THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: August 22, 2023

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

Staff Resource(s): Chris Corl, Director, Department of Community & Regional Entertainment Facilities
Jon Fillman, Community Event Manager

Action Requested: Adoption of resolutions to permit the possession and consumption of malt beverages and/or unfortified wine at Symphony in the Park, Chow Chow Food & Culture Festival, Blue Ridge Pride Festival, Asheville Oktoberfest, Asheville Veganfest, Lovely Asheville Fall Festival, and the Surreal Sirkus Arts Festival.

Background:

- 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.
- The following organizations have requested that City Council permit them to serve beer and/or unfortified wine at their events and allow for consumption at the events:

    - Asheville Symphony Society for Symphony in the Park, to occur at Pack Square Park on Sunday, August 27 & 28, 2023, from 4:00 p.m. - 10:00 p.m.
    - Chow Chow for the Chow Chow Food & Culture Festival to occur at Pack Square Park on Friday & Saturday, September 8 & 9, 2023, from 10:30 a.m. - 8:00 p.m. and Sunday, September 10, 2023, from 10:30 a.m. - 4:00 p.m.
    - Blue Ridge Pride Center for the Blue Ridge Pride Festival to occur at Pack Square Park on Saturday, September 30, 2023, from 11:00 a.m. - 7:00 p.m.
    - Asheville Downtown Association for Asheville Oktoberfest to occur at Pack Square Park on Saturday, October 7, 2023, from 1:00 p.m. - 6:00 p.m.
    - Triangle Vegfest for Asheville Veganfest to occur at Pack Square Park on Sunday, October 8, 2023, from 11:00 a.m - 6:00 p.m.
    - Asheville Creative Arts for the Lovely Asheville Fall Festival to occur at Pack Square Park on Saturday, October 14, 2023, from 10:00 a.m. - 9:00 p.m. and Sunday, October 15, 2023, from 12:00 p.m. - 7:00 p.m.
    - Arts2People for the Surreal Sirkus Arts Festival to occur at Pack Square Park on Saturday, October 28, 2023, from 12:00 p.m. - 10:00 p.m.

- Alcohol boundaries are defined for each request as per the accompanying event site maps.

Council Goal(s):

- These actions have no direct connection with the City Council 2036 Vision.

Committee(s):
- None

Pro(s):
- Allows fundraising opportunities for the sponsoring nonprofit organizations

Con(s):
- None

Fiscal Impact:
- This action requires no City resources and has no fiscal impact.

Suggested Motion:
- Motion to adopt a resolution to permit the possession and consumption of malt beverages and/or unfortified wine at Symphony in the Park, Chow Chow Food & Culture Festival, Blue Ridge Pride Festival, Asheville Oktoberfest, Asheville Veganfest, Lovely Asheville Fall Festival, and the Surreal Sirkus Arts Festival.

Attachment(s)
- Resolutions with Site Maps

RESOLUTION NO. 23- _____

RESOLUTION GRANTING PERMISSION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT SYMPHONY IN THE PARK ON THE DATES OF AUGUST 27 & 28, 2023 FROM 4:00 PM – 10:00 PM

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Sections 11-11 of the Code of Ordinances of the Asheville City Code, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a community festival and Section 11-20 of the Asheville City Code permits the sale of malt beverages and unfortified wine on Sunday mornings beginning at 10:00 AM; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at Symphony in the Park.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted within the Symphony in the Park event area, as set forth in Exhibit A, attached.

2. The Symphony in the Park event area is within the boundaries of the Roger McGuire Green, Reuter Terrace, Spruce Street and Court Plaza at Pack Square Park located at 121 College Street.

3. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted for Symphony in the Park on Sunday, August 27 & 28, 2023 from 4:00 p.m. - 10:00 p.m.

4. The possession of and consumption from open containers of malt beverages and/or

unfortified wine permitted hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic or paper cups. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine is not permitted anywhere in the Symphony in the Park event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be permitted in the Symphony in the Park event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

5. The location of Symphony in the Park, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine is permitted shall be designated by the posting of signs in the event area.

   Read, approved, and adopted this 22nd day of August 2023.

