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TOWN CLERK
Pamela Mills

TOWN ATTORNEY
Tom Brooke



MAYOR
Lee Withers

TOWN COUNCIL
Brandon Linn
Rodney Phillips
Charles Seaford
Steve Stroud
Mike Upright

TOWN OF CHINA GROVE

ORDINANCE NO. 2016-13

AN ORDINANCE AMENDING CHAPTER 38 OFFENSES AND ADDITION OF CHAPTER 43 ALCOHOLIC BEVERAGES

BE IT ORDAINED by the Town Council of the Town of China Grove that the China Grove Code of Ordinance shall be amended as follows:

Section 1. That Section 38-4 of Article I In General of Chapter 38 Offenses is hereby amended as follows:

Sec. 38-4. –Consumption of alcoholic beverages prohibited in certain places; disposal of containers.

- (a) *Consumption on private property.* It shall be unlawful to consume any ~~intoxicating liquor~~ **alcoholic beverage** upon the private property or private business premises of another without permission of the owner or person entitled to possession of such premises.
- (b) *Disposal of containers.* It shall be unlawful to drop, throw, cast or deposit any ~~intoxicating liquor~~ **alcoholic beverage** container in any public place other than a bona fide trash disposal site or utensil, or upon any public street, sidewalk, alley or parking lot, or upon the private premises of another without permission of the owner or person entitled to possession of such premises.
- (c) *Consumption in vehicle.* It shall be unlawful for any person to consume any ~~intoxicating liquor~~ **alcoholic beverage** in or upon a motor vehicle or motorized bicycle which is in or upon any public place or in or upon any street, sidewalk, alley or parking lot, or upon the private premises of another without permission of the owner or person entitled to possession of such premises.

(Code 1977, § 6-1071; Code 1993, § 20-4)

State Law reference— Authority to regulate, G.S. 18B-300.

Section 2. A new Chapter 43 is added to the Town of China Grove Code of Ordinance to read as follows:

Chapter 43 – ALCOHOLIC BEVERAGES

Sec. 43-1. – Definitions.

For the purpose of this chapter, the definitions set forth in G.S. 18B-101 shall apply.

Sec. 43-2. - Possession or consumption of alcoholic beverages.

- (a) Except as otherwise provided in this chapter, it shall be unlawful to consume an alcoholic beverage on any public road, street, highway, sidewalk, parking area, building, facility, park, recreation facility, or any other property owned, leased, or under the control of the Town of China Grove.
- (b) It shall be unlawful to drink or consume an alcoholic beverage on a private parking lot or area, or inside a building open to the public, or private commercial establishment without the permission of the owner thereof or other person in charge of the property.
- (c) For purposes of this article or any other ordinance to which it references, an "alcoholic beverage" shall be defined as any beverage containing at least one-half (0.5) of one (1) percent alcohol by volume including, but not limited to, malt beverages, unfortified wine, fortified wine, spirituous liquor and mixed beverages.

Sec. 43-3. – Possession, consumption, and distribution of alcoholic beverages at certain town facilities or town owned or controlled property.

- (a) The possession, consumption, and distribution of alcoholic beverages shall be lawful in the China Grove Community Memorial Center only, provided a valid and lawful agreement to that effect has been obtained from the town manager or his designee.

Sec. 43-4. - Penalty.

A person who violates this section shall be guilty of a Class 3 misdemeanor and fined \$500.00 as provided by G.S. 14-4(a)

This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this 6th day of December, 2016.



Lee Withers, Mayor

Attested by:



Pamela L. Mills, Town Clerk