CITY OF LINCOLNTON SOCIAL DISTRICT

OPERATIONS AND MAINTENANCE PLAN

Presented: March 7, 2024

LINCOLNTON SOCIAL DISTRICT
OPERATIONS AND MAINTENANCE PLAN

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Operations and Maintenance Plan

Introduction

Pursuant to NCGS 160A - 205.4, local governments may establish "Social Districts" within their jurisdictions. These Social Districts allow state-licensed establishments ("Permittees") within the Social District (e.g., bars, breweries, restaurants) to sell alcoholic beverages in designated containers to be taken into the Social District common areas for consumption. It also allows Non-permittee businesses within a Social District to participate in the Social District. The City of Lincolnton (the "City") has established a Social District.

In the plan that follows, the operations and maintenance of the Lincolnton Social Districts are outlined. The plan will be submitted to the North Carolina ABC Commission and placed on the City of Lincolnton website.

Definitions

(a) "Social District" means and refers to a defined area in which a person 21 years or older 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. A Social District may include privately owned property, including Permittees and Non-permittee businesses and multi-tenant establishments, as defined in G.S. 18B-1001.5, and public streets, crosswalks, or parking areas, whether or not the streets or parking areas are closed to vehicle traffic.

(b) "Permittee" means and refers to a person holding any of the following permits issued by The North Carolina Alcoholic Beverage Control Commission established under the North Carolina General Statute 18B-200:

(1) An on-premises malt beverage permit issued pursuant to G.S. 18B- 1001 (1).
(2) An on-premises unfortified wine permit issued pursuant to G.S. 18B- 1001(3).
(3) An on-premises fortified wine permit issued pursuant to G.S. 18B- 1001(5).
(4) A mixed beverages permit issued pursuant to G.S. 18B- 1100(5).
(5) A distillery permit issued pursuant to G.S. 18B- 1100(5)
(6) A wine shop permit issued pursuant to G.S. 18B-1001(16)

(c) "Non-permittee business" means and refers to a business that is located in a Social District and does not hold an ABC permit.

(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) "Customer" means and refers to a person who purchases an alcoholic beverage from an ABC Permittee that is in a Social District.

(f) "Premises" means and refers to a fixed permanent establishment, including all areas inside or outside the establishment, where the business has control through a lease, deed, or other legal process.

(g) "Waiver" means and refers to businesses in the Social District, both Permittee and Non-permittees who do not want to participate in the Social District.

Permits

ABC permit holders in the Social District(s) shall apply for a Social District Permit from the City providing, among other things, consent to abide by rules, regulations, and requirements promulgated by the City, the ABC Commission, and ABC statutory requirements as may be amended, updated, or adopted from time to time. The City shall create and provide participating Permittee businesses a uniform sign that indicates the Permittee business is participating in the Social District. The participating Permittee shall display the uniform sign in the front window at all times during the time when the Social District is active.

Non-permittee Businesses

(a) The City shall create and provide to participating Non-permittee businesses a uniform sign that indicates the Non-permittee business is participating in the Social District.

(a) The participating Non-Permittee business shall display the uniform sign in the front window at all times during the times when the Social District is active. A customer may not bring an alcoholic beverage into a Non-permittee business that does not display the uniform sign.

(b) No Non-permittee business shall be required to participate or be included in a Social District or to allow customers to bring alcohol onto its premises. The non-participating Non-permittee businesses shall apply for a waiver from the City and display a City provided uniform sign of non-participation.

(b) All Non-permittee businesses that are part of a Social District and that allow customers to bring alcoholic beverages onto their premises shall clearly post city-approved uniform signage on any exits that do not open to the Social District indicating that alcoholic beverages may not be taken past that point.

(c) During the days and hours when the Social District is active, a Non-permittee business that allows customers to bring alcoholic beverages onto its premises shall allow law enforcement officers access to the areas of the premises that are accessible to customers.

Waiver

Businesses in the Social District, both Permittees and Non-permittees, who do not want to participate (allow customers to bring alcohol on their premises or will not serve alcohol for Social District purposes) shall sign a waiver and file it with the City. The "Please No Beverages" sign will be provided by the City to be displayed by the business (see Exhibit C).

Management

The City has a limited role in managing the Social Districts. The Lincolnton Social District permit process and signage will be managed and retained by the Downtown Development Association. The Lincolnton Police Department will have the authority to enforce the rules and regulations of the Social District. The City of Lincolnton Public Services Department will provide sanitation services within the Social Districts. Trash receptacles will be located at the boundaries of the Social Districts to encourage customers to dispose of their used cups properly.

Social District Boundaries

Refer to Exhibit B for a map of the Social Districts boundaries.

Operations

The Social Districts will operate 7 days a week, 11:00 AM - 11:00 PM Monday through Saturday, and 1:00 PM - 11:00 PM on Sunday. The Social District will not be open on the days that there are city-supported signature events (i.e., Alive After Five).

District Designation and Logo

The Social District participating businesses must utilize a logo created by the City. The City will clearly mark the boundaries of the Social District with signs affixed to all entrance/exit points.

Beverage Container and Rules of Use

A Permittee located in the Social District may sell open containers of alcoholic beverages for consumption within the Social District and allow customers to exit its premises to the Social District in accordance with the following requirements:

(a) Only alcoholic beverages purchased from a Permittee located in the Social District may be possessed and consumed in the Social District.

(b) Nothing in this plan shall be construed as authorizing the sale and delivery of alcoholic beverage drinks in excess of the limitation set forth in N.C.G.S. 18B-1010.

(c) A customer shall not possess at any time open containers of alcoholic beverages in the Social District in excess of the number of alcoholic beverages that may be sold and delivered by a retail Permittee as set forth in N.C.G.S. 18B-1010.