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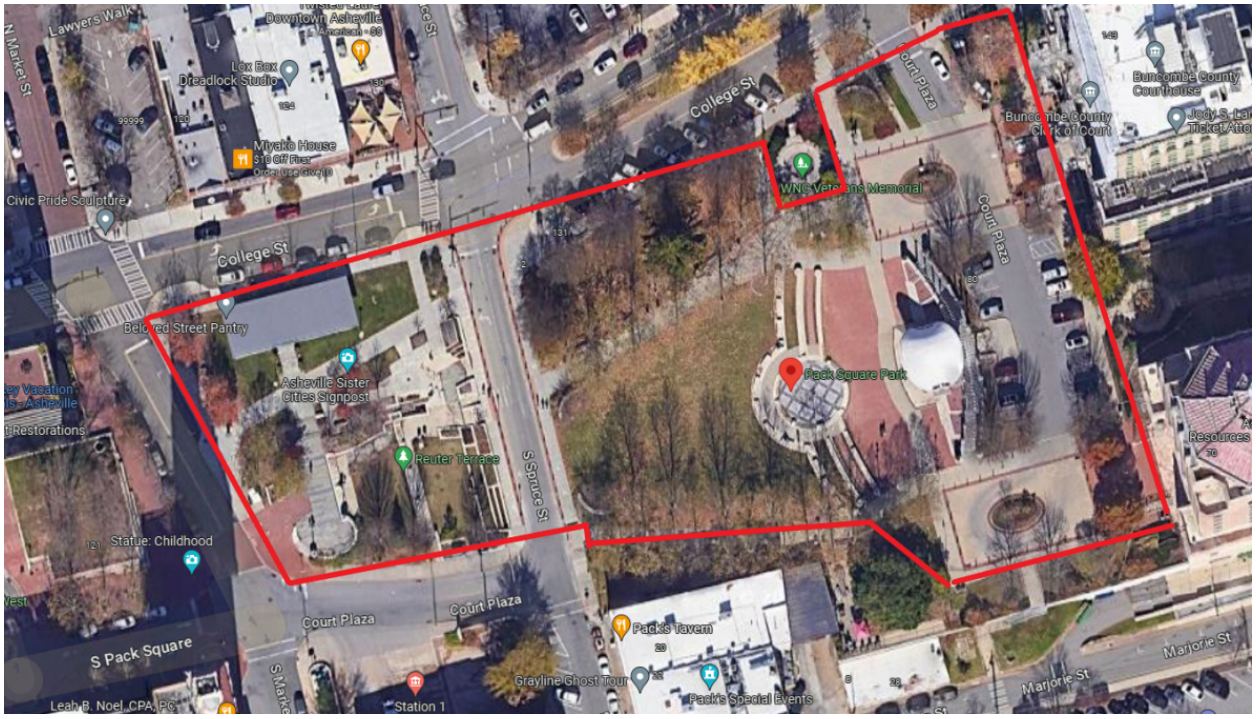
City Clerk Mayor

Approved as to form:

_____

City Attorney

EXHIBIT A



Alcohol Area

RESOLUTION NO. 23- _____

RESOLUTION GRANTING PERMISSION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE CHOW CHOW FOOD & CULTURE FESTIVAL ON THE DATES OF FRIDAY & SATURDAY, SEPTEMBER 8 & 9, 2023, FROM 10:30 AM - 8:00 PM. AND SUNDAY, SEPTEMBER 10, 2023 FROM 10:30 AM - 4:00 PM

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Sections 11-11 of the Code of Ordinances of the Asheville City Code, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a community festival and Section 11-20 of the Asheville City Code permits the sale of malt beverages and unfortified wine on Sunday mornings beginning at 10:00 AM; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Chow Chow Food & Culture Festival.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted within the Chow Chow Food & Culture Festival event area, as set forth in Exhibit A, attached.

2. The Chow Chow Food & Culture Festival event area is within the boundaries of the Roger McGuire Green, Reuter Terrace, Spruce Street and Court Plaza at Pack Square Park located at 121 College Street.

3. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted for the Chow Chow Food & Culture Festival on Friday & Saturday, from 10:30 a.m. - 8:00 p.m. and Sunday, September 10, 2023, from 10:30 a.m. - 4:00 p.m.

4. The possession of and consumption from open containers of malt beverages and/or unfortified wine permitted hereinabove shall be limited to malt beverages and/or unfortified wine contained in aluminum cans, unbreakable plastic or paper cups. Possession of and/or consumption from glass containers of malt beverages and/or

unfortified wine is not permitted anywhere in the Chow Chow Food & Culture Festival event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be permitted in the Chow Chow Food & Culture Festival event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

5. The location of the Chow Chow Food & Culture Festival, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine is permitted shall be designated by the posting of signs in the event area.

   Read, approved, and adopted this 22nd day of August 2023.

