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:** July 3, 2025

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

3. **Requested Council meeting date:** August 26, 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 Goombay Festival to occur on September 5 - 7, 2025, at Oktoberfest on October 4, 2025, at Asheville Veganfest on October 5, 2025, and at the Surreal Sirkus Arts Festival on October 25, 2025.

6. **Note if time sensitive, and why:** Need consideration for the event, scheduled to occur on September 5 - 7, 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.

    - YMI Cultural Center, a registered 501(c)(3) nonprofit organization with a mission to empower the Black community to celebrate its rich cultural heritage through programs that preserve and promote African American arts and traditions with a

commitment to justice, equity, diversity and inclusion, has requested that City Council permit them to serve beer and/or unfortified wine at the Goombay Festival to be held on September 5, 6 & 7, 2025 at Pack Square Park and allow for consumption at the event.

- Asheville Downtown Association, a 501(c)(3) non-profit organization with a mission to promote economic development and community education within the downtown Asheville area, has requested that City Council permit them to serve beer and/or unfortified wine at Oktoberfest to be held on October 4, 2025 at Pack Square Park and allow for consumption at the event.

- Triangle Vegfest is a registered 501(c)(3) non-profit organization with a mission to help educate the community about easy ways to reap the health benefits of a plant-based diet, provide a marketplace for vegan-friendly businesses to promote their offerings and encourage local restaurants to offer vegan menu options, has requested that City Council permit them to serve beer and/or unfortified wine at Asheville Veganfest to be held on October 5, 2025, at Pack Square Park and allow for consumption at the event.

- Arts2People, a registered 501(c)(3) nonprofit organization with a mission to work with organizations that serve the needy in the Western North Carolina region, has requested that City Council permit them to serve beer and/or unfortified wine at the Surreal Sirkus Arts Festival to be held on October 25, 2025, at Pack Square Park and allow for consumption at the event.