(d) A Permittee will not allow Customers to possess and consume on the Permittee's premises alcoholic beverages purchased from another Permittee in the Social District.

(e) The Permittee shall only sell open containers of alcoholic beverages for consumption in the Social District and off the Permittee's premises 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 the City approved Social District logo, which is Unique to the Lincolnton Social District.

(3) The container is made of a material other than 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.

(6) Containers will be provided by the Permittee.

Financing

The City will fund the Social District for signage, logo development, education, and enforcement. All other costs, including containers, will be funded by the Permittees.

Security and Enforcement

The Lincolnton Police Department will provide enforcement in the Social Districts. To the greatest extent possible, Permittees will ensure compliance with the requirements of this plan in regard to safety and customer compliance by reporting violations to the City of Lincolnton Police Department.

Sanitation and Maintenance

The City will provide sanitation services within the Social Districts, including trash removal, but not on Permittee and Non-permittee premises. Trash receptacles will be located at the boundaries of the Social District to encourage customers to properly dispose of their used cups, as well as throughout the Social District but not on Permittee and Non-permittee premises.

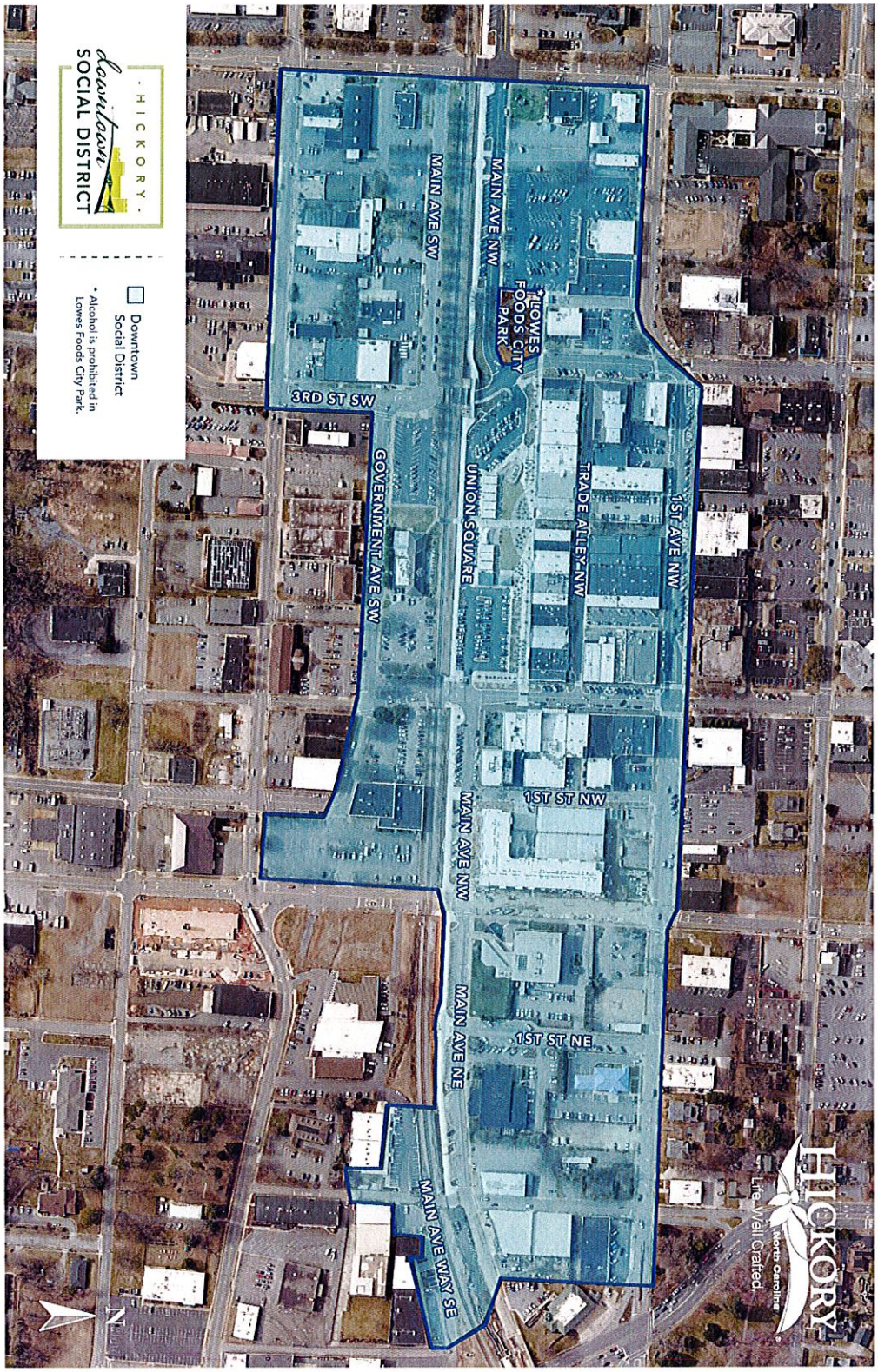
Amendment

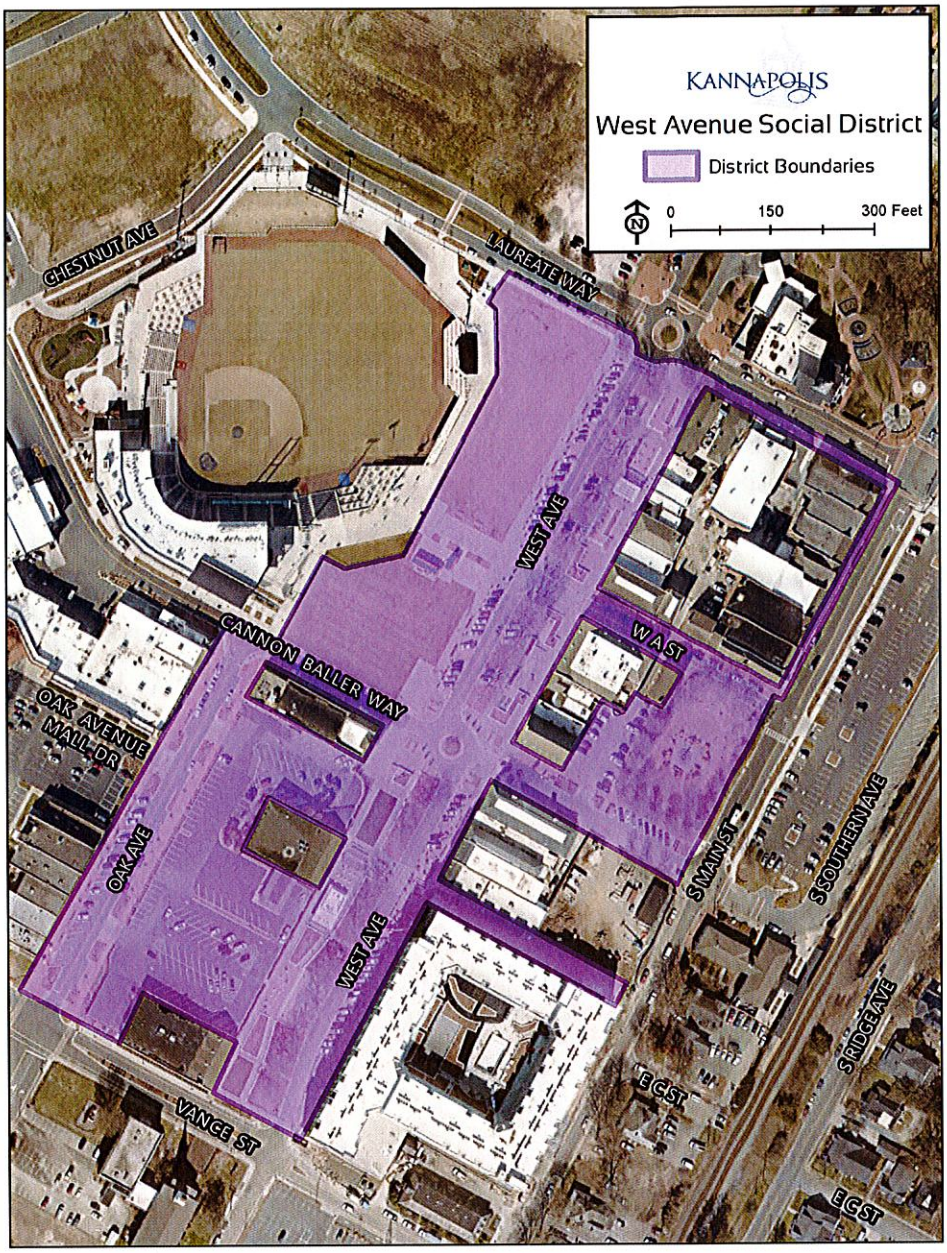
This plan may be amended at any time by the City at its discretion.

