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WASHINGTON DOWNTOWN  
SOCIAL DISTRICT  
MAINTENANCE AND  
OPERATIONS PLAN

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WASHINGTON  
DOWNTOWN  
SOCIAL  
DISTRICT

## Introduction

On September 8, 2021, Session Law 2021-150 was ratified, allowing local governments to establish “Social Districts” within their jurisdictions. These Social Districts allow for common areas where licensed establishments (e.g., bars, breweries, restaurants) may sell alcoholic beverages in designated containers to be taken into the common area for consumption. The City of Washington (the “City”) has established such a Social District, designated “Washington Downtown Social District”.

In the plan that follows, the management and maintenance of the Washington Downtown Social District is outlined. The plan may be submitted to the North Carolina ABC Commission and placed on the City of Washington website.

## Management

The Washington Downtown Social District will be jointly managed by the City of Washington Parks and Recreation Department and the Police Department.

## Potential Participating License Holders

ABC permit holders adjoining the Social District shall apply for a license agreement with the City providing a consent to abide by the rules, regulations and requirements promulgated by the City, the ABC Commission and ABC statutory requirements.

## Businesses Who Wish to Opt-Out

Signage will indicate that retail customers cannot enter with alcohol (or food & drink if that is the policy). Signage can indicate that a bar or restaurant customer may not remove alcohol from the facility.

## District Boundaries

The Washington Downtown Social District shall be commercial properties on Main, Market, Gladden, Respass, & Water Streets and the sidewalks bordering them. Parking lots will not be included. Refer to for a maps of the Social District boundaries.

## Operations

The Washington Downtown Social District will operate 3 days week. The operation shall be Thursday and Friday from 5:00 p.m. to 10:00.p.m. and Saturdays from 12:00 p.m. to 10:00 p.m.

# District Designation and Logo

The Washington Downtown Social District will utilize a modification of the Harbor District and City of Washington logo – an example is depicted below. Boundaries of the Social District will be clearly marked with signs affixed to all entrance/exit points.



## Beverage Containers and Rules of Use

The following regulations apply to containers within the Social District:

- (i) The container prominently displays the Social District permittee’s trade name or logo and a mark that is unique to the Social District permittee under the District permittee’s on-premises license.
- (ii) The container prominently displays a logo or some other mark that is unique to the Washington Downtown Social District as authorized by the City.
- (iii) The container displays, in no less than 12-point font, the statement, “Drink Responsibly – Be 21.”
- (iv) The container is not comprised of glass material.
- (v) The container has a liquid capacity that does not exceed 16 ounces.
- (vi) Containers will be purchased by Washington Harbor District Alliance and reimbursed by the permittee after approval of the City.
- (vii) Social District containers may not be carried into another establishment.
- (viii) The permittee shall not allow a person to enter or reenter its licensed premises with an alcoholic beverage not sold by the permittee.
- (ix) 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.

## Customer Requirements

- (i) A person can only possess and consume alcoholic beverages purchased from an ABC permittee located in or contiguous to the social district on a designated social district container.
- (ii) Any alcoholic beverages consumed in the social district must be consumed from the required social district container.
- (iii) Alcoholic beverages shall only be possessed and consumer IN the social district during the days and hours set by the City.
- (iv) 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:

- a. No more than two malt beverage or wine drinks at one time to a single patron
- b. No more than one mixed beverage or spiritous liquor drink at one time to a single patron
- (v) 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.
- (vi) A person cannot take an alcoholic beverage into any other business that sells alcohol or has opted out of the social district. They may ONLY take their alcoholic drink into the establishment where they bought it or a participating business that does not sell alcohol.

## Financing

The permittees, Washington Harbor District Alliance, and the City of Washington will fund the Washington Downtown Social District.

## Signage

Public Works will implement required signage indicating the district. Businesses who choose to opt-out must receive signage from Washington Harbor District Alliance.

## Security and Enforcement

The City of Washington Police Department will provide the Social District security and enforcement.

## Insurance

The City of Washington and permittees are insured for its management and operation of the Social District.

## Sanitation and Maintenance

The City's Parks and Recreation Department and/or Public Works Department will provide sanitation services within the district including trash removal and litter pick up. Trash/recycling receptacles will be located at the boundaries of the Social District to encourage patrons to properly dispose of their used cups and unconsumed alcohol, as well as throughout the Social District as presently available throughout the downtown.

## Marketing and Promotion

The Social District marketing and promotion will be provided by the collaboration with ABC permitted establishments adjacent to the Social District, the Washington Tourism Development Authority, the Washington Harbor District Alliance, and the Washington-Beaufort County Chamber of Commerce.

# Boundaries



# AN ORDINANCE TO AMEND CHAPTER 20, OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE WASHINGTON CITY CODE

WHEREAS, the North Carolina General Assembly enacted legislation in 2021, as amended in 2022, authorizing municipalities to designate social districts within their jurisdiction that allow open containers of alcoholic beverages purchased from permittees located within the social district to be consumed within the social district, including outside the permittee's licensed premises; and

WHEREAS, the City, and the Washington Harbor District Alliance have worked together to propose a social district in downtown Washington centered on Main Street.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, NORTH CAROLINA, AS FOLLOWS.

