



TOWN OF FOREST CITY'S  
**Maintenance &  
Operations Plan**

Adopted February 19, 2024



# Maintenance & Operations Plan

## **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 Town of Forest City has established such a Social District, designated “The Burnt Chimney District”.

In the plan that follows, the management and maintenance of The Burnt Chimney District is outlined. The plan will be submitted to the North Carolina ABC Commission and placed on the Town of Forest City’s website.

## **Management**

The Burnt Chimney District will be jointly managed by the Town of Forest City, Forest City Police Department, Forest City Public Works Department, Forest City Inspections, Forest City Downtown and Events, and Explore Forest City

## **Participating Businesses with ABC Permits**

ABC Holders adjoining the district shall apply for a license agreement with the Town providing a consent to abide by the rules, regulations, and requirements promulgated by the Town, the ABC Commission, and ABC statutory requirements. There is no fee to apply for a license agreement with the Town. Participating businesses must receive written confirmation and approval from the Town prior to selling beverages to be consumed within the social district.

ABC Permittee holders may apply for the License Agreement on the Town website at <https://www.townofforestcity.com/>.

Any locations that apply for a sidewalk dining permit through the Town shall also apply for a License Agreement and abide by rules and regulations of the social district to sell alcohol in outdoor dining spaces.

# Maintenance & Operations Plan

## **Participating Businesses (No ABC Permit)**

Businesses without an ABC permit may participate in the social district by allowing alcoholic beverages purchased and possessed in accordance to 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 apply for a License Agreement with the Town.

In accordance with NCGS § 18B-300.1(d)(4), the Town will develop and approve uniform signs in electronic format indicating that a non-permittee business is included in the social district and allows alcoholic beverages on its premises during the days and hours of social district operations. Participating nonpermittee businesses are solely responsible for all printing and placement of required signs. A participating non-permittee business shall always display the uniform sign during the times when the social district is active. A customer may not bring an alcoholic beverage into a non-permittee business that does not display the uniform sign.

No non-permittee business shall be required to participate or be included in a social district or to allow customers to bring alcohol onto its premises.

Uniform signs can be accessed on the Town website at <https://www.townofforestcity.com/>.

## **District Boundaries**

The Burnt Chimney District boundaries are shown on page 6 of this document.

## **Operations**

The Burnt Chimney District will operate from 10 am until 10 pm, Monday through Sunday or 7 days a week from January 1<sup>st</sup> through November 30<sup>th</sup>. The Burnt Chimney District will operate from 10 am until 12 am Monday through Sunday or 7 days a week from December 1<sup>st</sup>-31<sup>st</sup>.

## **District Designation and Logo**

The Burnt Chimney District logo draws upon the local history of the original town name “Town of Burnt Chimney”. Boundaries of the social district will be clearly marked with signs affixed to all entrance/exit points.

# Maintenance & Operations Plan

## Rules & Regulations

Sale of Alcoholic Beverages: Businesses selling alcoholic beverages for consumption within the social district shall comply with the following rules:

1. The business shall only sell alcoholic beverages on its licensed premises.
2. The business shall only sell alcoholic beverages for consumption in a social district container that meets the requirements in the following section.
3. The business shall not allow a person to enter or reenter their licensed premises with an alcoholic beverage not sold by the permittee.
4. The business shall only sell alcoholic beverages for consumption within the social district during the days and hours set forth in this plan and the social district ordinance.

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:

1. The container clearly identifies the permitted business from which the alcoholic beverage was purchased.
2. The container clearly displays The Burnt Chimney District logo and a statement that reads "Drink Responsibly - Be 21." in no less than 12-point font.
3. The container is not made of glass.
4. The container does not exceed 16 fluid ounces.

Possession and Consumption of Alcoholic Beverages: Persons consuming alcoholic beverages within the social district shall abide by the following rules:

1. Only alcohol purchased from a permitted business within the social district and that is in the approved social district container may be consumed within the social district.
2. Alcoholic beverages may not be carried into any non-participating businesses within the social district.
3. Alcoholic beverages must be disposed of before a person leaves the social district.

# Maintenance & Operations Plan

4. A person shall not consume alcohol in any public area within the social district except during the days and hours set forth in this policy and in the social district ordinance.

## **Financing**

The Town of Forest City will fund the costs of establishing and managing The Burnt Chimney District

## **Security and Enforcement**

Security and enforcement in the social district will be provided by the Forest City Police Department (FCPD). FCPD will enforce the provisions of NCGS § 18B300.1 and the Code of Ordinances. A violation of the provisions of NCGS § 18B300.1 is a Class 1 misdemeanor pursuant to NCGS 18B-102(b).

## **Insurance**

The Town of Forest City is insured for its management and operation of the social district.

## **Sanitation and Maintenance**

The Town's Public Works department will provide sanitation services within the district, including trash removal and litter pickup. Trash receptacles will be located at the boundaries of the social district to encourage patrons to properly dispose of their cups and unconsumed alcohol.

## **Marketing and Promotion**

Marketing and promotion of the social district will be a joint effort between the Town, Explore Forest City, and ABC permitted establishments in or adjacent to the Social District.

# Maintenance & Operations Plan

## The Burnt Chimney District Map



Social District Signage



Social District Boundary