The plan and ordinance and all matters, whether sounding in contract or tort, relating to the validity, construction, or interpretation and enforcement of the plan shall be governed by the State of North Carolina with proper venue in a court of competent jurisdiction in Lincoln County.

City	Days of week	Hours
Hickory	Monday - Sunday	10 am - 10 pm
Albemarle	Monday - Sunday	10am - 10pm
Asheboro	Thursday - Saturday	11am - 11pm
Birkdale	Monday - Sunday	11am - 10pm
Cary	Monday - Sunday	11am - 11pm
Charlotte - Plaza Midwood	Monday - Sunday	10am - 10 pm
Cornelius	Monday - Sunday	12pm - 10pm
Davidson	Monday - Sunday	11am - 10pm
Elkin	Monday - Sunday	10am - 10pm
Franklin	Monday - Sunday	12 noon - 9pm
Gastonia	Monday - Sunday	Monday - Saturday 11am - 12pm Sunday 11am - 10pm
High Point	Monday - Sunday	11am - 11pm
Huntersville	Monday - Sunday	11am - 10pm
Kannapolis	Monday - Sunday	Monday - Saturday 11am - 12am Sunday 12pm - 12am
Lenoir	Wednesday - Saturday	12pm - 10pm
Marion	Monday - Sunday	11am - 10pm
Monroe	Monday - Sunday	Monday - Saturday 8am - 12 pm Sunday 10am - 12 pm
Mooresville	Monday - Sunday	12 noon - 10pm
Newton	Thursday - Saturday	Thursday 5pm - 11pm Friday 5pm -11pm
Pilot Mountain	Tuesday - Sunday	10am - 10pm
Rutherfordton	Monday - Sunday	10am - 10pm
Salisbury	Monday - Sunday	12 pm - 12 am
Statesville	Monday - Sunday	Monday - Sunday Noon - 10pm

Map of Social District




KANNAPOLIS
West Avenue Social District
District Boundaries
0
150
300 Feet
CHESTNUT AVE
LAUREATE WAY
WEST AVE
W A ST
CANNON BALLER WAY
OAK AVENUE MALL DR
OAK AVE
WEST AVE
S MAIN ST
S SOUTHERN AVE
S RIDGE AVE
E C ST
VANCE ST
E C ST