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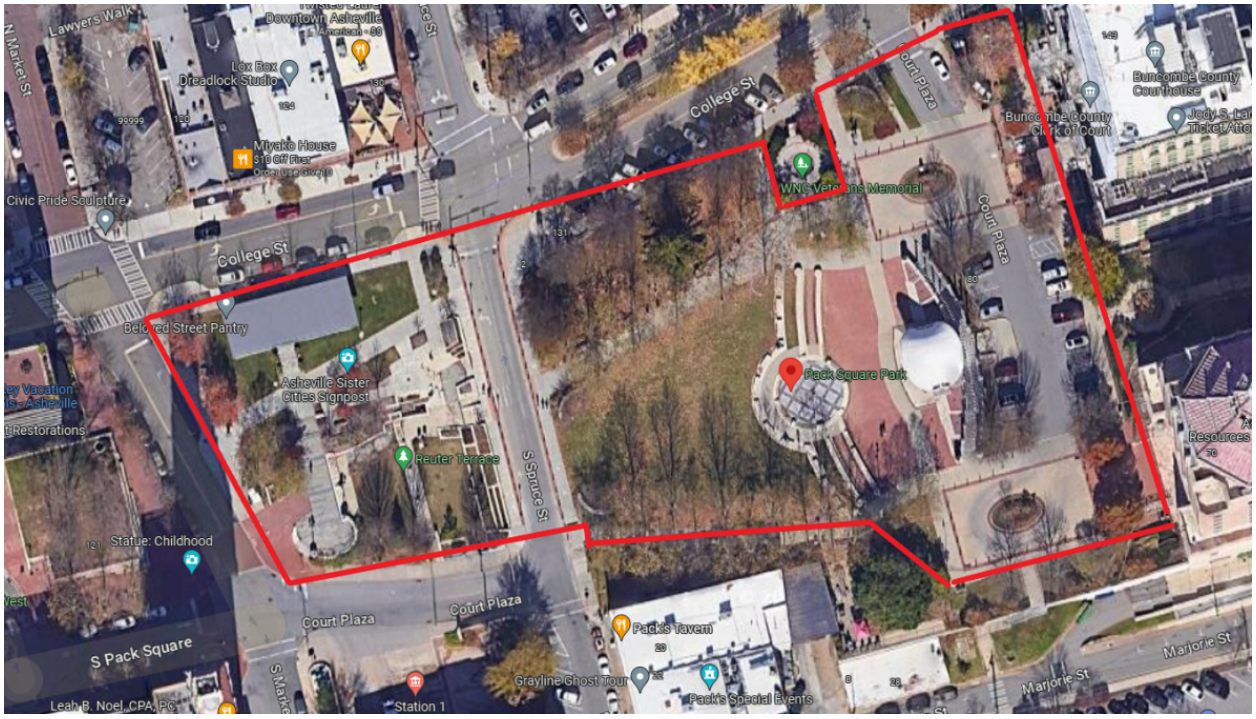
City Clerk Mayor

Approved as to form:

_____

City Attorney

EXHIBIT A



Alcohol Area

RESOLUTION NO. 23- _____

RESOLUTION GRANTING PERMISSION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE BLUE RIDGE PRIDE FESTIVAL ON THE DATE OF SATURDAY, SEPTEMBER 30, 2023, FROM 11:00 AM – 7:00 PM.

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Blue Ridge Pride Festival.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted within the Blue Ridge Pride Festival event area, as set forth in Exhibit A, attached.

2. The Blue Ridge Pride Festival event area is within the boundaries of the Roger McGuire Green, Reuter Terrace, Raised Lawn, Median, S. Spruce Street, Court Plaza and North/South Pack Square at Pack Square Park located at 121 College Street.

3. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted for the Blue Ridge Pride Festival event area on September 30, 2023, from 11:00 a.m. – 7:00 p.m.

4. The possession of and consumption from open containers of malt beverages and/or unfortified wine permitted hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic or paper cups. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine is not permitted anywhere in the Blue Ridge Pride Festival event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption

of malt beverages and/or unfortified wine shall be permitted in the Blue Ridge Pride Festival event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

5. The location of the Blue Ridge Pride Festival, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine is permitted shall be designated by the posting of signs in the event area.

   Read, approved, and adopted this 22nd day of August 2023.

