

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Request from Ardmore Business Association to Host an Expanded Beer Garden and Family Fun Zone in Schauffele Plaza During the Ardmore Bike Race for August 12, 2018 and Waiver of Open Container Regulations

Prepared By: Eric Persson, Economic Development Specialist

Date: July 2, 2018

I. Action To Be Considered By The Board:

Waive Township Code § 111-4.2 to permit patrons to possess open containers with alcoholic beverages and serve alcoholic beverages on public Rights-of-Way within a regulated area on August 12, 2018.

II. Why This Issue Requires Board Consideration:

A provision in the First-Class Township Code allows for a market on Township property or rights-of-way. This provision allows the Board of Commissioners to permit this event by providing and establishing regulations for the area. This event requires a waiver of Township Code § 111-4.2 to serve and consume alcohol in public Right-of-Way and to possess open containers in a public place for this day and event.

Code § 111-4.2 states: No person shall drink an alcoholic beverage, nor shall any person, firm, corporation or other organization possess an open container containing an alcoholic beverage, whether inside or outside of a motor vehicle or any part thereof, on or in any public place within the Township of Lower Merion.

III. Current Policy Or Practice (If Applicable):

Current policy prohibits the consumption of alcohol in open containers in a public place. Current policy also requires approval from the Board of Commissioners to serve and consume alcohol in public Right-of-Way. This code provision has been waived for similar special events in Ardmore and other commercial districts in the Township, and was waived for this event last year.

IV. Other Relevant Background Information:

This race is organized by the Narberth Ambulance working with the Trek Bike Shop. These groups have partnered with the Ardmore Business Association (ABA) and Iron Hill Brewery to help promote this race with events such as the beer garden and family fun zone throughout the day. The only outdoor area where Iron Hill will be selling alcoholic beverages will be at the beer garden in Schauffele Plaza.

The written request from the ABA includes a map of Schaufele Plaza showing the location for the beer garden in Schaufele Plaza, as well as the consumption of alcohol along the south side sidewalk of Lancaster Avenue. According to event sponsors, comments from last year attendees requested a larger area to allow open containers, so that attendees could better watch the race after purchasing a beverage.

The sponsors have requested that the restricted area for open containers extend along the south side sidewalk from the beer garden in Schaufele Plaza to 42 West Lancaster Avenue. The sidewalk in this area will already be fenced along the race course on Lancaster Avenue, while the building frontage will restrict movement southward. There are only two alley ways on either side of Tropicraft Furniture and Cricket Avenue, that could allow movement out of the restricted area, but these locations will be manned by RAMP certified staff from Iron Hill Brewery; approximately 10-12 RAMP certified staff will be involved throughout this area to monitor and oversee security.

Patrons over the age of 21 at the beer garden will be required to show identification before they are served any alcohol. Each of those persons will also be wrist-banded, and all cups used for the purchases will be emblazoned with the Iron Hill logo.

The Police Department has been working with the various groups associated with this event and will have Police Officers available as needed for the bike race and associated events on August 12th. This specific event has been discussed with the Police Department and other Township staff. The Police have generally found the proposed security and control of the area to be satisfactory. However, Township Police have also stipulated that if they should find that the security and control of the restricted area along Lancaster Avenue is not adequate during the event, they will then restrict the beer garden to Schaufele Plaza only. The sponsors have agreed.

V. Impact on Township Finances:

There is no direct impact on Township Finances.

VI. Staff Recommendation:

Staff recommends that the alcohol waiver and event be approved subject to the ABA providing the required insurance certificate documenting adequate coverage as required by the Township.