

§ 18B-904.1. Authorization and regulation of social districts.

- (a) Definitions. – The following definitions apply in this section:
- (1) Permittee. – An establishment holding any of the following permits issued by the Commission:
 - a. An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1).
 - b. An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3).
 - c. An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5).
 - d. A mixed beverages permit issued pursuant to G.S. 18B-1001(10).
 - e. A distillery permit issued pursuant to G.S. 18B-1100(5).
 - (2) Social district. – A defined outdoor area in which a person may consume alcoholic beverages sold by a permittee. This term does not include the permittee's licensed premises or an extended area allowed under G.S. 18B-904(h).
- (b) Authorization. – Pursuant to G.S. 153A-145.9, a county may adopt an ordinance designating a social district in the parts of the county outside any city. Pursuant to G.S. 160A-205.4, a city may adopt an ordinance designating a social district.
- (c) Requirements for Designation. – A social district designated under this section shall meet all of the following requirements:
- (1) The social district shall be clearly defined with signs posted in a conspicuous location indicating which area is included in the social district, the days and hours during which alcoholic beverages may be consumed in the social district, the telephone number for the ALE Division and the local law enforcement agency with jurisdiction over the area comprising the social district, and a clear statement that an alcoholic beverage purchased for consumption in a social district shall (i) only be consumed in the social district and (ii) be disposed of before the person in possession of the alcoholic beverage exits the social district unless the person is reentering the licensed premises where the alcoholic beverage was purchased. The hours set by a city or county during which alcoholic beverages may be consumed in a social district shall be in accordance with G.S. 18B-1004.
 - (2) The city or county shall establish management and maintenance plans for the social district and post these plans, along with a rendering of the boundaries of the social district and days and hours during which alcoholic beverages may be consumed in the social district, on the website for the city or county. The social district shall be maintained in a manner that protects the health and safety of the general public.
 - (3) Before allowing consumption of alcoholic beverages in a social district, the city or county shall submit to the Commission a detailed map of the social district with the boundaries of the social district clearly marked and the days and hours during which alcoholic beverages may be consumed in the social district.
- (d) Requirements for Sale of Alcoholic Beverages. – A permittee located in or contiguous to a social district may sell alcoholic beverages for consumption within the social district it is located in or contiguous to in accordance with the following requirements:
- (1) The permittee shall only sell and serve alcoholic beverages on its licensed premises.

- (2) The permittee shall only sell alcoholic beverages for consumption in the social district in a container that meets all of the following requirements:
 - a. The container clearly identifies the permittee from which the alcoholic beverage was purchased.
 - b. The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
 - c. The container is not comprised of glass.
 - d. The container displays, in no less than 12-point font, the statement, "Drink Responsibly – Be 21."
 - e. The container shall not hold more than 16 fluid ounces.
- (3) The permittee shall not allow a person to enter or reenter its licensed premises with an alcoholic beverage not sold by the permittee.

(e) Requirements for Possession and Consumption of Alcoholic Beverages. – The possession and consumption of an alcoholic beverage in a social district is subject to all of the following requirements:

- (1) Only alcoholic beverages purchased from a permittee located in or contiguous to the social district may be possessed and consumed.
- (2) Alcoholic beverages shall only be in containers meeting the requirements set forth in subsection (d) of this section.
- (3) Alcoholic beverages shall only be possessed and consumed during the days and hours set by the city or county in accordance with subsection (b) of this section.
- (4) Nothing in this subdivision shall be construed as authorizing the sale and delivery of alcoholic beverage drinks in excess of the limitation set forth in G.S. 18B-1010.
- (5) 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.

(f) Additional Requirements. – The Commission may adopt rules to impose requirements in addition to the requirements set forth in subsections (c) through (e) of this section. (2021-150, s. 20.3.)