

CHAPTER 112: ALCOHOLIC BEVERAGES

Section

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§ 112.01 ADOPTION OF STATE LAW.

The state law regulating intoxicating liquors, as expressly set out in G.S. Chapter 18B, and any and all other regulations governing the use and sale of intoxicating liquors, is hereby specifically adopted as if fully set forth herein.

(`92 Code, § 64.01)

§ 112.02 POSSESSION IN PUBLIC PLACE.

It shall be unlawful for any person to consume or display beer, wine, whiskey or other alcoholic beverages in or on a street or sidewalk or in a public place, except as expressly permitted by the General Statutes of North Carolina.

(`92 Code, § 64.02) Penalty, see § 10.99

§ 112.03 DRINKING IN PUBLIC PLACES.

(A) It shall be unlawful for any person to drink, or to offer a drink to another person or persons of, any alcoholic beverage, as that term is defined by G.S. § 18B-101, of the Statutes of North Carolina in any public park, parkway, public street, public alleyway, public sidewalk, public parking area or lot, or any other property owned, controlled, or maintained by the town.

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(B) The terms and provisions of this section shall not apply to the following locations:

(1) Those locations where the State Board of Alcoholic Control or any other duly constituted authority has issued or hereafter issues a permit or license pursuant to the laws of the State of North Carolina.

(2) Those locations under the supervision and control of the Director of Parks and Recreation which the Director designates as permitted locations under such regulations as the Director establishes.

(C) It shall be unlawful for any person to drop, throw, cast or deposit, or in any manner dispose of any intoxicating liquor or not, upon, or in any public park, parkway, public street, public alleyway, public sidewalk, public parking area or lot, or any other property owned controlled, or maintained by the town, or upon the private property of another without permission of the owner, tenant, or person in control of such private property.

('92 Code, § 64.03) (Ord. 105, passed - -80) Penalty, see § 10.99

§ 112.04 TOWN LIQUOR CONTROL STORE.

(A) As approved by vote of the electorate of the town, a liquor control store is authorized to operate in the town. On Sundays the off-premises sale of beer, wine, and fortified wine shall be permitted only from 1:00 p.m. to 6:00 p.m.

(B) The Mayor and the Board of Aldermen hereby create a Town Board of Alcoholic Beverage Control composed of a chairperson and two other members. The chairperson of the board shall be designated by the Mayor and Governing Body of the town and shall serve for his first term a period of three years, and one member shall serve for his first term a period of two years, and the other member shall serve for a period of one year, and all terms shall begin with the date of their appointment, and after the terms shall have expired, their successors in office shall serve for a period of three years. Their successors, or any vacancy occurring in the Board shall be named or filled by the Mayor and the Governing Body of the town.

(C) The Town Board of Alcoholic Beverage Control shall have all the powers and duties imposed by G.S. § 18B-701 and shall be subject to the powers and authority of the State Board of Alcoholic Beverage Control as provided in G.S. § 18B-200 *et seq.* The Board of Alcoholic Beverage Control and the operation of any town liquor stores authorized under the provisions of this section shall be subject to and in pursuance with the provisions of Article 7 of Chapter 18B of the General Statutes governing local alcoholic beverage control boards, being G.S. § 18B-700 *et seq.*

(D) The net profits derived from the operation of liquor control stores in the town shall, after deducting necessary working capital, salaries, and expenses, be distributed quarterly as follows:

(1) Seventy percent to the General Fund of the town.

(2) Twenty percent to the town law enforcement.

(3) 10% to the town for parks and recreation.

(`92 Code, § 64.04) (Ord. passed - -)

