

RESOLUTION NO. 11- 183

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE ASHEVILLE GRIZZLIES FOOTBALL GAME EVENT 2 ON SATURDAY, SEPTEMBER 3, 2011

WHEREAS, N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a special event or community festival; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Asheville Grizzlies Football Game Event 2.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the Asheville Grizzlies Football Game Event 2 area, as shown on Exhibit "A".

The Asheville Grizzlies Football Game Event 2 area is within the boundaries of Memorial Stadium.

2. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed for the Asheville Grizzlies Football Game Event 2 on Saturday, September 3, 2011, from 5:00 p.m. – 11:00 p.m.
3. The possession of and consumption from open containers of malt beverages and/or unfortified wine allowed hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic cups or aluminum cans. Possession of and/or consumption from glass containers of malt beverages and/or unfortified wine are not allowed anywhere in the Asheville Grizzlies Football Game

Event 2 area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be allowed in the Asheville Grizzlies Football Game Event 2 area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

- 4. The location of the Asheville Grizzlies Football Game Event 2, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine are allowed shall be designated by the posting of signs in the event area.

Read, approved and adopted this 30th day of August, 2011.

Margalene Burleson
 City Clerk

Tom Bellamy
 Mayor

Approved as to form:

Burleson
 City Attorney

Margalene Burleson
 City Clerk



Memorial Stadium