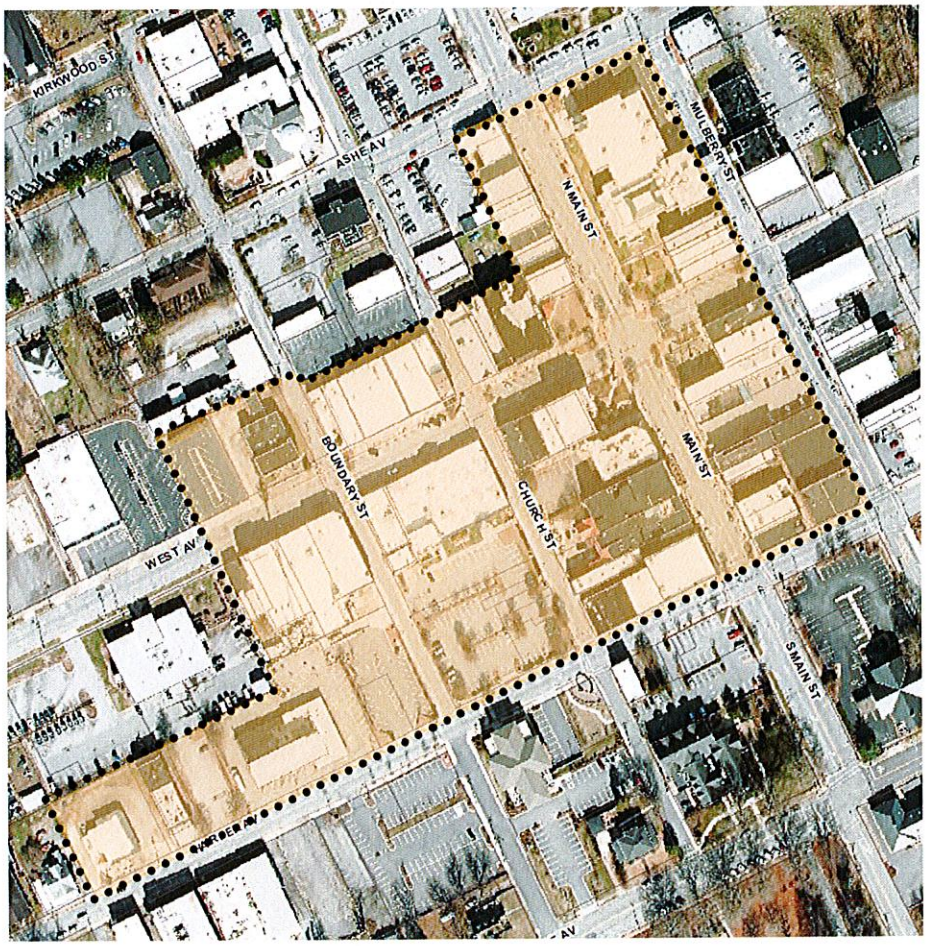
No alcoholic beverages are to be taken inside public buildings, churches, or non-participating businesses within the parameters of the district.

Visitors to the district are not allowed to bring and consume their own alcoholic beverages (no BYOB). Any alcoholic beverages consumed in the social district must be consumed from the required social district container. A person cannot pour their wine, beer or liquor into a solo cup or any type of container other than the one meeting all the requirements for social districts and sold by a participating ABC permitted business.

All alcoholic beverages must be purchased from establishments located within or contiguous to the district (in specially labeled cups) and must be consumed within the District.

A person is required to dispose of any alcoholic beverage in the person's possession prior to exiting the social district or entering a vehicle. They may ONLY take their alcoholic drink into the establishment where they bought it or a participating business that does not sell alcohol.

SOCIAL DISTRICT BOUNDARY:



Town of Sylva
SOCIAL DISTRICT OF SYLVA

Maintenance and Operations Plan

Introduction

On September 8, 2021, Session Law 2021-150 was ratified, allowing local governments to establish "Social Districts' within their jurisdictions. These Social Districts allow for common areas where licensed establishments (e.g., bars, breweries, restaurants) may sell alcoholic beverages in designated containers to be taken into the common area for consumption. The Town of Sylva (the "City") has established such a Social District, designated "Social District of Sylva".

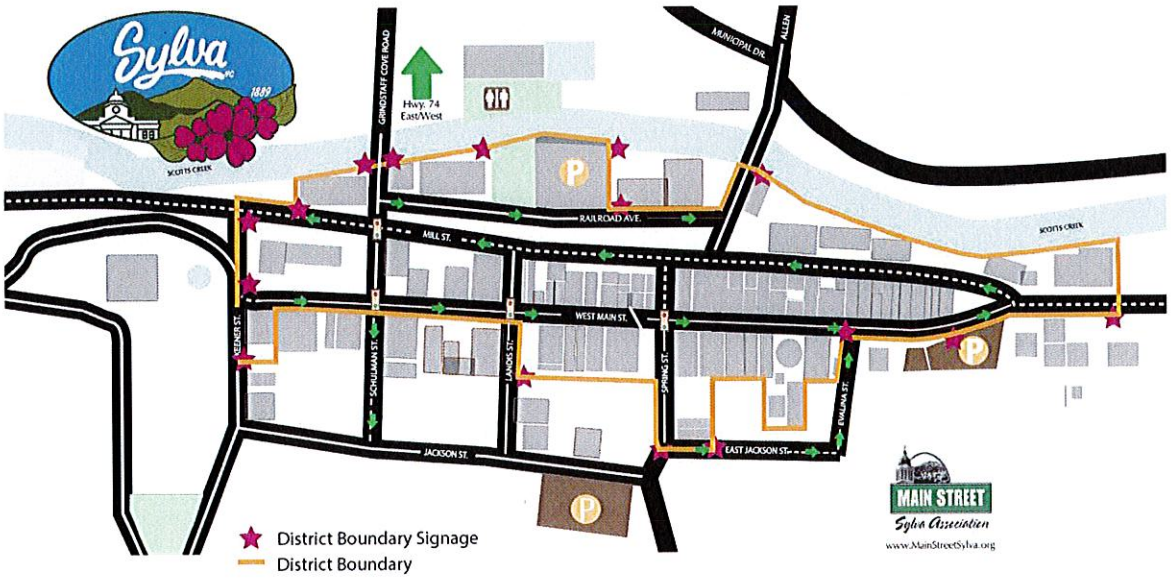
In the plan that follows, the management and maintenance of the Social District of Sylva is outlined. The plan will be submitted to the North Carolina ABC Commission and placed on the Town of Sylva website.

