

ORDINANCE NO. 646

AMENDING CHAPTER 15

AN ORDINANCE AMENDING ARTICLE XV OF CHAPTER 15 OF THE CHARLOTTE CITY CODE ENTITLED "SOCIAL DISTRICTS"

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina that:

Section 1. Article XV of Chapter 15 of the Charlotte City Code is amended as follows:

Sec. 15-322. – Established Social Districts.

- a. Plaza Midwood Social District. The Plaza Midwood Social District shall be established and is designated as shown on a map dated October 5th, 2023 that is available in the Office of the City Clerk. Signage and/or markings shall be posted clearly delineating the boundaries of the social district. Days and hours of operation shall be between the hours of 10:00 a.m. and 10:00 p.m., Monday through Sunday.
- b. Reserved.

Section 2. This ordinance will become effective October 23rd, 2023.

Approved as to form

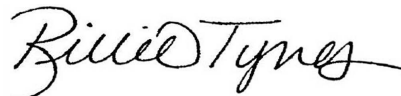


City Attorney

CERTIFICATION

I, Billie Tynes, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October 2023, the reference having been made in Minute Book 158, and recorded in full in Ordinance Book 66, Page(s) 399-410.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 23rd day of October 2023.



Billie Tynes, Deputy City Clerk

PLAZA MIDWOOD SOCIAL DISTRICT

MANAGEMENT AND MAINTENANCE PLAN



Table of Contents:

1. Introduction
2. Management Parties, Contacts and Amendment
3. District boundaries Map
4. Permitted ABC establishments
5. Non-ABC businesses that have opted-in
6. Businesses that have opted-out
7. Operational details (effective days, times, etc.)
8. District logo and beverage container requirements (images:
9. Sanitation Plan
10. Financing plan

Appendix A: North Carolina General Statutes Authorizing Social Districts

Appendix B: Charlotte City Code for Social Districts PART II - CODE OF ORDINANCES

Chapter 15 - OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE XV. SOCIAL DISTRICTS

Appendix C: Map of Plaza Midwood Social District

Appendix D: Design Images and Design Standards

INTRODUCTION

North Carolina General Statute 160A-205.4 allows local governments to establish “Social Districts” within their jurisdictions. Social Districts are designated areas within a local government’s jurisdiction where businesses holding a valid permit issued by the North Carolina Alcoholic Beverage Control Commission (ABC) (e.g., bars, breweries, restaurants) may sell alcoholic beverages in designated containers to be consumed within the Social District. See Exhibit A.

The City of Charlotte authorized the creation of Social Districts, which may be created, designated, and managed within the City of Charlotte with the adoption of Article XV in Chapter 15 of the City of Charlotte Code of Ordinances pursuant to Article XV in Chapter 15 of the City of Charlotte Code of Ordinances.

1. MANAGEMENT

The designation of the Plaza Midwood Social District has been designated in accordance with the requirements contained in N.C. Gen. Stat. 18B and Chapter 15 of the Charlotte Code of Ordinances and shall be managed in accordance with the requirements contained therein.

Upon creation of the Plaza Midwood Social District the Plaza Midwood Merchants Association shall establish an oversight committee of residents and business owners (the “Committee”). The Committee shall include at least three persons nominated by The Plaza Midwood Merchants Association and two persons nominated by Neighborhood Associations abutting the Social District.

The Committee shall review and maintain procedures in accordance with this Management Plan, the local rules, city ordinance and the state law. The Committee shall maintain and review an email contact for the District (socialdistrict@plazamidwood.com). The Committee shall provide regular updates and reports to the Plaza Midwood Merchants Association. Upon request, the Committee shall make reports to area neighborhood associations. The Committee shall respond to and communicate with the City Manager of Charlotte or its designee. The Committee shall have no fewer than five members and not more than twelve.

