

SOCIAL DISTRICT STANDARDS AND PROVISIONS



DRAFT June 17, 2025

1.) Establishing a Social District

In 2021, the North Carolina General Assembly allowed for the creation of social districts which enabled alcohol purchased at ABC permitted establishments within the district by individuals 21 years or older to be consumed under certain conditions and upon the approval of the local municipality (NCGS 160A-205.4).

The City of Wilmington has established a program to support business communities in creating social districts that utilize the City's public rights-of-ways to enhance economic vitality, support small business and promote the City's food and beverage scene. Social Districts meet the City's objectives around hospitality development and tourism (Strategic Plan 2025-2030, Objective 3: Enhance and grow Wilmington's position as a nationally recognized entertainment, cultural, and tourism destination).

Such districts may be created, designated, and managed within the City of Wilmington with the adoption of a resolution by Wilmington City Council.

Social districts must meet eligibility requirements, follow the application process, and adhere to the following guidelines before a proposal proceeds to Wilmington City Council for recommendation.

Eligibility

- Social districts must be within Wilmington city limits and may include public rights-of-way.
- Areas designated as social districts must be contiguous and contain at least 60% participation from businesses within the proposed district boundaries to ensure broad community support.
- Social districts must contain at least three (3) brick-and-mortar businesses with ABC permits, including at least two (2) food-oriented establishments, collaborating on the same initiative and within the contiguous footprint.

Definitions

Eligible Business Establishment- any business that is within the footprint of an approved or proposed social district and meets the requirements of the guidelines set forth for the applicable district.

Non-Participating, Non-Permitted ABC Establishments- any business establishment within the footprint of a proposed or approved social district that is not licensed or regulated by the NC ABC Commission that does not participate in an approved social district.

Non-Participating, Permitted ABC Establishments- any business establishment within the footprint of a proposed or approved social district that is licensed or regulated by the NC ABC Commission that does not sell alcohol as part of an active or proposed social district.

Participating, Non-Permitted ABC Establishments- any business establishment within the footprint of a proposed or approved social district that is not licensed or regulated by the NC ABC Commission that is or intends to actively participate in an active or proposed social district. For participating, non-permitted ABC establishments, “participation” is defined as allowing social district patrons to enter and consume alcohol within their establishment that is legally purchased within the approved district.

Participating, Permitted ABC Establishments- any business establishment within the footprint of a proposed or approved social district that is licensed or regulated by the NC ABC Commission that is or intends to sell alcohol as part of an active or proposed social district.

Application Process and Fee

The timeline for application review and approval varies, but applicants should allow at least 4-6 months for processing. This section provides general guidance for applicants in the creation of a social district.

A non-refundable fee of \$1000 is required for all social district request applications. The fee shall be paid at the pre-application step (3) below.

Steps to Establish a Social District:

1. **Gauge Interest:** Business owners or ownership groups should gauge the interest of property owners, businesses and residents within the proposed district.
2. **Draft District Boundaries:** Applicants must clearly identify and document the proposed social district boundaries with participating businesses. Be sure to review the eligibility requirements, community bylaws, etc.
3. **Submit Pre-Application Materials:** Applicants are required to submit a pre-application to the City of Wilmington, including a preliminary list of participating ABC-permitted and non-permitted businesses with the proposed boundaries and timeframe of operation. In addition, a list of all non-participating ABC-permitted and non-permitted businesses is required. The pre-application shall include the name, phone number, and email address for the primary point of contact for the proposed social district. The primary point of contact shall be a business owner within the proposed district footprint.
4. **Pre-Application Review:** The Social District Advisory Committee will review the proposal and, if necessary, schedule a meeting(s) for further discussion.
5. **Draft Signage Plan:** Determine required signage placement to clearly mark the district boundaries (see Appendix A for guidelines).
6. **Draft Management and Maintenance Plan:** Establish how the district will be managed and maintained to ensure public health and safety (see Appendix B for standards).
7. **Community Engagement:** Upon pre-application approval, applicants must gather community support, including,