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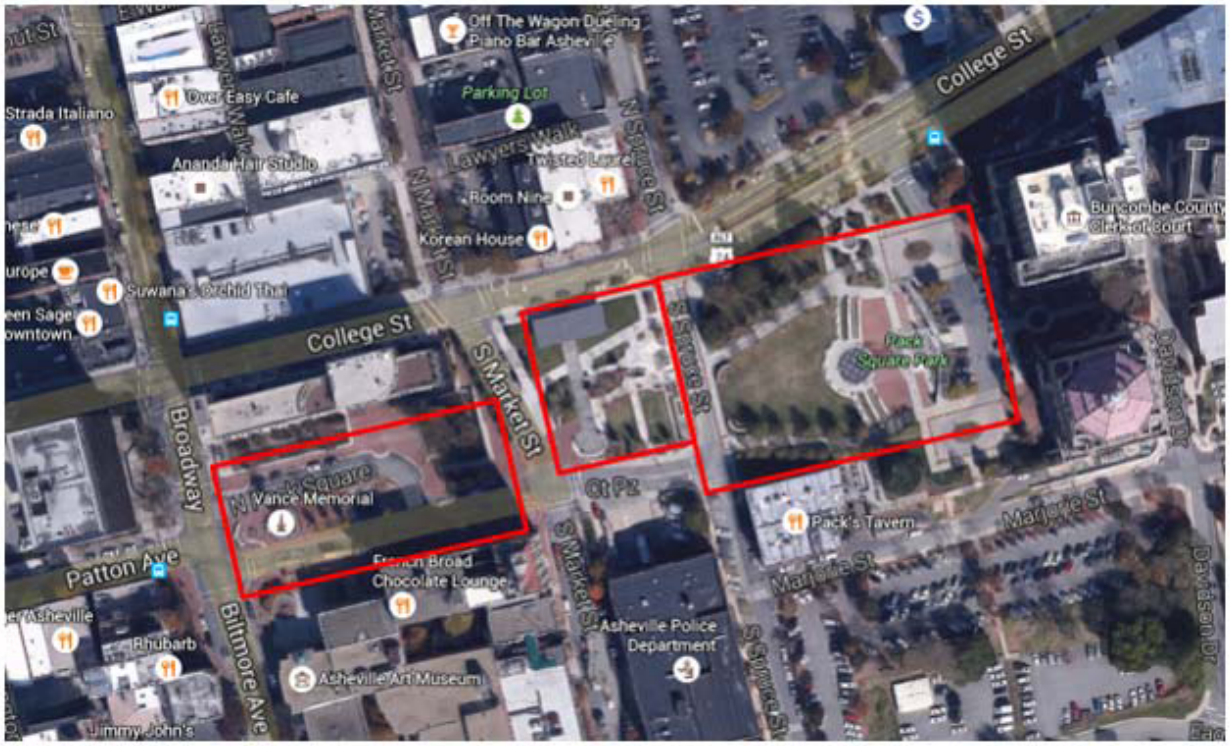
City Clerk Mayor

Approved as to form:

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City Attorney

EXHIBIT A



Alcohol Area

RESOLUTION NO. 23- _____

RESOLUTION GRANTING PERMISSION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT ASHEVILLE OKTOBERFEST ON THE DATE OF SATURDAY, OCTOBER 7, 2023, FROM 1:00 PM – 6:00 PM.

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at Asheville Oktoberfest.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted within the Asheville Oktoberfest event area, as set forth in Exhibit A, attached.

2. The Asheville Oktoberfest event area is within the boundaries of the Roger McGuire Green, Reuter Terrace, Spruce Street and Court Plaza at Pack Square Park located at 121 College Street.

3. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted for the Asheville Oktoberfest event area on October 7, 2023, from 1:00 p.m. – 6:00 p.m.

4. The possession of and consumption from open containers of malt beverages and/or unfortified wine permitted hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic or paper cups. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine is not permitted anywhere in the Asheville Oktoberfest event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be permitted in the Asheville Oktoberfest event

area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

5. The location of Asheville Oktoberfest, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine is permitted shall be designated by the posting of signs in the event area.

   Read, approved, and adopted this 22nd day of August 2023.

