

**CITY OF MONROE
DOWNTOWN ADVISORY BOARD
CITY HALL COUNCIL CHAMBERS
300 W. CROWELL STREET, MONROE, NC 28112
Tuesday, October 26, 2021 - 5:30 PM
AGENDA**

1. Call to Order
2. Roll Call
3. Approval/Acceptance of Minutes (Action Required)
4. Downtown Social District (Action Required)
5. Update on Downtown Projects
6. Adjourn Meeting (Action Required)

ATTENTION ADVISORY BOARD MEMBERS:

Please contact Matt Black at 704.292.1705 X6041 to confirm your attendance. Thank you.

The next scheduled meeting is . Regularly scheduled meetings are on the fourth Tuesday of February, April, June, August and October.

**AS A COURTESY, PLEASE TURN OFF ALL MOBILE DEVICES WHILE MEETING IS
IN PROGRESS.**

City of Monroe
Downtown Monroe Advisory Board
300 W Crowell Street, Monroe, NC 28112
City Hall Conference Room
5:30 p.m.

Tuesday, August 24, 2021
Meeting Minutes

DAB Members: Sheila Crunkleton, Chair; Joyce Rentschler, Kay Klaren, Jason Walle, Michele King

Staff Present: Matthew Black, Downtown Director

Visitors Present: Bob Yanacsek, Sissy Biggers

Member(s) Absent: James Allen Lee, Vice Chair; Carley Englander, Susan Radford, Caroline Brown

The Downtown Monroe Advisory Board met on August 24, 2021 at 5:30 pm.

Item 1: Call to order

Sheila Crunkleton called the Tuesday, August 24, 2021 Downtown Advisory Board meeting to order at 6:10pm

Item 2: Roll Call

Roll was conducted with a sign- sheet of the members that were present.

Item 3: Approval/Acceptance of Minutes (Action Required)

Sheila Crunkleton submitted the Minutes of the Downtown Monroe Advisory Board Regular Meeting on April 27, 2021 and requested a motion to approve minutes.

Motion: Jason Walle made a motion to accept the April 27, 2021 Downtown Advisory Board meeting minutes as submitted.

Second: Joyce Rentschler

Action: The motion to accept the April 27, 2021 Downtown Advisory Board meeting minutes as submitted passed unanimously.

Item 4: Update on Food Trucks in the CBD

Sheila Crunkleton introduced this item.

Matthew Black, Downtown Director, gave a brief update on City Council's decision to pass a resolution, which allowed Food Trucks in any public right-of-way or private property in the CBD. The overall, pilot program will last 90 days and feedback will be brought back to City Council for

reevaluation. The permit created for food trucks includes a \$30 fee and applicants must provide Proof of Liability Insurance, permission from owner, and a map with the location of the food trucks position.

There can be no more than four food trucks in the CBD at one time and no more than five consecutive days.

Item 5: Downtown Monroe's Statistics

Sheila Crunkleton introduced this item.

The City of Monroe statistics were submitted and approved by the NC Main Street Program allowing the Downtown to maintain an Accredited Main Street Status, through the National Main Street Program.

	Completed
# of Façade Improvements	15
# of Building Rehabilitation Projects	1
# of Public Improvement Projects	7
# of New Construction Projects	0
\$ of New Public Investment	1,125,756
\$ of New Private Investment	5,554,500
Net Gain (+/-) of Businesses	+3

Item 6: New Chair & Vice Chair Discussion (Action Required)

Sheila Crunkleton introduced this item.

City Council has amended Section 32.201 (B) of the Monroe Code of Ordinances to remove a term-limit exemption for Chairs and Vice-Chairs of City boards, committees, and commissions effective December 31, 2021.

In order to have a new Chair and Vice-Chair by the December 31, 2021 deadline, the Downtown Advisory Board is to consider making a recommendation to the Citizen's Appointment Committee for City Council consideration and approval.

Kay Klaren made the motion to recommend Joyce Rentschler as the Chair of the Downtown Advisory Board to the Citizen's Appointment Committee.

Second: Jason Walle

Joyce Rentschler made the motion to recommend Jason Walle as the Vice Chair of the Downtown Advisory Board to the Citizen's Appointment Committee.

Second: Kay Klaren

The motions to recommend Joyce Rentschler, Chair and Jason Walle, Vice Chair passed unanimously.