- Signatures from at least 60% of businesses within the district.
 - Notification to all property owners within 500 feet of the boundaries of the district. This process should include direct mailers to all property owners, public meetings, and the utilization of social media. The City will provide applicants with list of all property owners within the 500-foot footprint of the district. Applicants shall provide the City with written verification that all property owners were mailed notification.
 - At least three (3) letters of support from business organizations or neighborhood groups.
 - Community meetings must be held in-person following notification to property owners as required above.
 - Applications that do not include documentation of community outreach will not be considered.
 - General signage within the proposed district which provides information regarding the district footprint and date/time/location of all associated public meetings concerning the social district.
 - Name, phone number, and email address for representative from proposed social district to serve on Advisory Committee, if approved. The selected representative must be a business owner within the footprint of the proposed social district.
8. **Submit Application:** Submit a formal application with all required materials.
 9. **City Council Review and Public Comment:** Council will review the proposal and allow public comment before making a final decision. The public will be invited to comment on proposed social districts during the Wilmington City Council presentation meeting.
 10. **NC ABC Commission Approval:** Once approved by City Council, the district must be registered with the North Carolina ABC Commission (NC ABC Commission). Approval is specific to the district boundary and management and maintenance plan presented to council and is contingent on approval from the NC ABC Commission. The City will provide the necessary paperwork to the ABC Commission for all approved social districts.

Application Checklist:

- Application Cover Letter
- District Map
- Signage Plan
- Management & Maintenance Plan
- Petition with at least 60% business support
- Documentation of Community Outreach
- At least three (3) Letters of Support

2.) Social District Advisory Committee

Upon the adoption of these guidelines by the Wilmington City Council, a Social District Advisory Committee (Advisory Committee) shall be created. The Advisory Committee shall be responsible for monitoring and ensuring that each approved social district complies with the authorizing resolution approved by City Council as well as all applicable local and state laws and regulations. The Advisory Committee shall meet quarterly (March, June, September, and December) or on as needed basis as determined by the City Manager.

This committee will be responsible for reviewing policies, maintaining operational standards, and reporting to the City Manager and City Council as needed or requested.

Voting Membership on the Advisory Committee shall consist of the following City staff:

- Police Chief, or designee
- Fire Chief, or designee
- City Manager, or designee
- Parking and Downtown Services Coordinator
- Park and Recreation Director
- Public Works Director

*Quorum shall be simple majority and consist of 4 of the members as listed above.

Non-Voting Membership to the Social District Advisory Committee shall consist of the following individuals

- 1 Local ABC Commission Representative
- Executive Director, Wilmington Downtown Inc.
- 1 Participating, Non-Permitted ABC Establishment Business Owner from Each Approved Social District
- 1 Participating, ABC Permitted Establishment Business Owner from Each Approved Social District

The Advisory Committee shall be responsible for the annual review of all approved districts and providing an annual report to the City Council.

Suspension, Revocation, and/or Amendment of an Approved Social District

Upon determination by the Advisory Committee that the suspension, revocation, and/or amendment to a previously approved social district is necessary and in the public interest, the City Manager shall determine if sufficient cause exists for the City Council's consideration of the recommended action. Upon the City Manager's determination that the Advisory Committee's recommended suspension, revocation, and/or amendment to an approved social district is warranted, he/she shall place the recommended action on a City Council agenda for consideration. Following the City Council's determination that the recommended suspension, revocation, or amendment is justified, such action shall be communicated, in writing, to all

participating, permitted ABC establishments within the district as well as all applicable local and state ABC Commission officials.

The City Manager is authorized to temporarily suspend any approved social district, in whole or part, until such time as the City Council's determination. Upon the City Manager's determination that a temporary suspension is necessary and in the public interest such action will be communicated, in writing, to all participating, permitted ABC establishments within the district as well as all applicable local and state ABC Commission officials.

Amendment, Additions, or Deletions to an Approved Social District

Requests for amendments (day, time, etc.) to the approved guidelines for a social district as determined by the Wilmington City Council or additions in the number of participating businesses shall be submitted in writing to the Advisory Committee for consideration. Upon consideration by the Advisory Committee a recommendation shall be forwarded to City Council for consideration. All required approvals must be received prior to the new business participating in the existing social district. All businesses requesting to be added to an existing social district shall be contiguous to the existing district.

Eligible Participants

- Only brick-and-mortar businesses with a valid ABC permit (e.g., bars, breweries, restaurants) located within the district may sell and serve alcoholic beverages for off-premises consumption within designated district boundaries and hours of operation.
- Temporary vendors, pop-ups, and outside organizations are not permitted to sell alcoholic beverages or set up independent retail activations unless explicitly sponsored by a brick-and-mortar establishment in the district. These vendors will only be allowed on private property and may not set up along public sidewalks or on City property.

Event and Festival Restrictions

- Any festival, event, or temporary market organized by outside entities wishing to participate in a social district must partner with at least three (3) brick-and-mortar businesses within the district.
- Event partnerships must be documented during the City's event permitting process.
- Events that do not directly benefit district businesses (e.g., vendor-driven festivals) are not permitted unless approved by the Social District Advisory Committee and are compliant with all City permitting requirements.
- All events must secure formal sponsorships from brick-and-mortar businesses within the district before submitting permit applications.
- External vendors must be hosted by or collaborate with sponsoring businesses and operate within the social district footprint.

