

CITY OF KANNAPOLIS

WEST AVENUE SOCIAL DISTRICT

MAINTENANCE AND OPERATIONS PLAN



WEST AVENUE SOCIAL DISTRICT MAINTENANCE AND OPERATIONS PLAN

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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 City of Kannapolis (the “City”) has established such a Social District, designated “West Avenue Social District”.

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

Management

The West Avenue Social District will be jointly managed by the City of Kannapolis Parks and Recreation Department, the Police Department and the Transportation and Environmental Services Department.

Potential Participating License Holders

ABC permit holders adjoining the District shall apply for a license agreement with the City providing a consent to abide by the rules, regulations and requirements promulgated by the City, the ABC Commission and ABC statutory requirements.

District Boundaries

The West Avenue Social District is shown on page 7 hereinafter. Refer to page 7 for a map of the Social District boundary.

Operations

The West Avenue Social District will operate 7 days week 10:00 a.m. to 12:00 midnight Monday to Saturday; 12:00 noon to 12:00 midnight Sunday.

District Designation and Logo

The West Avenue Social District will utilize a modification of the City of Kannapolis logo – an example is depicted below. Boundaries of the Social District will be clearly marked with signs affixed to all entrance/exit points.



Beverage Containers and Rules of Use

The following regulations apply to containers within the Social District:

- (i) The container prominently displays the Social District permittee's trade name or logo and a mark that is unique to the Social District permittee under the District permittee's on-premises license.
- (ii) The container prominently displays a logo or some other mark that is unique to the West Avenue Social District as authorized by the City.
- (iii) The container displays, in no less than 12 point font, the statement, "Drink Responsibly – Be 21."
- (iv) The container is not comprised of glass material.
- (v) The container has a liquid capacity that does not exceed 16 ounces.
- (vi) Containers will be provided by the permittee after approval of the City.
- (vii) Social District containers may not be carried into another establishment.
- (viii) The permittee shall not allow a person to enter or reenter its licensed premises with an alcoholic beverage not sold by the permittee.
- (ix) A person shall dispose of any alcoholic beverage in the person's possession prior to exiting the social district unless the person is reentering the licensed premises where the alcoholic beverage was purchased.

Financing

The costs of establishing and managing the West Avenue Social District will be funded by the City of Kannapolis.

Security and Enforcement

Security and enforcement in the Social District will be provided by the City of Kannapolis Police Department.

Insurance

The City of Kannapolis is insured for its management and operation of the Social District.

Sanitation and Maintenance

The City's Parks and Recreation Department and/or Transportation and Environmental Services Department will provide sanitation services within the district including trash removal and litter pick up. Trash/recycling receptacles will be located at the boundaries of the Social District to encourage patrons to properly dispose of their used cups and unconsumed alcohol, as well as throughout the Social District as presently available throughout the downtown.

Marketing and Promotion

Marketing and promotion of the Social District will be provided by the City of Kannapolis in collaboration with ABC permitted establishments adjacent to the Social District.

Resolution Creating the West Avenue Social District

Resolution #2021-49

RESOLUTION

WHEREAS, Session Law 2021-150 for ABC Social Districts was ratified on September 8, 2021; and

WHEREAS, the law allows governing bodies of local government units to establish Social Districts and commons areas where Permittees may sell alcoholic beverages in designated cups to be taken into the common area for consumption; and

WHEREAS, the Kannapolis Social District shall be created and managed by the City; and

WHEREAS, the City Council finds that the designation of Social Districts pursuant to the Act is in the best interests of the citizens and businesses of the City of Kannapolis; and

WHEREAS, the City Council designates the Social District shown in the Ordinance as West Avenue Social District.

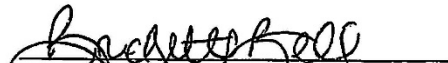
NOW, THEREFORE, BE IT RESOLVED, the City Council does hereby adopt and approve the Ordinance attached hereto creating the West Avenue Social District.

Adopted the 27th day of September, 2021.



Milton D. Hinnant
Mayor

ATTEST:


Bridgette Bell, MMC, NCCMC
City Clerk

Ordinance Creating the West Avenue Social District

Ordinance #2021-40

ORDINANCE KANNAPOLIS CITY COUNCIL

BE IT ORDAINED by the City Council of the City of Kannapolis that Chapter 12, "Parks and Recreation" is hereby amended as follows:

1. "Sec. 12-61 through 12-69 are hereby Reserved.
2. Chapter 12 is hereby amended by the addition of Article V "SOCIAL DISTRICTS" as follows:

"Sec. 12-70 Creation.

Pursuant to the provisions of North Carolina General Statutes 160A-205.4 *et seq* one or more Social Districts may be created within the City.

Sec. 71. Management.

City Social Districts shall be created, designated and managed in accordance with the requirements contained in North Carolina General Statutes Section 160A-205.4 and Chapter 18B.

Sec. 72. Social Districts.

The City hereby creates and designates the following Social District(s):

- (a) West Avenue Social District which is designated as the area within the City as follows:

(attached as Exhibit A)

- (b) The West Avenue Social District is shown on the attached rendering.

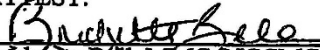
(Attached as Exhibit B)


Sec. 73. Licenses.

Any business establishment contiguous to a Social District which holds a valid ABC permit desiring to engage as a Social District participant, must apply for and obtain a Social District License from the Parks and Recreation Department of the City. The establishment shall be responsible to operate its business in accordance with all City and State ordinances, laws, rules, regulations and operations plan governing Social District activities.

Adopted this 27th day of September, 2021.

ATTEST:


Bridgette Bell, MMC, NCCMC
City Clerk


Milton D. Hinnant, Mayor