Management

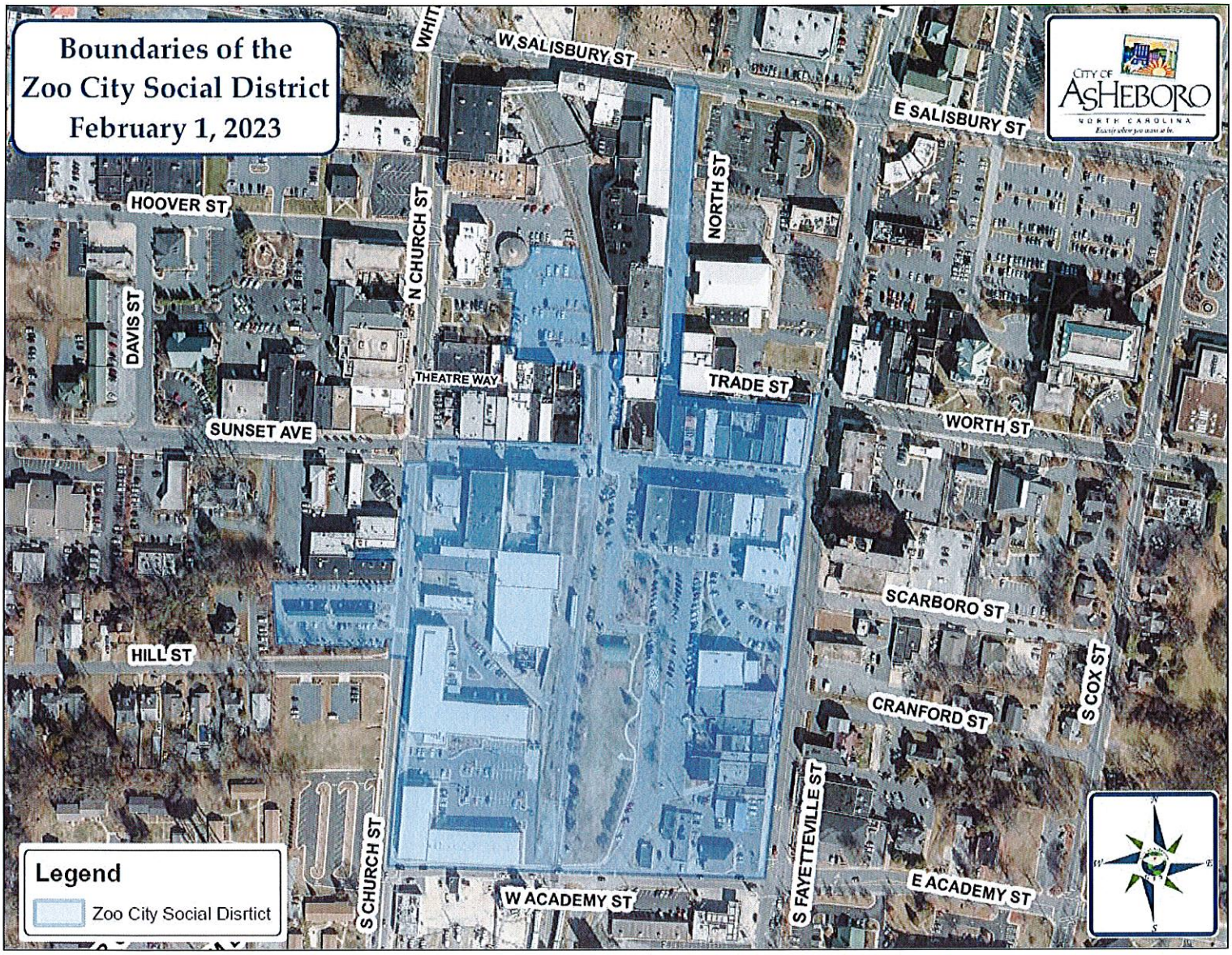
The Social District of Sylva will be jointly managed by the Town of Sylva and the Sylva Police Department.