On at least an annual basis, the Committee shall meet to review and consider the maintenance and management of the Social District. The District may, in its discretion, make minor changes to the Maintenance Plan on its own initiative by majority vote during a meeting in which a quorum is present. A quorum for the Committee shall be a majority of the then serving Committee Members, but shall in no event be less than two Committee Members. Minor changes shall include:

- Modify as required in order to comply with new state law or city ordinance
- Reducing the size of the District within the original footprint upon prior written notification to the City of Charlotte
- Updating the requirements for participating businesses
- Updating amending and supplementing signage
- Publishing and amending information regarding the social district
- Engaging in promotion of the Social District
- Changing the hours of operation within the guidelines of city and state parameters upon written notification to the City of Charlotte
- Removal or addition of participating businesses
- Amending annual fees

- Marketing the Social District and events that are occurring within the parameters of the Social District
- In coordination with private property owners, management of appropriate vendor locations outside of the public right of way
- Advocate for Social District walkability with prevention of sidewalk interference that impacts the access or functionality of sidewalks, streets, and bicycle facilities
- Advocate and comment on proposed events in the Social District in coordination with municipal authorities
- Advocate for mobility and access throughout the public spaces of the Social District and engage in efforts to improve infrastructure with the City of Charlotte and County of Mecklenburg and all departments thereof
- Establishing and Amending cup requirements for use in the Social District

The Committee may seek to make major changes in the operation of the Social District upon approval by the City of Charlotte and the State of North Carolina to make major changes as applicable. Major Changes shall include:

- Terminating the Social District
- Increasing the Social District area outside of the original boundaries

2. PLAZA MIDWOOD SOCIAL DISTRICT MAP

The Plaza Midwood Social District boundaries are shown on the attached map and incorporated as Appendix C. Boundaries of the Social District will be clearly marked with signs at pedestrian exit points from the District.

3. Permitted ABC Establishments

Businesses desiring to sell alcoholic beverages for consumption within the Social District must possess a valid ABC permit, meet Social District insurance requirements, meet the State City and District requirements and must maintain an up to date contact information with the Committee. Registration allows the City to ensure that those businesses selling alcoholic beverages within the Social District are aware of and in compliance with the requirements of this Plan and the Social District Ordinance. The registration process shall include the business's written acknowledgment to abide by the rules, regulations and requirements of this Plan and the Social District Ordinance. The registration process will also require that businesses sign a written acknowledgement to abide by all of the rules, regulations and requirements of their ABC permits.

Businesses without an ABC permit may participate in the Social District by allowing alcoholic beverages purchased and possessed in accordance with this Plan and the Social District Ordinance to be consumed in their businesses. Participating businesses that are not selling alcoholic beverages are not required to register with the Committee, but will be encouraged to do so on an ongoing basis. There shall be no participation fee for non-permittee businesses.

Nothing in this Plan or the Social District Ordinance shall be construed as requiring any business, regardless of whether or not it holds a valid ABC permit, to participate in the Social District.

The Committee will provide information and materials to participating and nonparticipating businesses to ensure that the businesses understand their obligations under this Plan and the Social District Ordinance and communicate their participation or nonparticipation to the public.

All businesses in the Social District that are not listed as participating are deemed to have opted-out. Non-permitted businesses may decide to participate at any time. Permittee businesses shall first register with the Committee and prove compliance with the requirements before beginning participation.

