

BOARD OF ALDERMEN

ITEM NO. C(3)

AGENDA ITEM ABSTRACT

MEETING DATE: June 5, 2007

TITLE: Request to Amend the Town Code to Allow Samples of Beer and Wine to be Given Away at the Farmers' Market

DEPARTMENT: Economic Development and Community Development	PUBLIC HEARING: YES or <u>NO</u>
ATTACHMENTS: A. Ordinance	FOR INFORMATION CONTACT: James R Harris , Director of Economic and Community Development 918-7319

PURPOSE:

The purpose of this item is to present a request for an amendment of Chapter 5 of the Town Code to allow free samples of beer and wine to be given away at the Farmers' Market in conjunction with the sale of beer and wine by producers and vendors of beer and wine. Staff recommends that the requested change to the Town Code be adopted to allow the distribution of wine or beer samples for consumption at the Carrboro Town Commons.

INFORMATION:

The Carrboro Farmers Market has selected Benjamin Vineyards, a grower of grapes and producer of wine to become a vendor at the Carrboro Farmers' Market. Benjamin Vineyards and Winery is located at 6516 Whitney Road in Graham, N.C. The vineyard would sell wine by the bottle and promote the wine by giving away one ounce samples. The vineyard will hold all applicable licenses to sell and sample as regulated by the Federal Alcohol and Tobacco Tax and Trade Bureau and the North Carolina Alcohol Beverage Control. If this change is approved, both the Farmers' Market and the Town would be added as additional insured to the Benjamin Vineyard commercial general liability policy.

The handing out of samples is currently prohibited by section 5-19 of the Town Code. The Town is authorized by G.S. 18B-300 to regulate the consumption or possession of open containers of beer or wine on Town property. The prohibition does not apply at Town Hall and the Century Center that are sponsored by the Town or pursuant to applicable policies for reservation and use of such facilities. The Town Attorney advised staff that he did not believe the reference to Town Hall was intended to include the Town Commons thereby requiring that the ordinance be changed to allow the sell and sampling as requested by the Market.

FISCAL IMPACT:

There is the possibility of increased sales tax revenues from the sale of beer and wine and from increased shopping in the Town.

RECOMMENDATION:

Staff recommends that the requested change to the Town Code be made to allow the distribution of wine or beer samples for consumption at the Carrboro Town Commons.