Item 7: Other

Sheila Crunkleton introduced this item.

Matthew Black, Downtown Director, gave an update on various projects such as the citywide wayfinding, parklet, and Love Your Downtown event.

Item 8: Adjourn (Action Required)

Sheila Crunkleton introduced this item.

Motion: Joyce Rentschler

Second: Michele King

The meeting adjourned at 6:35



STAFF REPORT

TO: Downtown Advisory Board

VIA: Matthew Black, Downtown Director

DATE: October 26, 2021

FROM: Matthew Black, Downtown Director

SUBJECT: Downtown Monroe Social District Discussion

SUMMARY STATEMENT

Staff will present information on a Downtown Monroe Social District.

REVIEW

NC Legislatures have passed HB980 which allows for the creation of "Social Districts." This House Bill allows local governments to establish "common areas" where patrons of existing ABC alcohol permittees can freely assemble to consume purchased beverages

RECOMMENDATION

Staff recommends the Downtown Advisory Board discuss and make motion to recommend approval of the Downtown Social District to the Public Safety Committee, General Services, and City Council.

Attachment(s):
Social District Presentation
NCRMA Overview

Social Districts

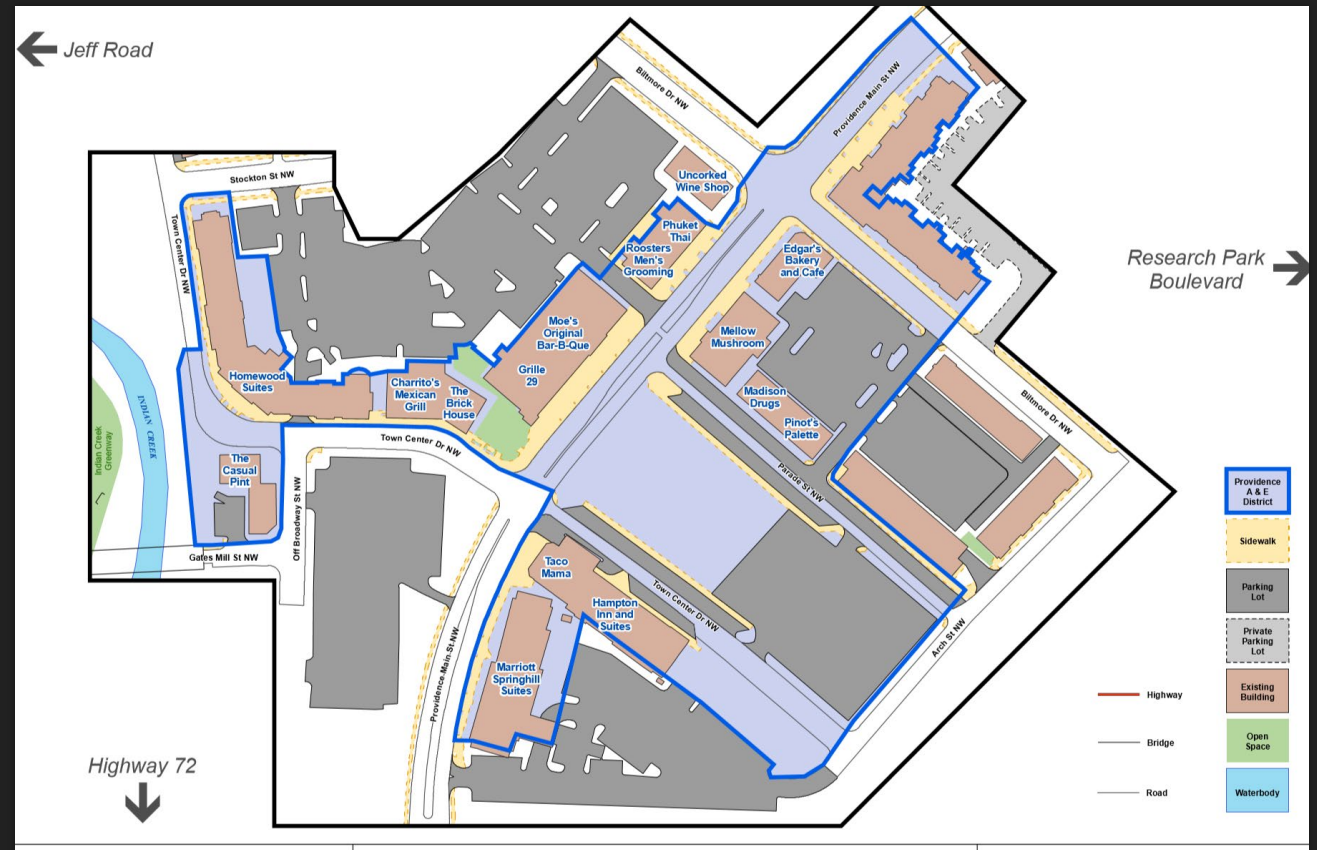
Matt Black, Downtown Director

Background

- NC Legislators passed HB980 on September 8, 2021
- Allows local governments to establish “common areas” where patrons of existing ABC alcohol permittees can freely assemble to consume purchased beverages

Requirements- City

- City may adopt an ordinance pursuant to ncgs 160 a-205.4 and 18b-904.1
 - District must be clearly defined (outdoor common places only)
 - Area must be displayed on site with signs in conspicuous locations



Requirements- City

- Post signs showing areas in district which provide:
 - Days and hour alcohol can be consumed
 - ALE division with phone number
 - Local law enforcement jurisdiction
 - Clear statement :
 - Must purchase and consume alcohol beverages in the district
 - Proposed hours



Requirements- City

- City must establish management and maintenance plans on website
- Post renderings of the district boundaries
- Days and hours during which beverages may be consumed

Requirements- Permittees

- Only sell on their licensed premises
- Use containers that:
 - Show where drink was purchased
 - Use a common logo
 - No glass
 - Max 16 fl oz.



Requirements – General

- Alcoholic beverages must be purchased from the district permittee
- Meet container requirements
- Must be consumed during the Social District days and hours
- Can serve 2 beers or wine to a patron at a time
- Must be disposed prior to exiting the district



North Carolina's New Law on Social Districts

