences of all ages, and offering fiscal sponsorship and related services to sibling social enterprises and arts nonprofits serving

Asheville and Western North Carolina, has requested that City Council permit them to serve beer and/or unfortified wine at the Lovely Asheville Fall Festival to be held on October 11 & 12, 2025, at Pack Square Park and allow for consumption at the event.