- All alcoholic beverages must be purchased from participating brick-and-mortar businesses and served in district-approved containers.
- Events cannot operate both inside and outside the social district if alcohol consumption is permitted. Participation in the district requires the entire event footprint to remain within district boundaries.
- No outside alcohol is allowed from vendors of external events. Only brick-and-mortar businesses carrying ABC permits are permitted to serve event patrons.

District Designation and Logo

Applicants for a social district shall submit branding and logos to the City of Wilmington for approval. This includes logos for signage, beverage containers, stickers and promotional materials. All materials must be developed in accordance with all city and state ordinances, laws, rules, regulations, and operations governing social districts.

The City of Wilmington seal, name, and/or logo may not be used without the written permission of the City Manager.

Beverage Containers and Rules of Use

- Alcoholic beverages can only be sold by ABC-permitted businesses within the district.
 - No more than 2 servings of beer or wine, or 1 serving of a drink containing liquor per patron
- Beverages must be in approved containers that:
 - Clearly identify the business where the drink was purchased.
 - Display the city-approved social district logo.
 - Are not made of glass.
 - Have a maximum capacity of **16 fluid ounces**.
 - Include a **"Drink Responsibly – Be 21"** message in at least **12-point font**.
- The container should be reusable, recyclable, or compostable/biodegradable.
- No outside alcoholic beverages may be brought into participating establishments or within the boundaries of the social district.

Non-ABC Permitted Businesses

- Non-ABC permitted businesses may allow customers to bring social district beverages with the established unique brand and logo inside their establishments.
- Businesses should display a participation sticker provided by the city to indicate their involvement.

3.) Visiting a Social District

How Does It Work?

- Purchase an alcoholic beverage from a participating business within the district.
- Enjoy strolling through the district while dining, shopping, and exploring.
- Dispose of cups before exiting the district. If a district cup is reusable, its contents must be discarded prior to leaving the social district.

Rules

- Drink responsibly - Be 21
- Beverages must remain within district boundaries
- Beverages must be consumed in approved cups or cups with approved label
- Visitors may stroll with their beverages within the district only during operating hours
- No outside drinks carried into other ABC-permitted businesses
- No patrons shall self-serve
- No littering

Appendix A – Signage Standards

All social district signage must include:

- Social district name and logo
- Days and hours of operation
- Contact number for Wilmington Police and Alcohol Law Enforcement (ALE) Division
- Statement indicating drinks must remain within the district
- "Drink Responsibly - Be 21" and "Do Not Litter" messages

Social district signage shall not contain advertising for permittees, sponsors, or any other entity. The exact verbiage of all signs shall be approved by the City of Wilmington before installation.

Social district signage should be:

- Of uniform size, shape, and material throughout the district.
- Signage should be permanently affixed to a post or location approved by the City
- Metal or corrugated signage is acceptable for use within the social district.
- Ground mounted signage (A-frame, yard signs, etc.) is permitted with City approval
- Signage should be no less than 18" x 18".

Social district signage shall be located along social district boundaries. Prior to the installation of social district signage, the applicant shall obtain all necessary agreements from the City of Wilmington. The City will not furnish or install signage for social districts.

Appendix B – Management and Maintenance Plan Standards

Each district must provide a plan that outlines:

- District boundaries
- Operational details (effective days, times, etc.)
- District logo and beverage container requirements
- District oversight and reporting mechanisms
- Trash disposal and recycling responsibilities
- Restroom availability for patrons
- Safety measures and security coordination
- Signage placement and maintenance
- Permitted ABC establishments
- Non-ABC businesses that have opted-in
- Businesses that have opted out
- Financing strategy

Additional information on the management and maintenance of a social district may be required by the City.

NOTE: The City of Wilmington will not provide additional services beyond those that are already in place within the district at the time of creation, if any such services exist. Collection of waste or recyclable materials, policing and other services over the means already provided by the City will be at the responsibility of the district.

Appendix C – Implementation and Compliance

- Once approved by City Council and registered with the NC ABC Commission, the social district may begin operations.
- Participating businesses must comply with all city and state ordinances governing social districts.
- Failure to adhere to guidelines may result in suspension or revocation of participation privileges either for a single business or an entire social district at the discretion of the City of Wilmington.
- The City of Wilmington reserves the right to deny any application or request as it deems necessary and in the public interest. Decisions by the City Council regarding a proposed social district or the revocation, suspension, or amendment of an approved social district are final and not subject to any rights of appeal.
- Social districts that are revoked may not apply for reinstatement for a period of 12 months from the date of revocation.