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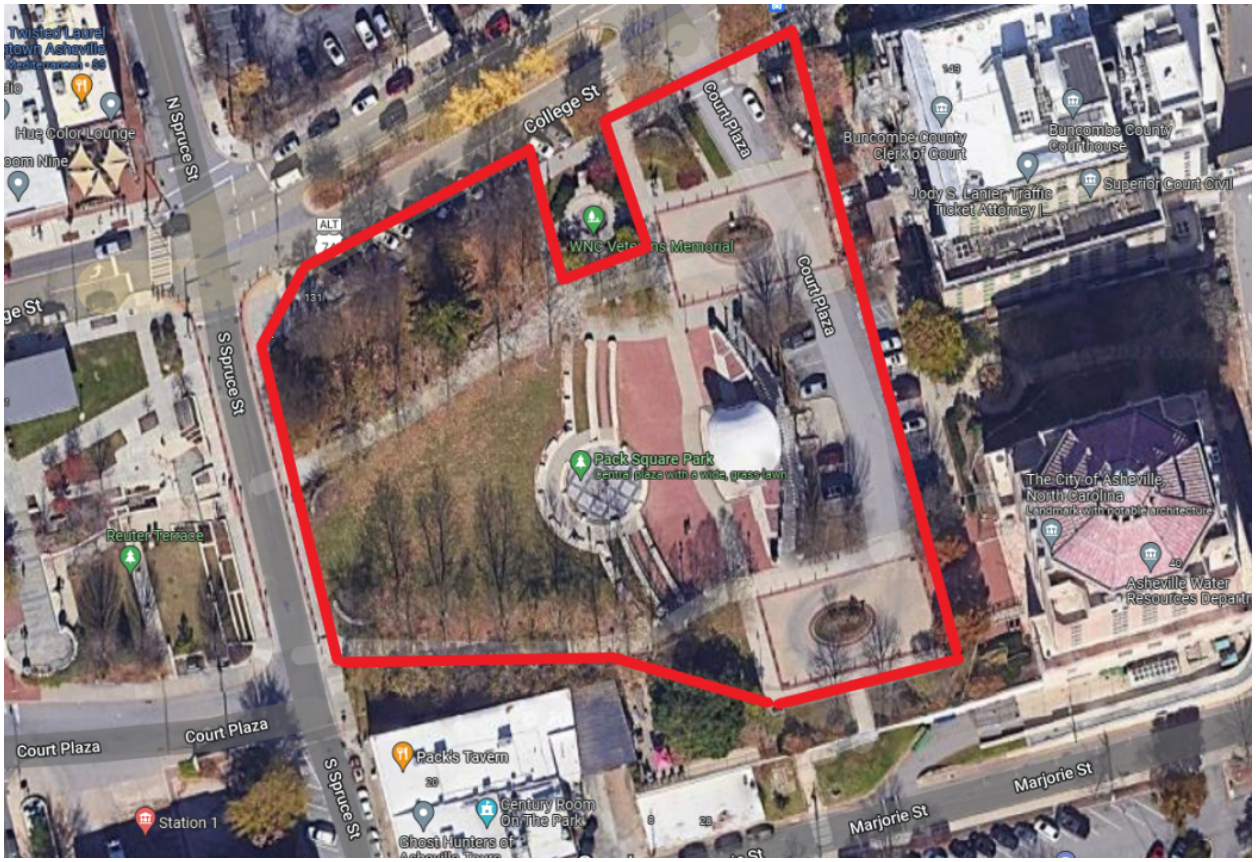
City Clerk Mayor

Approved as to form:

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City Attorney

EXHIBIT A


College St
Court Plaza
N Spruce St
S Spruce St
Hue Color Lounge
Buncombe County Clerk of Court
Buncombe County Courthouse
Jody S. Lanier Traffic Ticket Attorney |...
Superior Court Civil
WNC Veterans Memorial
Pack Square Park
Central plaza with a wide, grass lawn
The City of Asheville, North Carolina
Landmark with notable architecture
Asheville Water Resources Depart...
Reuter Terrace
Court Plaza
Packs Tavern
Century Room On The Park
Station 1
Marjorie St
Alcohol Area

RESOLUTION NO. 23- _____

RESOLUTION GRANTING PERMISSION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT ASHEVILLE VEGANFEST ON THE DATE OF SUNDAY, OCTOBER 8, 2023, FROM 11:00 AM – 6:00 PM.

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Sections 11-11 of the Code of Ordinances of the Asheville City Code, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a community festival and Section 11-20 of the Asheville City Code permits the sale of malt beverages and unfortified wine on Sunday mornings beginning at 10:00 AM; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at Asheville Veganfest.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted within the Asheville Veganfest event area, as set forth in Exhibit A, attached.

2. The Asheville Veganfest event area is within the boundaries of the Roger McGuire Green, Reuter Terrace, Raised Lawn, Median, S. Spruce Street, Court Plaza and North/South Pack Square at Pack Square Park located at 121 College Street.

3. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted for the Asheville Veganfest event area on Sunday, October 8, 2023, from 11:00 a.m. – 6:00 p.m.