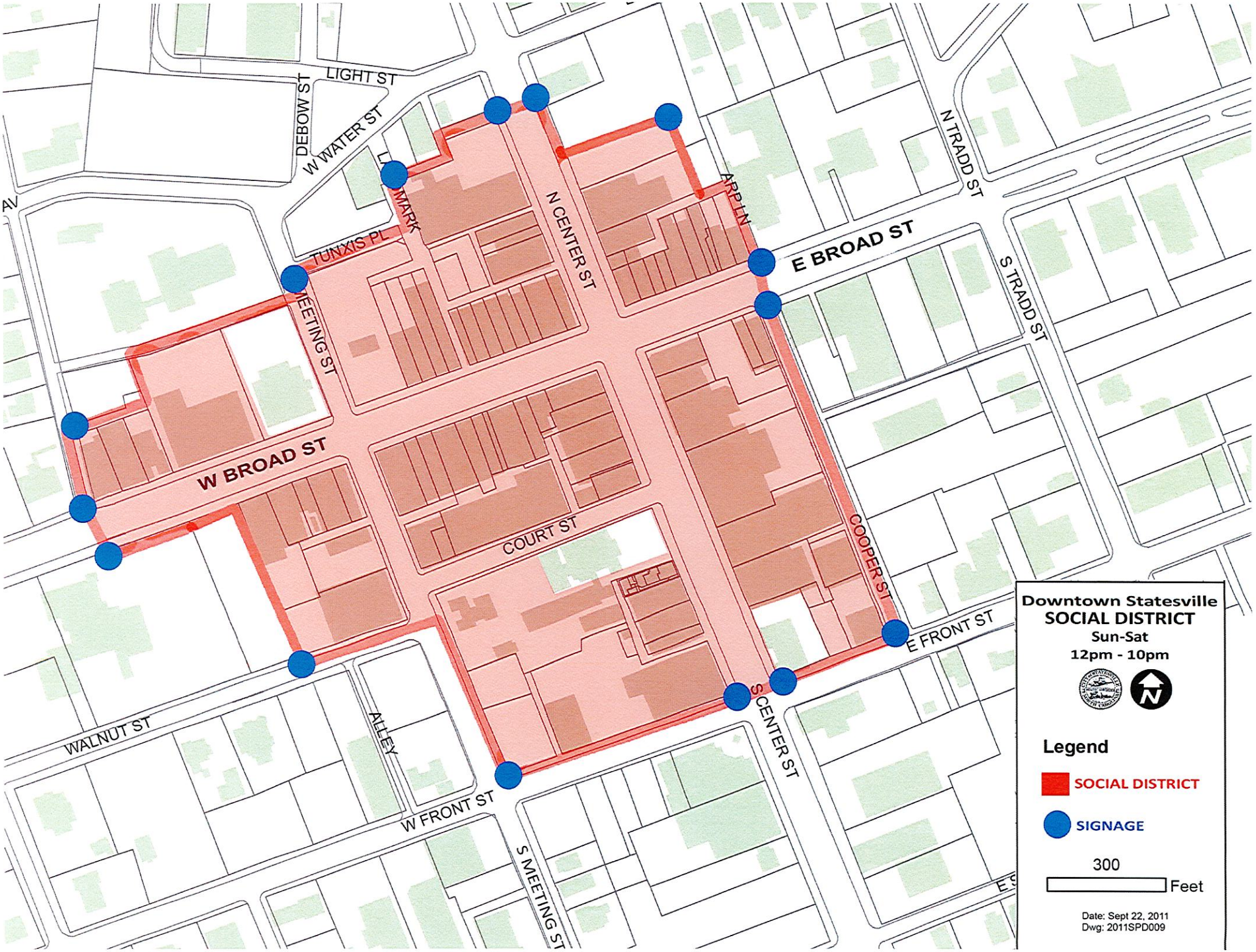
District Boundaries

SOCIAL DISTRICT FOR THE TOWN OF SYLVA



Map of Zoo City Social District




LIGHT ST
DEBOW ST
W WATER ST
MARK
N CENTER ST
ARP LN
N TRADD ST
E BROAD ST
S TRADD ST
TUNXIS PL
MEETING ST
W BROAD ST
COURT ST
COOPER ST
E FRONT ST
S CENTER ST
WALNUT ST
ALLEY
W FRONT ST
S MEETING ST
Downtown Statesville
SOCIAL DISTRICT
Sun-Sat
12pm - 10pm
Legend
SOCIAL DISTRICT
SIGNAGE
300
Feet
Date: Sept 22, 2011
Dwg: 2011SPD009

Downtown Albemarle Social District

The City of Albemarle's downtown social district will begin on Saturday, October 29.

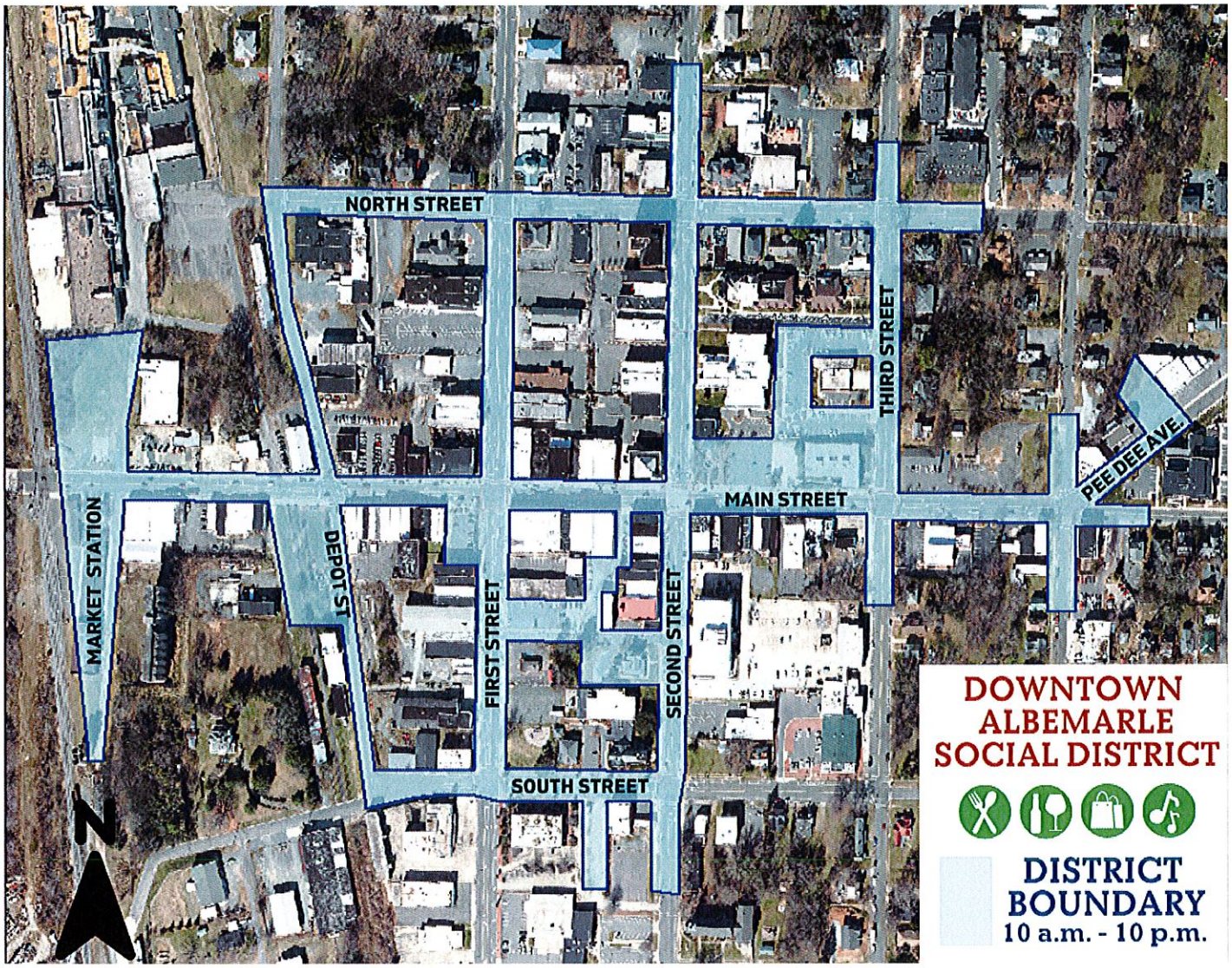
What is a Social District?

