

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1094
Committee Substitute Favorable 5/8/89

Short Title: ABC-Tour Boat Amendments.

(Public)

Sponsors:

Referred to:

April 7, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE LAWS REGULATING THE OPERATION OF TOUR
3 BOATS WITH ABC PERMITS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 18B-1006(i) reads as rewritten:

6 "(i) Tour Boats. – The Commission may issue permits to boats that conduct
7 regularly scheduled tours upon the rivers or waterways of this State under the following
8 conditions:

- 9 (1) A boat shall serve meals on each tour and shall have a dining area with
10 seating for at least 36 people;
- 11 (2) A boat's gross receipts from food and non-alcoholic beverages shall be
12 greater than its gross receipts from alcoholic beverages;
- 13 (3) A boat may hold the permits listed in G.S. 18B-1001(1), (3), (5), and
14 (10), but no off-premises sales may be made pursuant to those permits;
- 15 (4) A boat shall ~~dock~~ have a home port in an area where issuance of the
16 permits listed in subdivision (3) is legal, and all passengers shall enter
17 and leave the boat at the home port or at other ports listed on a
18 preannounced itinerary. there. While tour passengers are on board, the boat
19 may not dock at any other place except for an emergency. The boat's
20 permits are valid during tours that leave and return to the boat's home
21 port, and apply regardless of whether the boat crosses into an area
22 where sales are not legal, if the boat docks only at a port listed on the
23 preannounced itinerary, except in an emergency. The boat's permits are

- 1 ~~valid during these tours, regardless of whether the boat crosses into an area~~
2 ~~where sales are not legal and~~
3 (5) ~~A boat may not serve or sell any alcoholic beverages except during tours. A~~
4 ~~boat conducting tours along the intracoastal waterway and navigable~~
5 ~~waterways that enters into the intracoastal waterway, pursuant to a~~
6 ~~preannounced itinerary that includes visits to two or more cities, may~~
7 ~~serve alcoholic beverages pursuant to ABC permits issued according to~~
8 ~~the jurisdiction of its home port in the following manner:~~
9 a. While on tour, alcoholic beverages may be served to
10 passengers;
11 b. While docked in any other port alcoholic beverages may be
12 served only to tour passengers and its crew;
13 c. During special city-sponsored events and festivals, in which
14 case the boat may open its galley and bars at dockside to the
15 general public and sell those alcoholic beverages that are lawful
16 in the jurisdiction in which it is docked. Any sales in this
17 manner shall be in accordance with the requirements of any
18 ordinances of the jurisdiction in which the boat is docked.
19 (6) Liquor purchased for resale in mixed beverages may be purchased
20 only from the local board for the jurisdiction of the boat's home port."
21 Sec. 2. This act is effective upon ratification.