



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Legislation Text

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File #: [23-0187], Version: 1

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### **Amend the Town Code of Ordinance Section 3-5 to Change the Town Public Locations Permitted to Allow Alcoholic Beverages at Special Events.**

#### **Staff:**

Atuya Cornwell, Interim Director  
Susan Brown, Executive Director

#### **Department:**

Parks & Recreation Department  
Community Arts & Culture

**Overview:** Town Code of Ordinances Section 3-5 allows the sale, purchase, possession and consumption of beer and wine at permitted special events on some Town property. Property ownership has changed since the ordinance was enacted and staff recommend amending the ordinance as described below.



#### **Recommendation(s):**

That the Council amend Town Code of Ordinances Sec. 3-5 to:

1. Remove from the ordinance the Wallace Parking Deck, which the Town no longer owns.
2. Add to the ordinance the 1714 Legion Road Property, where the sale, purchase, possession and consumption of beer and wine may be allowed at permitted special events.

**Fiscal Impact/Resources:** none



#### **Attachments:**

- Ordinance

**AN ORDINANCE AMENDING THE TOWN CODE OF ORDINANCES SECTION 3-5 TO PERMIT CONSUMPTION OF MALT BEVERAGES AND UNFORTIFIED WINE ON TOWN-OWNED PROPERTY (2023-03-08/O-1)**

WHEREAS, Town of Chapel Hill Code of Ordinances Chapter 3 regulates licensing and permitting of places selling alcoholic beverages and over the possession and consumption of alcoholic beverages; and

WHEREAS, Sec 3-5 allows "the sale, purchase, and possession of malt beverages and unfortified wines, the possession of open containers of malt beverages and unfortified wines and their consumption... on town parking lots 2, 3, the top level of the Wallace Parking Plaza, and public space on the 140 West Plaza when approved as part of a special event approved by the town"; and

WHEREAS, the Town has safely hosted numerous permitted special events that included the sale, purchase, and possession of beer and wine on these Town properties; and

WHEREAS, the Town no longer owns the Wallace Parking Deck Plaza; and

WHEREAS, the Town owns the Legion Road Property; and

WHEREAS, the community has expressed continued interest in allowing the sale, purchase, and possession of beer and wine at permitted special events on public spaces, including the Legion Road Property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that section 3-5 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

**"Sec. 3-5. Possession and consumption of malt beverages and unfortified wines at special events in municipal parking lots and certain Town-owned spaces ~~on the top level of the Wallace Parking Plaza.~~**

Notwithstanding the provisions of sections 3-2, 3-3, and 3-4, of this Code, the sale, purchase, and possession of malt beverages and unfortified wines, the possession of open containers of malt beverages and unfortified wines and their consumption shall be lawful on town parking lots at 100 E. Rosemary St., 415 W. Franklin St., 427 W. Franklin St., and 2, 3, the top level of the Wallace Parking Plaza, and public space on the 140 West Plaza and at 1714 Legion Road when approved as part of a special event approved by the Town-council. The council shall by resolution establish rules and regulations for those events.

This ordinance shall be effective upon enactment.

This the 8<sup>th</sup> day of March, 2023.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By enacting the ordinance, the Council amends Section 3-5 of the Town Code of Ordinances to change the Town public locations permitted to allow alcoholic beverages at special events.