Social Districts are defined areas in which a person may consume alcoholic beverages sold by an establishment permitted by North Carolina's Alcoholic Beverage Control Commission. As part of 'Bring Business Back to Downtown,' "Social Districts" were added with the intent to increase foot traffic for businesses that have struggled since the beginning of the COVID pandemic.

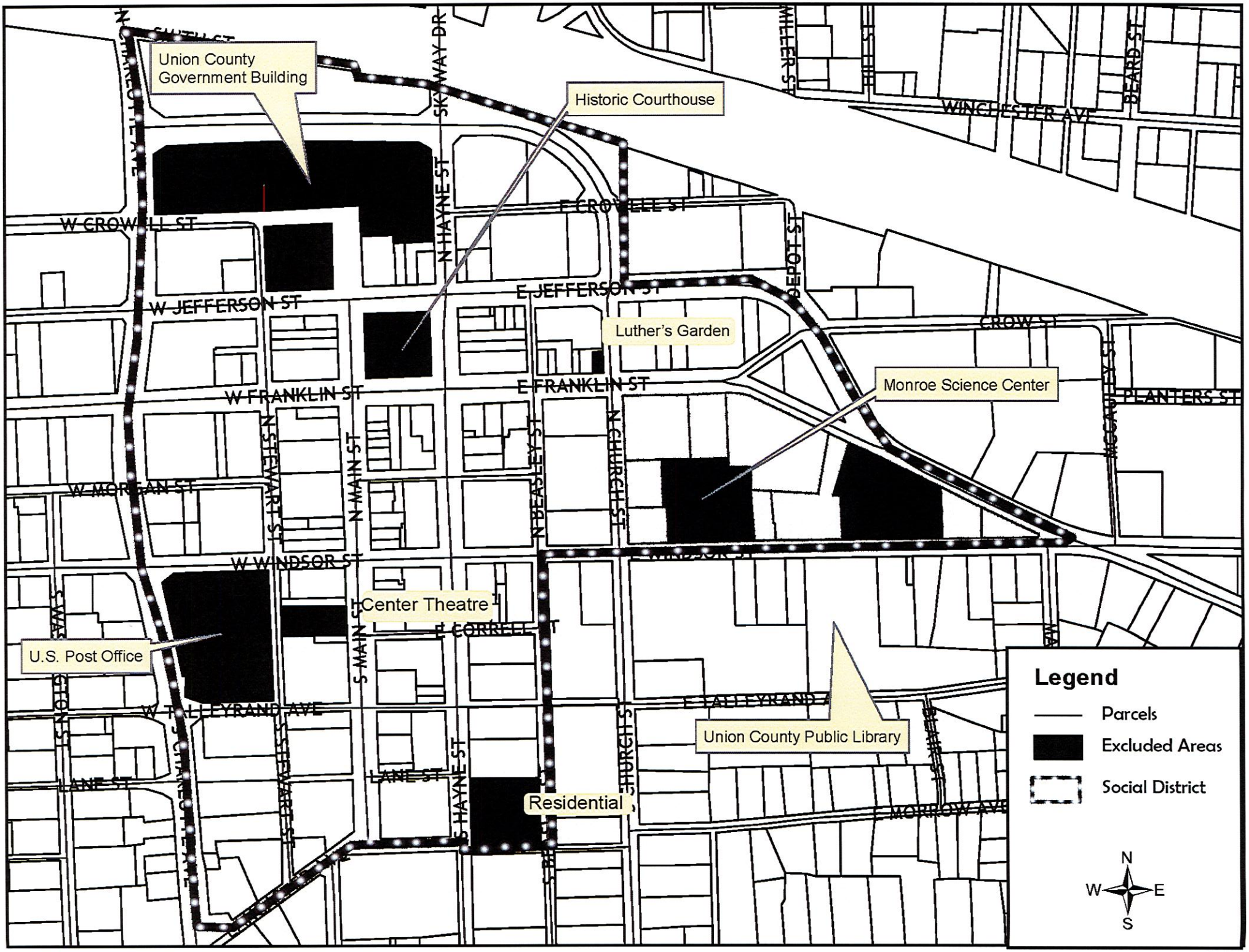
This bill empowers municipalities to allow people to buy and consume alcoholic beverages within a defined area.

How does the Social District work in downtown Albemarle?

The Downtown Albemarle Social District allows alcoholic beverages to be consumed within district boundaries daily from 10 a.m. - 10 p.m. Boundaries for the Social District are clearly marked with sidewalk signage at the entrance and exit areas of the District.



