

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Waiver of Township Code regulating open containers for a community event hosted by Villanova University.

Prepared By: Eric Persson, Economic Development Specialist

Date: January 17, 2020

I. Action to Be Considered by The Board:

Waive Township Code § 111-4.2 as requested by applicant Villanova University in coordination with the Township's Community Harmony Program to permit patrons to possess open containers with alcoholic beverages and serve alcoholic beverages in public rights-of-way within a regulated area in a Township public parking lot located at 1010 W. Lancaster Avenue, Bryn Mawr on April 16, 2020 between the hours of 6:00 PM and 8:00 PM.

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 a 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. This 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.

IV. Other Relevant Background Information:

The proposed event is to be held on Thursday April 16, 2020 within a controlled area on the Warner Avenue South Municipal Lot 19 next to Tin Lizard Brewing Company, with a rain date of April 23, 2020 if postponed due to weather conditions. The objective of the event would be to host a town-gown, "good neighbor" event in Bryn Mawr, similar to previous events held on-campus at Villanova University and at the Villas Apartment Complex, in conjunction with the Radnor and Lower Merion Police and Townships. Students living off-campus would be invited to this event to facilitate one-on-one conversations about good neighbor principles, safe drinking practices, and aid in

community-college relations. As sponsor, Villanova University will be represented by staff from the Dean of Student's Office, Government Relations & External Affairs, Office of Student Involvement/VU Seniors, and Office of Health Promotion. Township officials and members of the Police Department would be invited to attend. Additionally, an invitation would be extended to local apartment complex owners, members of the Bryn Mawr Business Association, and the Bryn Mawr Civic Association. The sponsor will contact nearby businesses and neighbors to notify them of the event and the lot restrictions.

The initial set up of the event will start at 4PM, and clean-up will end by 9PM. Within the lot, there would be a small amount of high top tables, two picnic benches, and a food tent. Additionally, the University Tech Crew will provide musical entertainment.

All servers will be employees of the participating restaurant and are certified under the Responsible Alcohol Management Program (RAMP) as established by the PLCB. Those persons over the age of 21 who would like to purchase or consume alcohol will be wrist-banded. Non-alcoholic drinks will also be available and provided. The University would work with fellow event sponsors to provide free food and one complimentary drink for student attendees who also show their identification card and have been given a drink ticket.

Controlling and selling of alcoholic beverages will be responsibility of the Tin Lizard Brewery. Tin Lizard will provide their own event liability insurance; comply with any Montgomery County temporary food licenses and any requirements stipulated by the Pennsylvania Liquor and Control Board (PLCB).

If this event is conducted successfully, the sponsor may propose to host a similar event during the Fall semester in 2020 and continue this program as an annual event.

Staff supports this event as an extension of the Township's Community Harmony Program, which is designed to bring local college students and the community together. All previous events have occurred on Villanova's Campus or at offsite locations in Radnor Township and this is an attempt to hold a similar event in Lower Merion Township.

V. Impact on Township Finances:

The Township will waive the purchase of the meters within the lot for the remaining two hours of enforcement on that day. The costs to waive these fees is less than \$100.

VI. Staff Recommendation:

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