4. The possession of and consumption from open containers of malt beverages and/or unfortified wine permitted hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic or paper cups. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine is not permitted anywhere in the Asheville Veganfest event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt

beverages and/or unfortified wine shall be permitted in the Asheville Veganfest event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

5. The location of the Asheville Veganfest, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine is permitted shall be designated by the posting of signs in the event area.

   Read, approved, and adopted this 22nd day of August 2023.

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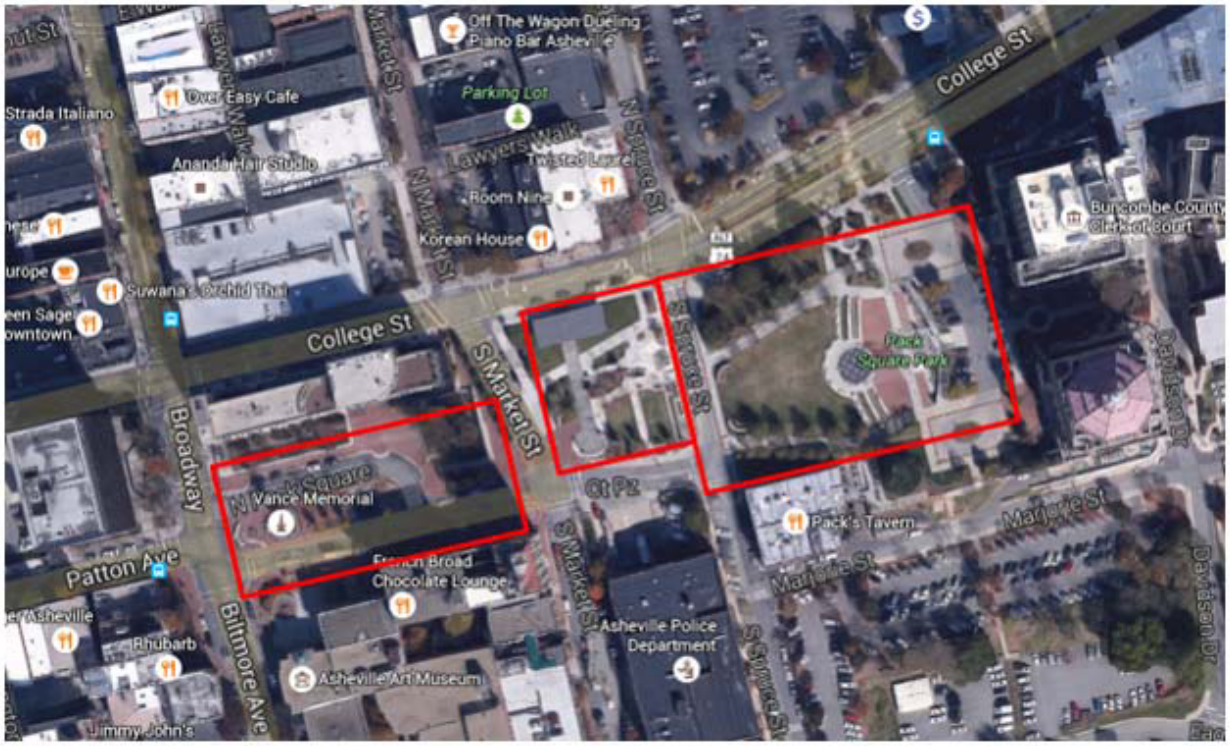
City Clerk Mayor

Approved as to form:

_____

City Attorney

EXHIBIT A



Alcohol Area

RESOLUTION NO. 23- _____

RESOLUTION GRANTING PERMISSION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE LOVELY ASHEVILLE FALL FESTIVAL ON THE DATES OF SATURDAY, OCTOBER 14, 2023, FROM 10:00 AM - 9:00 PM AND SUNDAY, OCTOBER 15, 2023, FROM 11:00 AM – 6:00 PM.

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Sections 11-11 of the Code of Ordinances of the Asheville City Code, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a community festival and Section 11-20 of the Asheville City Code permits the sale of malt beverages and unfortified wine on Sunday mornings beginning at 10:00 AM; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Lovely Asheville Fall Festival.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted within the Lovely Asheville Fall Festival event area, as set forth in Exhibit A, attached.

2. The Lovely Asheville Fall Festival event area is within the boundaries of the Roger McGuire Green, Reuter Terrace, S. Spruce Street, and Court Plaza at Pack Square Park located at 121 College Street.

3. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted for the Lovely Asheville Fall Festival event area on Saturday, October 14, 2023, from 10:00 a.m. – 9:00 p.m. and Sunday, October 15, 2023, from 12:00 p.m. - 7:00 p.m.

4. The possession of and consumption from open containers of malt beverages and/or unfortified wine permitted hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic or paper cups. Possession of

and/or consumption from glass containers of malt beverages and/or unfortified wine is not permitted anywhere in the Lovely Asheville Fall Festival event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be permitted in the Lovely Asheville Fall Festival event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

5. The location of the Lovely Asheville Fall Festival, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine is permitted shall be designated by the posting of signs in the event area.

   Read, approved, and adopted this 22nd day of August 2023.

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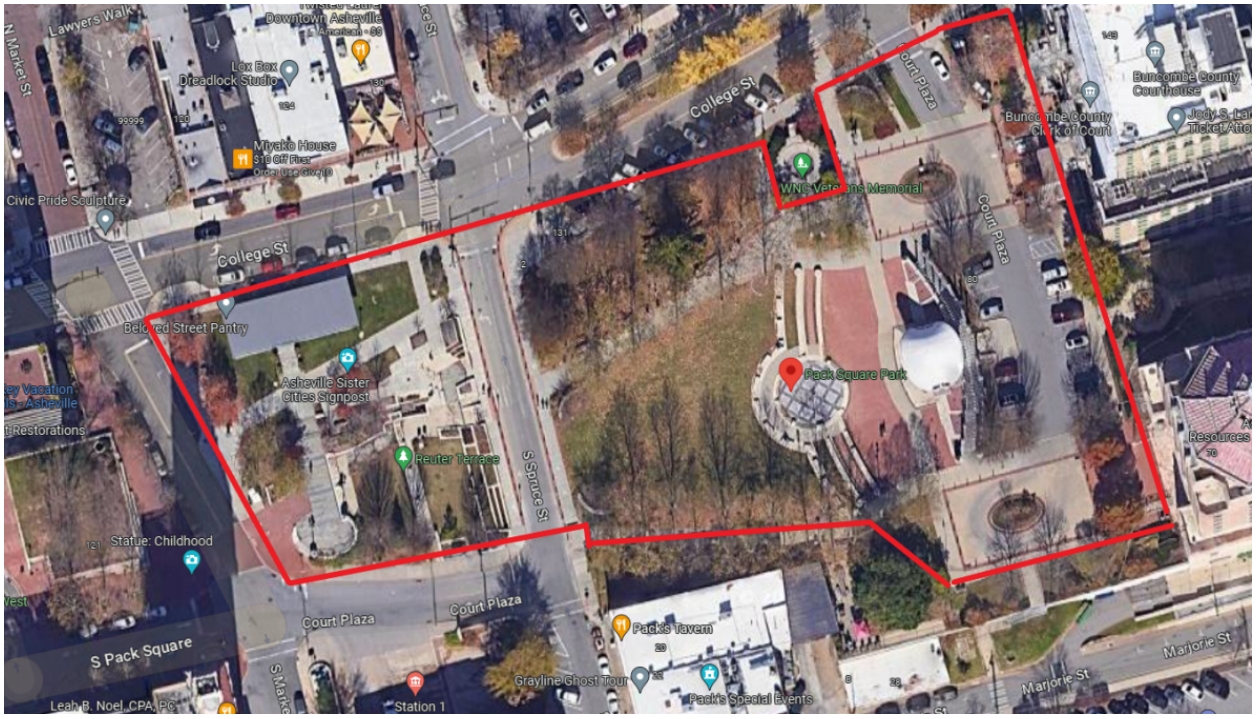
City Clerk Mayor

Approved as to form:

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City Attorney

EXHIBIT A



Alcohol Area

RESOLUTION NO. 23- _____

RESOLUTION GRANTING PERMISSION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE SURREAL SIRKUS ARTS FESTIVAL ON THE DATE OF SATURDAY, OCTOBER 28 , 2023, FROM 12:00 PM - 10:00 PM

WHEREAS, 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; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Sections 11-11 of the Code of Ordinances of the Asheville City Code, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a community festival and;

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Surreal Sirkus Arts Festival.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted within the Surreal Sirkus Arts Festival event area, as set forth in Exhibit A, attached.

2. The Surreal Sirkus Arts Festival event area is within the boundaries of the Roger McGuire Green at Pack Square Park located at 121 College Street.

3. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be permitted for the Surreal Sirkus Arts Festival event area on Saturday, October 28, 2023, from 12:00 p.m. – 10:00 p.m.