4. Operational Details

- a. Regular hours of operation: Monday - Sunday 10:00 am to 10:00 pm.
- b. Sale of alcoholic beverages. Businesses selling alcoholic beverages for consumption within the Social District shall comply with the following rules:
 - i. The business shall only sell alcoholic beverages on its licensed premises.
 - ii. The business shall only sell alcoholic beverages for consumption within the social district it is located in or contiguous to.
 - iii. The business shall only sell alcoholic beverages for consumption in a social district with a container that meets the requirements set forth below.
 - iv. The business shall only sell alcohol for consumption within the Social District during the days and hours set forth in this Plan and the Social District Ordinance.
- c. Alcoholic beverage containers. Alcoholic beverages sold for consumption in public areas within the Social District may only be sold in and consumed from containers that meet the following requirements:
 - i. The container clearly identifies the permitted business from which the alcoholic beverage was purchased.
 - ii. The container clearly displays a logo on a sticker affixed to the cup that is unique to the Plaza Midwood 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 comprised of material that is not glass.
 - v. The container has a liquid capacity that does not exceed 16 fluid ounces.
- d. Possession and consumption of alcoholic beverages. Persons consuming alcoholic beverages within the Social District shall abide by the following rules:
 - i. Only alcohol purchased from a permitted business within the Social District and that is in a Social District container may be consumed within the Social District.
 - ii. Alcoholic beverages may not be carried into any non-participating businesses within the Social District.

- iii. Alcoholic beverages must be disposed of before a 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.
- iv. 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.
- v. A person shall not consume alcohol in any public area within the Social District except during the established hours of operation.

5. Social District Design Standards, Cup and District Signage

The District logo, cup design and district signage is set forth on Attachment D

6. Sanitation and Maintenance Plan

- a. The City of Charlotte maintains and provides public trash receptacles within the Social District boundaries. This will continue with the operation of the Social District. Trash/recycling receptacles are located within the boundaries of the Social District to encourage patrons to properly dispose of their used cups and unconsumed alcohol. ABC permitted establishments and other merchants within the boundary will have trash/recycling receptacles available to patrons.
- b. The Committee shall monitor and review potential needs for additional trash and recycling infrastructure on an ongoing basis. The District shall enact a reusable cup program thereby preventing the Social District from impacting the existing trash and custodial plans. Trash or other litter that is directly attributable to the Social District shall be rectified by the Committee.

7. Financing Plan and Dissolution Procedure

The initial financial requirements for the Social District shall be provided by the area merchants and neighborhood associations. Ongoing sustaining funds shall be obtained by annual fees for participating permittee establishments and revenue generated by the operations of the reusable cup program. The Committee shall review the sufficiency of the fees on an ongoing basis and adjust them as needed. The Committee shall have the authority to raise funds as needed by way of fundraising and operational fees. In the event that the Committee is unable to sustain the funds required to meet the state and local requirements the Committee shall notify the City of Charlotte and dissolve the Social District. In the event of dissolution the Committee shall remove all Social District signage and take reasonable steps to inform the public, permittees, and non-permittee establishments.

8. Insurance and Indemnification

Every participating permittee establishment shall be required to provide proof of insurance including general liability coverage of at least one million dollars per event and two million in

aggregate. Each permittee establishment shall maintain alcohol sales liability policy with coverage of at least one million dollars. Participating permittee businesses shall be required to add as additional insureds, the Plaza Midwood Merchants Association and such other entities as may be added from time to time at the determination of the Committee. Failure to maintain compliance with the insurance requirements shall result in termination from participation in the Social District.

9. Events Inside the Boundaries of the Social District

Proposed special events benefit from prior notification and coordination with business and property owners in the affected areas. The Committee shall maintain a point of contact for City of Charlotte officials to coordinate within the evaluation of the issuance of permits for street closure or festivals. CDOT should notify the Committee (in addition to required notices) of proposed special events and provide the Committee with an opportunity to comment and communicate with proposed event operators. The Committee may advocate for restrictions, timing, location and other factors in the best interests of the Social District and community. The Committee may request event modifications of the proposal to ensure compliance. While the Committee may advocate for the interests of the Social District, any review and approval will be made by the City of Charlotte in accordance with the applicable ordinances.

