

# **TOWNSHIP OF LOWER MERION**

## ***Building & Planning Committee***

### **Issue Briefing**

**Topic:** Waiver of Township Code regulating open containers for hosting an expanded Beer Garden in Schaufele Plaza During the Ardmore Bike Race on August 11, 2019.

**Prepared By:** Eric Persson, Economic Development Specialist

**Date:** June 11, 2019

#### **I. Action To Be Considered By The Board:**

Waive Township Code § 111-4.2 as requested by the applicants Narberth Ambulance and Tired Hands Brewing Company 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 11, 2019 between the hours of 11:00am to 4:00pm.

#### **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 this and similar special events in Ardmore and other commercial districts in the Township.

#### **IV. Other Relevant Background Information:**

This race is organized by the Narberth Ambulance working with the Trek Bike Shop. These groups have partnered with Tired Hands Brewing Company to help promote this race with events such as the beer garden and family fun zone throughout the day. The only outdoor area where Tired Hands will be selling alcoholic beverages will be at the beer garden in Schaufele Plaza.

The written request from Narberth Ambulance and Tired Hands 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, there had been positive comments from last year attendees that this larger area to allow open containers also allowed the attendees to still 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 the east side of Ardmore 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 the street opening at Cricket Avenue, that could allow movement out of the restricted area, but these locations will be manned by RAMP certified staff from Tired Hands and the lot at Bryn Mawr Trust will host Narberth Ambulance's VIP tent. 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. Narberth Ambulance will provide volunteer staff during the operation of the Family Fun Center and the beer garden to monitor attendees and assure that consumers stay with the designated area.

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 11th. This specific event has been discussed with the Police Department and other Township staff and approved for a special event permit.

**V. Impact on Township Finances:**

There is no direct impact on Township Finances.

**VI. Staff Recommendation:**

Staff recommends that the alcohol waiver be approved as requested subject to Tired Hands providing the required insurance certificate documenting adequate coverage as required by the Township.