

**AN ORDINANCE AMENDING TITLE IX OF THE TOWN OF HUNTERSVILLE
CODE OF ORDINANCES ENTITLED "TITLE IX: GENERAL REGULATIONS"**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that the Code of Ordinances is hereby amended by adding the following Chapter to Title IX: General Regulations.

§ POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES.

It shall be unlawful to possess or consume any alcoholic beverages, malt beverages or unfortified wine while in a park or recreation center unless a special consumption permit has been issued by the Parks and Recreation Director. The words "alcoholic beverage", "malt beverage", "unfortified wine" and "open container" shall have the same definition as given said terms in G.S. Chapter 18B. Possession of an open container of an alcoholic beverage shall be prima facie evidence of consumption.

(A) A special consumption permit for malt beverages and unfortified wine may be issued, subject to town rules and regulations, as follows.

(1) By the Parks and Recreation Director to the sponsor of town approved events to be held at a town park, facility or recreation center.

(2) By the Parks and Recreation Director to the sponsor of any athletic contest or similar sporting event held in a park or recreation center, if such sponsor is a manufacturer or distributor of malt beverages or unfortified wine and if such permit is to allow only the participants in the athletic contest or similar sporting event to consume during or after the contest or other sporting event the malt beverages or unfortified wine manufactured or distributed by the sponsor having the permit.

(3) By the Parks and Recreation Director to any promoter, sponsor or beneficiary of any special event having a town special event permit that utilizes town parks, facilities or recreation centers.

(B) The Parks and Recreation Director shall be authorized to establish and promulgate regulations for the issuance of special consumption permits authorized by this subchapter. These rules and regulations shall include, but not be limited to, the following requirements.

(1) The permittee shall be required in the discretion of the Parks and Recreation Director to either procure or reimburse the town for procuring such insurance coverage with such limits and with such other terms as may be required by the town.

(2) The permittee may be required in the discretion of the Parks and Recreation Director to make arrangements for and to bear the costs of additional law enforcement presence at the event where consumption occurs.

(3) The permittee shall be required to obey all federal, state, county and town laws and regulations, including but not limited to noise, safety, public health, and laws relating to the consumption of alcohol, including but not limited to I.D. carding.

(4) The permittee shall be required to sign an agreement which fully indemnifies the town, its officers, agents and employees from any liability arising from consumption of alcohol pursuant to the permit.

(5) The permittee shall be required to serve non-alcoholic beverages as an alternative beverage for all attending.

(6) The permittee shall not allow self-service of alcohol, nor shall the permittee allow participants to bring their own alcohol to the event. The permittee may be required in the discretion of the Director to obtain the services of a professional bartender for dispensing alcohol.

(7) The permittee shall not allow consumption of alcohol to take place beyond the boundary area designated by the permit.

(8) The permittee shall post a sufficient number of signs as determined by the Parks and Recreation Director which clearly state the prohibition on underage drinking of alcohol.

(C) No consumption permit shall be issued to an individual or organization which violated the provisions of a previously issued consumption permit. Further, no consumption permit shall be issued for events at which a majority of those attending will be twenty years old or younger.

This ordinance shall become effective the _____ day of _____, 2016.

Approved as to form:

Town Attorney