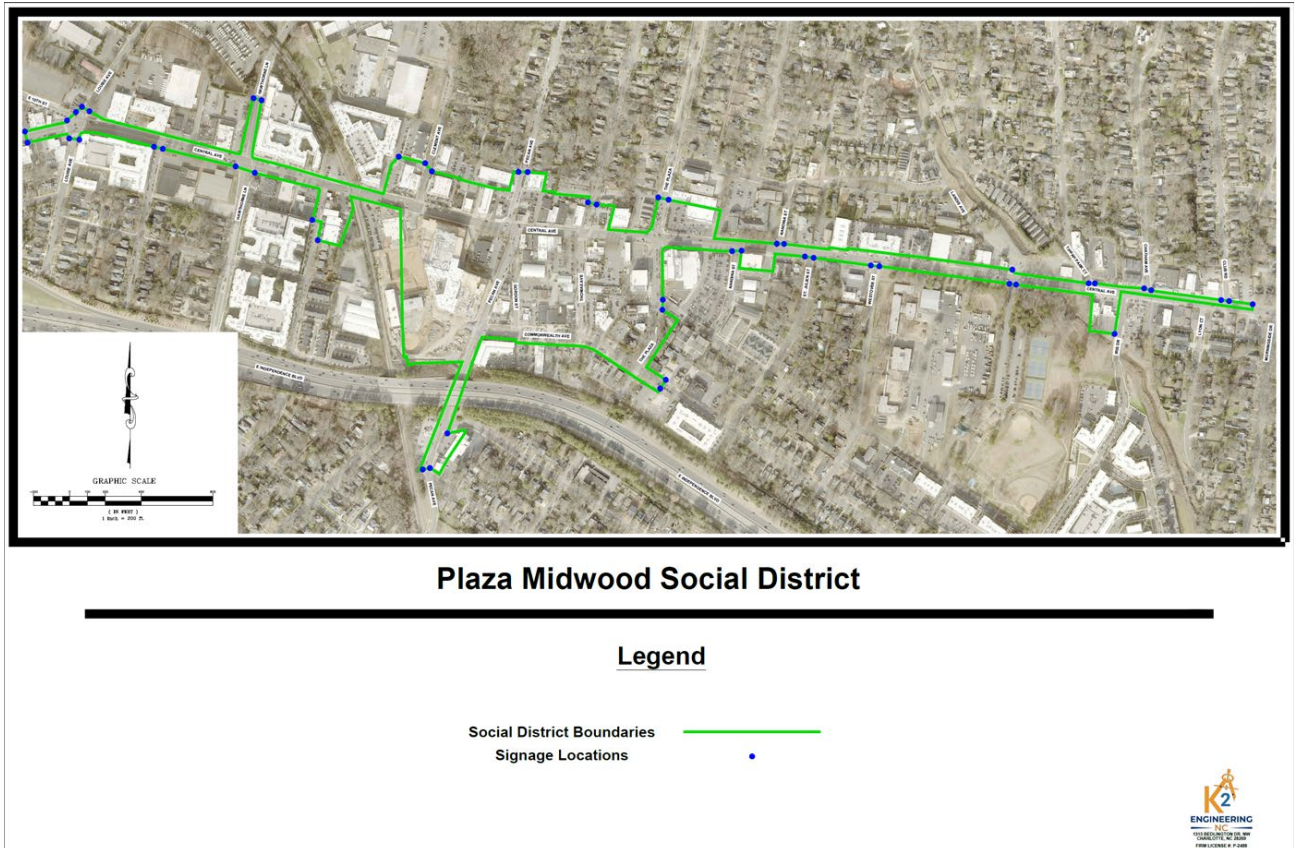
Appendix A:

North Carolina General Statutes Authorizing Social Districts

Appendix B:

Charlotte City Code for Social Districts PART II - CODE OF ORDINANCES
Chapter 15 - OFFENSES AND MISCELLANEOUS PROVISIONS
ARTICLE XV. SOCIAL DISTRICTS

Appendix C:
Map of Plaza Midwood Social District



Appendix D:

SOCIAL DISTRICT LOGO



Social District Reusable Cup Program



Goal of program: Partner with Envision Charlotte to create best practices for environmental stewardship, avoid single use items.

