

ORDINANCE NO. 2023-_____

AN ORDINANCE TO AMEND SECTION 14-14 OF THE
CODE OF ORDINANCES OF THE TOWN OF APEX

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. Subsection (e) of section 14-14 of the Code of Ordinances of the Town of Apex is hereby amended to read as follows, with additions shown as bold, underlined text, and deletions shown as struck-through text:

Sec. 14-14. – Consumption and possession of open containers of malt beverages and unfortified wine prohibited on public streets and municipal property.

- (e) ~~*Exemption for Possession during special events prohibited.*~~ **The consumption of malt beverage and unfortified wine and the possession of an open container of the same, during a special event for which alcohol service has been approved by the Town and within such area(s) designated for alcohol possession and consumption, shall be exempt from subsections 14-14(b) and (c) if the service of such malt beverage or unfortified wine is pursuant to a valid ABC permit and in conformity with the ABC laws.** It shall be unlawful for any person to possess malt beverages and/or unfortified wine on public streets, alleys, or parking lots, which are temporarily closed to regular traffic for special events. The prohibition stated in this subsection 14-11(e) applies to, among other areas, downtown sidewalk food service tables.

Section 2. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances and the sections of this ordinance may be renumbered to accomplish such intention.

Section 3. Severability, Conflict of Laws. If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective upon adoption.

Introduced by Council Member: _____

Seconded by Council Member: _____

This the ____ day of _____, 2023.

Attest:

TOWN OF APEX, NORTH CAROLINA

Allen Coleman, CMC, NCCCC
Town Clerk

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe,
Town Attorney

DRAFT