

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 812

Short Title: Alcoholic Beverage Sales.

(Public)

Sponsors: Senators Reeves and Miller.

Referred to: Judiciary II.

April 12, 1999

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THAT A FOOD OR RETAIL BUSINESS THAT HOLDS AN
2 ABC PERMIT AND IS LOCATED IN AN URBAN REDEVELOPMENT AREA
3 SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY
4 PERCENT OF THE BUSINESS'S TOTAL ANNUAL SALES.
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6 The General Assembly of North Carolina enacts:

7 Section 1. Article 3 of Chapter 18B of the General Statutes is amended by
8 adding a new section to read:

9 "**§ 18B-309. Alcoholic beverage sales in Urban Redevelopment Zones.**

10 A food business as defined in G.S. 18B-1000(3) or a retail business as defined in
11 G.S. 18B-1000(7) that holds an ABC permit under this Chapter and is located in a part of
12 a city that has been designated as an Urban Redevelopment Area under Article 22 of
13 Chapter 160A of the General Statutes shall not have alcoholic beverage sales in excess of
14 fifty percent (50%) of the business's total annual sales. Upon request of a city, the
15 Commission shall investigate the total annual alcohol sales and total sales of a business as
16 defined in this section. The Commission shall report the results of such an investigation
17 to the city council, and the report shall contain only the percentage of annual alcohol
18 sales in proportion to the business's total annual sales. A city may request an investigation
19 of a business by the Commission only once in each calendar year."

20 Section 2. G.S. 18B-904(e) reads as rewritten:

- 1 "(e) Business or Location No Longer Suitable. –
2 (1) The Commission may suspend or revoke a permit issued by it if, after
3 compliance with the provisions of Chapter 150B of the General Statutes,
4 it finds that the location occupied by the permittee is no longer a
5 suitable place to hold ABC permits or that the operation of the business
6 with an ABC permit at that location is detrimental to the neighborhood.
7 No order revoking or suspending an ABC permit pursuant to this
8 section may be made except upon substantial evidence admissible under
9 G.S. 150B-29(a).
10 (2) The Commission shall suspend or revoke a permit issued by it if a
11 permittee is in violation of G.S. 18B-309."
12 Section 3. This act is effective when it becomes law.