

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 728
SENATE BILL 452

AN ACT TO AMEND G.S. 18-129 RELATING TO REGULATION OF SALE AND
DISTRIBUTION OF WINE AND MALT BEVERAGES TO ESTABLISH
CRITERIA FOR ISSUANCE OF PERMITS.

The General Assembly of North Carolina do enact:

Section 1. G.S. 18-129 as the same appears in the 1965 Replacement Volume 1C of the General Statutes is hereby amended by adding at the end of the second paragraph thereof the following provision to read as follows:

"The State Board of Alcoholic Control is further authorized to refuse to issue a permit in any locality where the sale of malt beverages is authorized when the issuance of such permit would be inimical to the morals or welfare of the locality in which the premises are located, or the community generally. In passing on any application for a permit, the Board shall consider the number of licensed premises within the locality, the available parking facilities, traffic conditions, crime rate in the area, and the proximity of the premises to schools, churches and public transportation facilities, and other factors which the Board might consider pertinent.

"If the County or Municipal authorities file a written objection with the State Board of Alcoholic Control within ten days after the notice has been given as required by G.S. 18-134, the State Board shall not issue the license or permit until it has fully investigated the grounds of objection filed by the local governing authorities, and if requested to do so, give the objecting authorities and the applicant an opportunity to be heard. The Board is also authorized to make further investigations of its own, which may be reported at the public hearing if requested.

"It shall not be mandatory for the County or Municipality to issue its license or permit as required under G.S. 18-77, until after the Board has considered the written objections filed by the County or Municipality and has granted the State license or permit to the applicant."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall apply to Cumberland, Hoke, Moore and Onslow Counties only.

Sec. 4. This Act shall be effective from and after its ratification.

In the General Assembly read three times and ratified, this the 6th day of June, 1969.