Section I . That Chapter 20, Offenses and Miscellaneous Provisions, be amended by adding the following Article VI, Social Districts.

## ARTICLE VI. SOCIAL DISTRICTS

### Sec. 20-145. Definitions

For the purposes of this Article, the following words, terms, and phrases shall be construed as defined below unless it is clearly apparent from the context that a different meaning is intended.

Customer means a person who purchases an alcoholic beverage from a permittee that is in a social district.

Non-permittee Business means a business that is located in a social district and does not hold any ABC permit.

Permittee means a permittee as defined under G.S. 18B-300.1(b)(3), as may be amended or replaced.

Social District means a defined area in which a person may consume alcoholic beverages sold by a permittee located within the social district.

### Sec. 20-146. Washington Downtown Social District.

(a) The Washington Downtown Social District shall be established within the following boundaries.

(1) 214 feet east from the intersection of Gladden Street and Main Street.

(2) 210 feet north on the east side right of way on Gladden Street from the intersection of Gladden Street and Main Street to Midtown Alley.

(3) 262 feet north from the intersection of Market Street and Main Street on the west side of the right of way, and from the intersection of Market Street and Main Street on the east side of the right of way to Second Street.

- (4) 279 feet east from the intersection of Main Street and Market Street on the south side of the right of way, and 140 feet east from the intersection of Main Street and Market Street on the north side of the right of way.
- (5) 268 feet east from the intersection of Market Street and Water Street on the north and south sides of the right of way.
- (6) 250 feet on the east and west sides of the right of way from the intersection of Main Street and Market Street to Stewart Parkway.
- (7) 316 feet south from the intersection of Main Street and Respass Street to the intersection of Stewart Parkway.
- (8) 208 feet north from the intersection of Main Street and Respass Street to Midtown Alley.
- (9) The north and south side of the right of way of Main Street from the intersection of Gladden Street and Main Street east to the intersection of Market Street and Main Street, including the measurements listed above.

(b) The days and hours of operation for this social district shall be Thursday and Friday from 5:00p.m. to 10:00p.m. and Saturdays from 12:00p.m. to 10:00p.m.

(c) Open containers of alcoholic beverages that meet the requirements of G.S. 18B-300.1(e), as may be amended or replaced, and that are purchased from a permittee located within the social district or a licensed permittee located contiguous to the social district may be possessed and consumed within the social district, including upon the premises of any participating permittee or non-permittee business, only during the days and hours specifically permitted herein and so long as such possession and consumption is otherwise consistent with this Article, the management and maintenance plans established and/or approved by the City for the social district, and any other applicable law or regulation.

(d) Nothing contained in this Article shall prohibit the lawful consumption of an alcoholic beverage in the establishment in which it was purchased.

(e) A violation of this Article is a misdemeanor and may also be enforced through the issuance of a civil penalty.

#### sec. 20-147. Licenses

Any business establishment contiguous to a social district which holds a valid ABC permit listed under G.S. 18B-300.I, as the same may be amended or replaced, desiring to engage as a social district participant, must apply for and obtain a social district license from the Parks and Recreation Department of the City.

#### sec. 20-148.

To the extent required by applicable state law, the provisions of this Article pertaining to any portion of a social district described within this Article that overlaps a premises subject to a permit for on-premises consumption of alcohol issued by the North Carolina Alcoholic Beverage Control Commission for a special event shall be suspended during the special event to the extent said provisions are in conflict with the provisions pertaining to the permit for the special event.

#### sec. 20-149.

The City or the City's designee, shall establish and/or approve management and maintenance plans consistent with this Article and G.S. 18B-300.1, as may be amended or replaced, for any social district established pursuant to this Article.

Section 2. That Section 20-1, Public possession or consumption of alcoholic beverages, of Chapter 20, Offenses and Miscellaneous Provisions, be amended by adding the following subsections (d) and (e).

(d) Notwithstanding the above, the provisions of this Section shall not be applicable to any area, including streets or sidewalks, located within a social district during the hours of operation of the social district provided that all rules, regulations and laws governing the consumption of alcoholic beverages within the social district are adhered to, including but not limited to those set forth in Article VI. of this Chapter and G.S. 18B-300.1, as may be amended or replaced. The provisions of this Section shall remain applicable for any property owned, occupied, or controlled by the City that is located within a social district unless that property has been designated by the City as eligible for the consumption of alcoholic beverages under the rules of the social district and any applicable state law.

(e) A violation of this Section is a misdemeanor and may also be enforced through the issuance of a civil penalty.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sections 4. This ordinance shall become effective upon adoption.

This the 12<sup>th</sup> day of December, 2022.



*Richard Brooks*

Richard Brooks, Mayor Pro tem

ATTEST:

*Cynthia Bennett*

Cynthia Bennett,  
City Clerk