- Cups to include sustainability message with QR Code, website will include information on cup program and participating bars and restaurants.
- Participating bars and restaurants to purchase 2"x2" square stickers with bar logo/information and social district logo (to comply with law)
 - Approved by Innovation barn or Social district team then each restaurant can source themselves

Program details

- Participating bars and restaurants place bar sticker with restaurant logo and date on cup
- Customers can bring used and EMPTY cups into new participating establishments and trade for a new cup and drink at no additional cost.
 - New restaurant must put their sticker on the cup handed out with drink
 - Old cup can be washed and sticker removed
- Customers can dispense cups in collection sites throughout social district – Envision Charlotte will collect
 - Popular streets where social district ends to follow abc rules
 - Collections in bars and restaurants
 - Collection sites around popular bars participating in Plaza Midwood (need to make them so they cannot be tampered with or broken)
- Envision Charlotte will wash any returned cups and added back to inventory for future purchase

Why reuse is the best environmental option:

- Keeping materials in use longer, requires less use of natural resources, energy, and water to create.
- Reduces environmental impact of distribution.
- Avoid costs to recycle or landfill
- Avoid CO2 or Methane gas from disposing in landfill

Why stainless steel is the best option - Reusing is the best environmental option, so durability and material environmental impact matter (energy use and greenhouse gas emissions). Stainless Steel not only is one of the lowest using this criteria, it is also has better perceived value than polypropylene cups. Stainless steel can be reused and recycled more sustainably than aluminum.

ORDINANCE NO. 647-X

AN ORDINANCE TO AMEND ORDINANCE NUMBER 548-X, THE 2023-2024 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION OF \$1,100,000 FOR TREE MAINTENANCE AND CANOPY PROGRAMS.

BE IT ORDAINED, by the City Council of the City of Charlotte:

Section 1. That the sum of \$1,100,000 is hereby estimated to be available from the following source:

U.S. Department of Agriculture's Forest Service

Section 2. That the sum of \$1,100,000 is hereby appropriated in the General Capital Projects Fund (4001) into the following projects:

Canopy Care Grant	#8094500005	\$600,000
Tree Maintenance Grant	#8094500006	\$500,000

Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 4. That all ordinances in conflict with this ordinance are hereby repealed.

Section 5. That this ordinance shall be effective upon adoption.

Approved as to form:

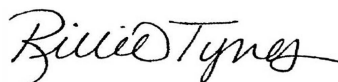


City Attorney

CERTIFICATION

I, Billie Tynes, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October 2023, the reference having been made in Minute Book 158, and recorded in full in Ordinance Book 66, Page(s) 411.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 23rd day of October 2023.



Billie Tynes, Deputy City Clerk

ORDINANCE NO. 648-X

AN ORDINANCE TO AMEND ORDINANCE NUMBER 548-X, THE 2023-2024 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION OF \$1,756,000 FOR THE ALBEMARLE ROAD PEDESTRIAN SAFETY AND CONNECTIVITY PROJECT.

BE IT ORDAINED, by the City Council of the City of Charlotte:

Section 1. That the sum of \$1,756,000 is hereby estimated to be available from the following source:

North Carolina Department of Transportation

Section 2. That the sum of \$1,756,000 is hereby appropriated in the General Capital Projects Fund (4001) into the following project:

4288800011 – Albemarle Rd. PS&C (Redman-Central)

Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 4. That all ordinances in conflict with this ordinance are hereby repealed.

Section 5. That this ordinance shall be effective upon adoption.

Approved as to form:

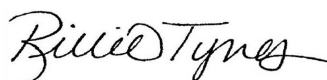


City Attorney

CERTIFICATION

I, Billie Tynes, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October 2023, the reference having been made in Minute Book 158, and recorded in full in Ordinance Book 66, Page(s) 412.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 23rd day of October 2023.



Billie Tynes, Deputy City Clerk