House Bill 890 – ABC Omnibus Legislation – was passed by the NC House and Senate on Wednesday, September 8, 2021 and signed by the Governor on September 10. Included in House Bill 890 is a provision that allows the creation of social districts in North Carolina. The North Carolina Retail Merchants Association was the major interest group pushing for the passage of this important legislation to drive foot traffic to downtown businesses and level the playing field for brick-and-mortar businesses with ABC permits.

Questions? If you need further clarification or more information on this new law, do not hesitate to contact Elizabeth Robinson at elizabethr@ncrma.org or Andy Ellen at andy@ncrma.org who are happy to assist you.

What is a Social District?

A defined outdoor area in which a person may consume alcoholic beverages sold by an ABC permittee. This term does not include the ABC permittee's licensed premises, or an extended area allowed under G.S. 18B-904(h).

Who Can Designate a Social District?

House Bill 890 did not create a statewide social district but instead allows cities and counties to “opt-in” to social districts via an ordinance.

A city may adopt an ordinance designating an area within the municipal limits as a social district under G.S. 160A-205.4. A county may adopt an ordinance designating a social district for an area located outside a municipal boundary under G.S. 153A-145.9.

What are the Requirements for a City or County to Create a Social District?

- 1) Social districts must be clearly defined and post signage in conspicuous locations indicating:
 - a) The area included in the social district.
 - b) The days and hours during which alcoholic beverages can be consumed in the social district.
 - c) The telephone number for the ALE Division and Local Law Enforcement with jurisdiction over the social district.
 - d) A clear statement that an alcoholic beverage purchased for consumption in a social district shall:
 - only be consumed within the social district and
 - be disposed of before the person possessing the alcoholic beverage exits the social district unless the person is reentering the licensed ABC premises where the alcoholic beverage was purchased. (G.S. 18B-904.1(c)(1)).
- 2) Social districts are only allowed to operate during hours defined under G.S. 18B-1004: from 7:00 am until 2:00 am Monday – Saturday and noon until 2:00 am on Sunday. If the local government has allowed for earlier Sunday Sales, a social district may operate beginning at 10:00 am on Sunday. (G.S. 18B-904.1(c)(1)).
- 3) A city or county designating a social district is required to establish management and maintenance plans for the social district and post these plans, along with a drawing of the boundaries and the applicable

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days and hours of the social district, on the city's or county's website. A social district must be maintained in a manner that protects the health and safety of the general public. (G.S. 18B-904.1(c)(2)).

