ORDINANCE NO. 2025-____

AN ORDINANCE AMENDING THE CITY OF BREVARD CODE OF ORDINANCES CHAPTER 43 – SOCIAL DISTRICTS AND THE OFFICIAL DOWNTOWN BREVARD SOCIAL DISTRICT MAP

WHEREAS, the North Carolina General Assembly enacted legislation in 2021 allowing municipalities to designate social districts within their jurisdiction to allow alcoholic beverages sold by licensed premises to be consumed within the district, outside of the establishment where the beverage was purchased; and

WHEREAS, the City of Brevard and the Heart of Brevard worked together to propose a social district in downtown Brevard in accordance with North Carolina General Statutes 160A-205.4 and Chapter 18B; and,

WHEREAS, the City of Brevard adopted the Downtown Brevard Social District on August 21, 2023; and,

WHEREAS, the Heart of Brevard requested that the social district boundaries be amended to better correspond with the boundaries set for festivals and special events held in downtown; and,

WHEREAS, the City of Brevard and the Heart of Brevard believe that a social district is a valuable tool to increase economic activity and the vibrancy of downtown Brevard; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following adopted plans and policies:

Building Brevard 2030 Comprehensive Land Use Plan

- ***Goal 7:*** *Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.*
- ***Economic Development, Infrastructure & Resiliency - 13:*** *Consider designation of one or more social districts to encourage the food and beverage cluster.*

and,

WHEREAS, a public hearing was conducted on Monday, February 3, 2025, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard Code of Ordinances be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. City of Brevard Code of Ordinances is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. The Official Downtown Brevard Social District map is hereby amended as depicted herein as Exhibit B which is attached hereto and incorporated herein by reference.

SECTION 03. Staff is hereby directed to amend the management and maintenance plan for the Downtown Brevard Social District that establishes policies and procedures for enforcement of this Ordinance. The amended management and maintenance plan and the social district boundaries map shall be posted on the City's website.

SECTION 04. Staff is hereby instructed to submit a detailed map of the amended Downtown Brevard Social District, the days and hours during which the Social District shall

be in operation, and all other necessary documentation to the North Carolina Alcoholic Beverage Control Commission.

SECTION 05. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 06. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

Adopted and approved upon first reading this the 3rd day of February 2025.

_____
Maureen Copelof
Mayor

ATTEST:

_____
Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

_____
Mack McKeller
City Attorney