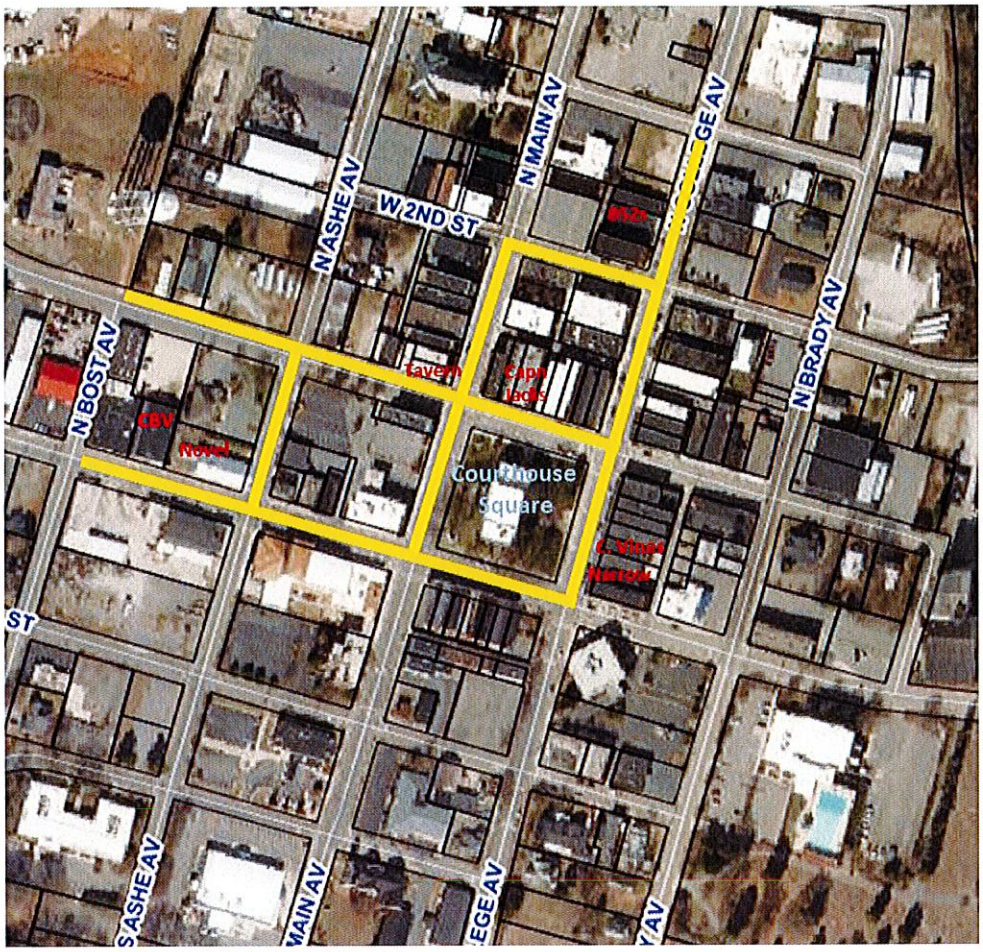
No alcoholic beverages are to be taken inside non-participating businesses within the parameters of the district.


Union County Government Building
Historic Courthouse
Luther's Garden
Monroe Science Center
Center Theatre
U.S. Post Office
Union County Public Library
Residential
W CROWELL ST
E CROWELL ST
W JEFFERSON ST
E JEFFERSON ST
W FRANKLIN ST
E FRANKLIN ST
W MORGAN ST
W WINDSOR ST
E CORRELL ST
W ALLEYRAND AVE
LANE ST
WINCHESTER AVE
PLANTERS ST
MORROW AVE
N HAYNE ST
S HAYNE ST
N MAIN ST
S MAIN ST
N BEASLEY ST
S BEASLEY ST
N CHURCH ST
S CHURCH ST
DEPOT ST
BEARD ST
Legend
Parcels
Excluded Areas
Social District
N
W
E
S

- 5 p.m. to 11 p.m. Thursdays
- 5 p.m. to 11 p.m. Fridays
- 12 noon to 11 p.m. Saturdays

The district has boundaries. Patrons should familiarize themselves with the boundaries before visiting.

- The district includes sidewalks along A Street from Bost Avenue to College Avenue, 1st Street from Bost Avenue to College Avenue, 2nd Street from Main Avenue to College Avenue, Ashe Avenue from A Street to 1st Street, Main Avenue from A Street to 2nd Street, and College Avenue from A Street to 3rd Street.



Social District Boundaries Street/Sidewalk Use Only

- Patrons are responsible for knowing district boundaries and are prohibited from carrying drinks purchased within the district outside its boundaries.
- If a patron chooses to leave the district while carrying a drink, he or she must dispose of the container and any unfinished drink before leaving.
- Social district limits signs (shown below) alert patrons when they approach district boundaries.

Social Districts in North Carolina

40+ and counting...

. Albemarle
:. Asheboro
3. Cary *(approved)*
. Charlotte – Southend & Plaza Midwood
i. Cornelius – expanded
3. Davidson
'. Durham
3. Elkin *(approved)*
). Elon
0. Fayetteville
1. Franklinton
2. Garner
3. Gastonia
4. Greensboro – x2
15. Greenville
16. Hickory
17. High Point
18. Huntersville
19. Kannapolis
20. Lake Norman
21. Laurinburg
22. Lenoir
23. Madison
24. Manteo
25. Marion *(approved)*
26. Monroe
27. Newton
28. Norwood
29. Oxford
30. Pilot Mountain
31. Raleigh – expanded
32. Rutherfordton *(approved)*
33. Salisbury
34. Selma
35. Statesville
36. Sylva
37. Tarboro
38. Washington
39. Wendell
40. Whiteville
41. Wilson
42. Youngsville
43. Belmont
44. Mooresville

Shelby – researching
Franklin