- 4) Before a social district can become operational, a city or county must submit to the North Carolina Alcoholic Beverage Control Commission a detailed map of the social district with the boundaries clearly marked and the days and hours during which alcoholic beverages can be consumed. (G.S. 18B-904.1(c)(3)).

Who Can Sell Alcohol in a Social District?

Under G.S. 18B-904.1(a)(1) a business holding any of the following ABC Permits may sell alcohol to be consumed in a social district:

- 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-1001(10).
- 5) A distillery permit issued pursuant to G.S. 18B-1100(5).

What Additional Rules Do ABC Permittees Have to Follow to Sell Alcohol Within a Social District? (G.S. 18B-904.1(d))

First, an ABC Permittee must be located in or contiguous to the social district in which it is selling alcohol to be consumed.

Secondly, the ABC Permittee is only allowed to sell and serve alcoholic beverages on its licensed premises. In other words, the ABC Permittee cannot sell alcoholic beverages in the street or down the street from its licensed premises just because the ABC Permittee is located in, or contiguous to a Social District.

Third, alcoholic beverages that are being sold to be consumed in a social district can only be sold in a container that meets all the following requirements.

- 1) The container clearly identifies the ABC permittee from which the alcoholic beverage was purchased.
- 2) The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
- 3) The container is not made of glass.
- 4) The container displays, in no less than 12-point font, the statement, "Drink Responsibly – Be 21."
- 5) The container cannot hold more than 16 fluid ounces.

Finally, the ABC permittee must prohibit a person from entering or reentering its licensed premises with an alcoholic beverage not sold by the ABC permittee. As an example, XYZ Restaurant sells John Smith a cup of wine. John Smith cannot reenter XYZ Restaurant with a cup of beer John Smith bought at Acme Brewing located within the same social district. John Smith also cannot enter XYZ Restaurant for the first time with the cup of beer John Smith bought at Acme Brewing.

If I am a business in the social district but I do not want customers coming into my store with alcoholic beverages, do I have to participate?

Any business without an ABC permit located in or contiguous to the designated social district has the option to participate, or not, in allowing customers with beverages to enter their premises. For example, Printer's Books may remain open during designated social district hours but decide to post a sign that alcohol beverages (or any beverages) are not allowed in their store even if they are located inside of the social district.

Likewise, a business with an ABC permit located in or contiguous to the social district may also decide to participate or not participate in allowing customers to leave their premises with an open container. However, a business with an ABC permit is prohibited from allowing a customer to enter their premises with an alcoholic beverage purchased from another ABC permittee located in the social district.

What Requirements do Customers Have to Follow Within a Social District? (G.S. 18B-904.1(e))

First, a person can only possess and consume alcoholic beverages purchased from an ABC permittee located in or contiguous to the social district. A person cannot bring their own personal beer or wine into the social district for consumption.

Second, any alcoholic beverages consumed in the social district must be consumed from the required container described above. In other words, a person cannot pour their wine or beer into a solo cup or any type of container other than the one meeting all the requirements for social districts.

Third, alcoholic beverages shall only be possessed and consumed in the social district during the days and hours set by the city or county. If a city designates an area as a social district from 9:00 pm until Midnight on Friday and Saturdays, a person cannot consume alcohol in the social district at 9:00 pm on Wednesday.

The sale and delivery of alcohol in a social district is subject to the same limitations for sales and deliveries of alcohol in North Carolina:

- No more than two malt beverage or wine drinks at one time to a single patron
- No more than one mixed beverage or spiritous liquor drink at one time to a single patron

Finally, a person is required to dispose of any alcoholic beverage in the person's possession prior to exiting the social district unless the person is reentering the licensed ABC premises where the alcoholic beverage was purchased. In other words, if a person is leaving the social district area, they must pour out or throw away their alcohol. They also cannot take it with them into any other business that sells alcohol. They may **only** take their alcoholic drink into the establishment where they bought it or a participating business that does not sell alcohol.



STAFF REPORT

TO: Downtown Advisory Board

VIA: Matthew Black, Downtown Director

DATE: October 26, 2021

FROM: Matthew Black, Downtown Director

SUBJECT: Update on Downtown Projects

SUMMARY STATEMENT

There are a number of projects in the works for the downtown area.

REVIEW

Matthew Black, Downtown Director, is presenting updates on various projects and the timeline for completion.

RECOMMENDATION

No action is needed at this time.

Attachment(s):