



MANAGEMENT AND MAINTENANCE PLAN

INTRODUCTION & BOUNDARIES

The Town of Clayton Social District Ordinance (which can be reviewed at claytonnc.org/socialdistrict) was approved on May 6, 2024 and has the effective date of July 11, 2024.

The Downtown Social District shall be created, designated, and managed in accordance with the requirements contained in North Carolina General Statute 160A-205.4 and Chapter 18B.

“Social District” means and refers to a defined outdoor area in which a citizen may consume alcoholic beverages sold by a permittee. This term does not include the permittee’s licensed premises or an extended area allowed under North Carolina General Statute 18B-904(h).

The provisions and terms contained in the ordinance shall be applicable between the hours of 10:00 a.m. and 10:00 p.m., Monday through Saturday and between the hours of 12:00 p.m. and 10:00 p.m. on Sunday. At all other times, the provisions and terms contained in this Article are not in effect and all provisions of state and local laws concerning the possession and consumption of alcohol shall be in full force and effect.

Any alcoholic beverage purchased for consumption in the Downtown Social District shall (i) only be consumed in the Downtown Social District and (ii) be disposed of before the person in possession of the alcoholic beverages exits the Downtown Social District.



MARKETING, PROMOTION & LOGO

The logo for the Downtown Clayton Social District is shown at the right. The Downtown Clayton Social District participation businesses must utilize this logo created by the Town of Clayton for any promotion.

All information regarding the social district and/or Marketing/Promotion of the district can be found at townofclaytonnc.org/socialdistrict or at the Downtown Clayton, NC social media pages.



BEVERAGE CONTAINER & RULES

The permittee shall only sell alcoholic beverages for consumption in the Downtown 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 Downtown Social District.
- c) The container is not made 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.
- f) The container shall note the date and time of sale.



The possession and consumption of an alcoholic beverage in the Downtown Social District is subject to all of the following requirements:

- 1) Only alcoholic beverages purchased from a permittee located in or contiguous to the Downtown Social District may be possessed or consumed.
- 2) Alcoholic beverages shall only be in containers meeting the requirements set forth in the "Requirements for Sale" section of the Town of Clayton Social District ordinance (and as listed above).
- 3) Alcoholic Beverages shall only be possessed and consumed during the days and hours set forth in the Town of Clayton Social District ordinance (and as listed above).
- 4) Nothing in this subdivision shall be construed as authorizing the sale and delivery of alcoholic beverage drinks in excess of the limitations set forth in N.C.G.S. 18B-1010.
- 5) A person shall dispose of any alcoholic beverage in the person's possession prior to exiting the Downtown Social District.

PARTICIPANTS

"Permittee" means and refers to a person holding any of the following ABC permits issued by the North Carolina Alcoholic Beverage Control Commission established under N.C.G.S 18B-200:

- 1) An on-premises malt beverage permit issued pursuant to G.S. 18B 1001(1).
- 2) An on-premises unfortified wine permit issued pursuant to G.S. 18B 1001(3).
- 3) An on-premises fortified wine permit issued pursuant to G.S. 18B 1001(5).
- 4) A mixed beverage permit issued pursuant to G.S. 18B 1001(10).
- 5) A wine shop permit issued pursuant to G.S. 18B-1001(16).
- 6) A distillery permit issued pursuant to G.S. 18B-1100(5).
- 7) A special one-time permit issued to a nonprofit organization pursuant to G.S. 18B-1002(a)(2).
- 8) A special one-time permit issued to a unit of local government, a nonprofit organization or a political organization pursuant to G.S. 18B-1002(a)(5).

Businesses selling alcoholic beverages within the Social District must possess a valid ABC permit. Permittees have discretion as to whether to permit alcoholic beverages purchased from a different permittee into their establishment.

Businesses located within or contiguous to the Social District without an ABC permit may participate in the Social District by allowing people to enter their business with alcoholic beverages purchased in an approved container. Drinks can be taken into non-permitted businesses ONLY if they allow it. A list of participating businesses can be found on claytonnc.org/socialdistrict and is indicated in the district by the follow decals attached to businesses front doors. Decals must be displayed at all times. If there is no decal, the default is that beverages are not allowed inside that business.



The Town and Downtown Development Association (DDA) will provide information and materials to participating and nonparticipating businesses to ensure the understanding of their obligations under this plan and the Downtown Clayton Social District Ordinance.

FINANCING

The Downtown Clayton Social District will be marketed and promoted by the Town of Clayton and DDA for signage, logo development, education and enforcement. Participating businesses will be provided window clings as shown above upon request. Participating businesses (green or blue) shall display the decal at all times. All other costs including containers and stickers for use will be funded by the businesses and/or permittees. The design template for materials such as stickers, flyers, etc. will be provided to businesses to order as needed. Permittees are responsible for purchasing and inventorying their own beverage containers.

OPERATIONS, SANITATION AND ENFORCEMENT

The Downtown Clayton Social District will be managed by the Town of Clayton Economic Development Department, the Police Department, and the Public Works Department. Law enforcement within the Social District shall be provided by the Town of Clayton Police Department. Town of Clayton Police Officers will enforce the requirements of the Social District to the greatest extent possible. Permittees will ensure compliance with the requirements of this Plan in regard to safety and customer compliance. The Town of Clayton reserves the right to prohibit a permit holder from participating in the district due to violations of the Social District management plan.

The Town's Public Works Department provides sanitation services within the Social District boundaries, including trash removal and litter pick up. 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.

To report potential violations please call the Clayton Police Department at 919-553-4611 or the N.C. Alcohol Law Enforcement Division at 919-779-8188.

EXCEPTIONS

Alcohol obtained from a special event vendor may not be taken out of the special event area, even if the social district boundaries overlap with the special event, however social district beverages may enter the special event area if allowed by the special event host. In any area where there is no overlap between the Social District and a permitted special event, alcohol obtained from a Social District Permittee may not be taken out of the Social District and into the special event area.

Permitted special events may make a request to the Town of Clayton Economic Development Department for a temporary pause of the Social District within the special event area for the duration of the special event. If a special event applicant makes this request, they must put up signage at their event indicating that beverages are not allowed.

The process for making that request is as follows:

- A) The special event permit applicant should indicate on their application if they desire to NOT allow social district beverages in the event footprint.
- B) If that is the case, Town Staff will notify the Clayton Police Department that drinks are not allowed.
- C) However, it is the applicants responsibility to create and display "No Social District Beverages" signage.