4. The possession of and consumption from open containers of malt beverages and/or unfortified wine permitted hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic or paper cups. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine is not permitted anywhere in the Surreal Sirkus Arts Festival event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption

of malt beverages and/or unfortified wine shall be permitted in the Surreal Sirkus Arts Festival event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

5. The location of the Surreal Sirkus Arts Festival, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine is permitted shall be designated by the posting of signs in the event area.

   Read, approved, and adopted this 22nd day of August 2023.

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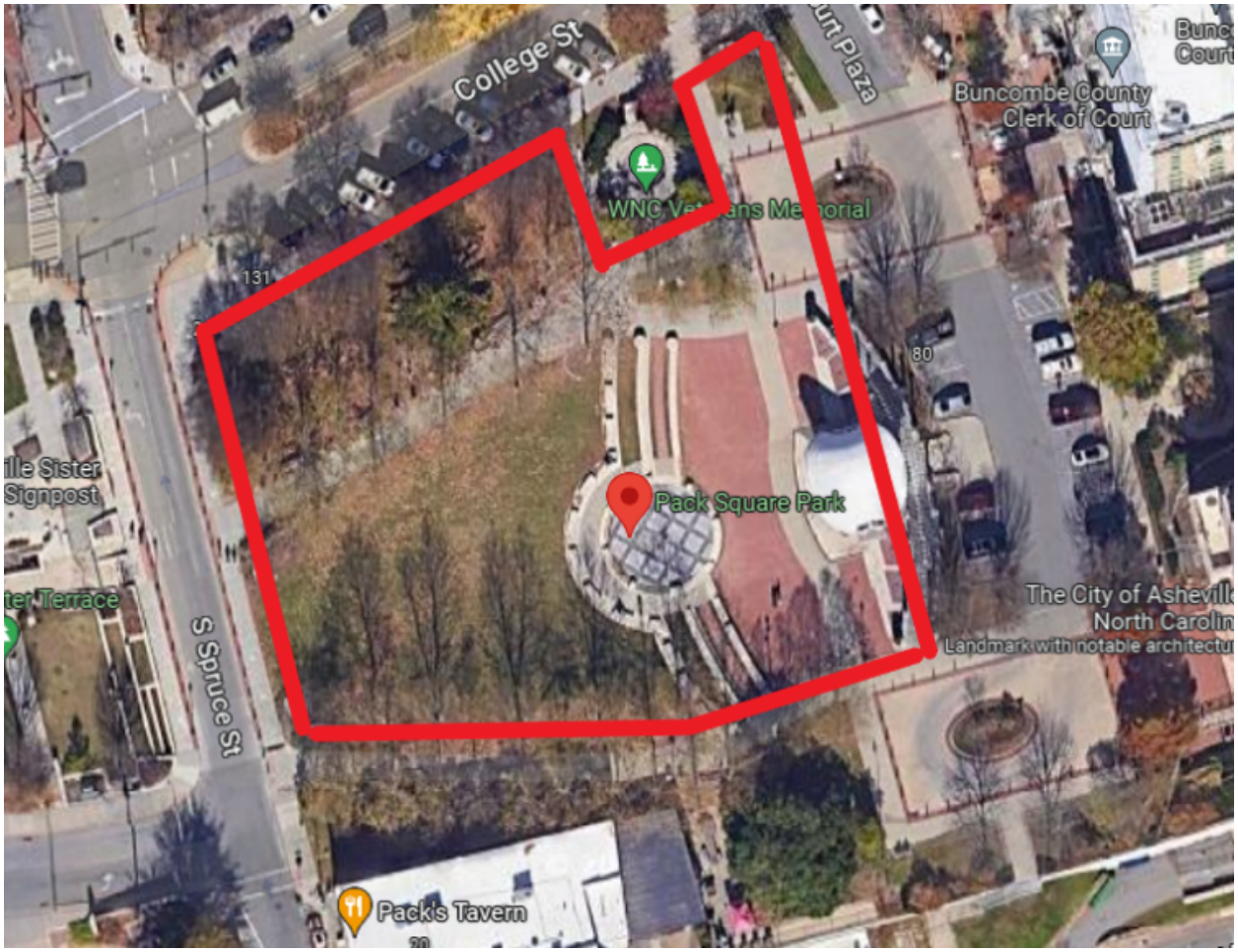
City Clerk Mayor

Approved as to form:

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City Attorney

EXHIBIT A


College St
Buncombe County
Clerk of Court
Pack Square Park
S Spruce St
Packs Tavern
Alcohol Area