

AN ORDINANCE AMENDING  
CHAPTER 10, ARTICLE A, SECTION 6.1.(a) SPECIAL EVENT PERMITS  
OF THE CODE OF ORDINANCES OF THE TOWN OF DENTON

6. DRINKING IN PUBLIC

No person shall consume, serve, or drink wine, beer, whiskey, or alcoholic beverages of any kind on the public streets, boulevards, alleys, or in public buildings unless a Special Event Permit has been granted by the Town.

1. Special Event Permit

By petition to the Board of Commissioner for the Town of Denton, a Non-Profit Agency or Political Organization may obtain a Special Event Permit for the purpose of having alcoholic beverages served on Town Property. The permit shall meet the following requirements:

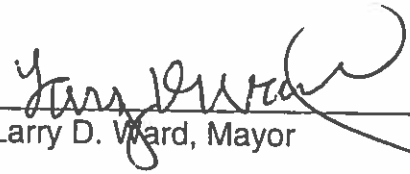
- a. It shall be unlawful for any person to possess an open container of malt beverage or unfortified wine, or to possess or consume fortified wine, spirituous liquor or mixed beverages on property described in subsection (6) of this section unless obtained pursuant to a special event permit issued by the Town Manager or their designee. The terms "ABC laws," "alcoholic beverage," "malt beverage," "unfortified wine," "spirituous liquor" and "mixed beverages" shall have the same definition as given those terms in G.S. 18B-101. Possession of an open container of an alcoholic beverage shall be prima facie evidence of consumption.
- b. The manager is authorized to issue a special event permit if the Town Board of Commissioners has adopted a resolution approving the event.
- c. The manager's approval will only be given to sponsors for events which are closed to persons not attending or participating in the event while the fortified wine, spirituous liquor or mixed beverages are being possessed or consumed, and to sponsors presenting evidence that the event will comply with:
  - i. The ABC laws of the State- Special Occasion Non-Profit Permit, as outlined on the ABC Commission website [www.abc.gov/permit/qualificationsSOTOP](http://www.abc.gov/permit/qualificationsSOTOP), and below:
    1. A permit may be issued to a nonprofit organization to allow the retail sale of malt beverages, unfortified wine, fortified wine, or to allow brown bagging, at a single fund-raising event of that organization. A permit for this purpose shall not be issued for the sale of any kind of alcoholic beverage in a jurisdiction where the sale of that alcoholic beverage is unlawful. Complete

a Special One-Time Permit Application for Sale of Alcoholic Beverages and submit with the required documentation and the above fee amount.

2. A permit may be issued to a nonprofit organization or a political organization to serve wine, malt beverages, and spirituous liquor at a ticketed event held to allow the organization to raise funds. For purposes of this subdivision "nonprofit organization" means an organization that is exempt from taxation under Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(8), 501(c)(10), 501(c)(19), or (501(d) of the Internal Revenue Code or is exempt from similar provisions of the General Statutes as a bona fide nonprofit charitable, civic religious, fraternal, patriotic, or veterans' organization or as a nonprofit volunteer fire department, or as a nonprofit volunteer rescue squad or a bona fide homeowners' or property owners' association. For purposes of this subdivision "political organization" means an organization covered by the provisions of GS 163-96(a)(1) or (2) or a campaign organization established by or for a person who is a candidate who has filed a notice of candidacy, paid the filing fees or filed the required petition, and been certified as a candidate. The issuance of this permit will also allow the issuance of a purchase-transportation permit under GS 18B-403 and 18B-404 and the use for culinary purposes of spirituous liquor lawfully purchased for use in mixed beverages. Complete a Special One-Time Permit Application for Sale of Alcoholic Beverages and submit with the above fee amount.
    - ii. And, will comply with the conditions of the special event permit to be issued by the manager.
- d. The manager shall be authorized to establish and promulgate regulations for the issuance of special event permits under this section. These regulations shall include but are not limited to the following requirements:
- i. The sponsor may be required in the discretion of the Town to make arrangements for and to bear the costs of additional law enforcement presence at the event.
  - ii. The sponsor shall be required to obey all federal, state and local laws and regulations, including but not limited to noise, safety, public health and laws relating to the consumption of alcohol.
  - iii. The sponsor shall be required to sign an agreement which fully indemnifies the Town, its officers, agents and employees, from any liability arising from consumption of beverages pursuant to the permit.

- iv. The sponsor shall not allow consumption of alcoholic beverages to take place beyond environs designated by the permit.
- v. The sponsor shall post a sufficient number of signs as determined by the Town which clearly state the prohibition on underage drinking.
- vi. The sponsor shall be responsible for checking the ID for all attendees, and verifying they are of legal drinking age (21 years old).
- vii. No permit shall be issued to an individual or to a group who did not comply with the provisions of a previously issued permit. Further, no permit shall be issued for events at which a majority of those attending will be 20 years old or younger.
- viii. This section shall apply to all facilities owned or operated by the Town, including but not limited to the Harrison Park, the Outdoor Market at Harrison Park, and the Civic Center.

Adopted this the 1<sup>st</sup> day of May, 2023.

  
Larry D. Ward, Mayor

  
Paula Hedrick, Town Clerk