

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Waiver of Township Code regulating open containers for Community Supper Outdoor Event on July 27, 2019

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Date: July 2, 2019

I. Action To Be Considered By The Board:

Waive Township Code § 111-4.2 as requested by applicants pucciManuli and Common Space to permit patrons to possess open containers with alcoholic beverages and serve alcoholic beverages in public rights-of-way within a regulated area on July 27, 2019 between the hours of 5:30 pm to 8:30 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 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 rights-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:

Several Ardmore businesses including pucciManuli, Common Space, McCloskey's Tavern, and Lulu's Casita request permission from the Board of Commissioners to operate a special, seated, catered, outdoor dining event on the first block of Cricket Avenue. According to the event sponsors, their intent is for businesses and guests to get to know neighbors who live in the community. Each guest paying to attend would be asked to bring a dessert to share among the other attendees. The main meal would be provided by the sponsors.

The dinner will be a BYOB affair; there is no direct sale of wine or beer at the event. The secured area would be similar to the boundaries used for other Cricket Avenue events. The event organizers have agreed to provide staff to monitor access into this area and to assure that only those legally entitled to consume alcohol can do so. No guests in the seated event will be allowed to leave the area with an alcoholic beverage.

Event set-up would start at 1:00pm and be removed by 11:00pm. The actual event will take place from between 5:30PM to 8:30PM. There is no rain date scheduled at this time. This event is similar to a previous Farm-to-Table event held in 2016. The owner of pucciManuli has indicated that she has the support of the local businesses in the area of this event. Unlike other recent events at this location, this event is not designed to support the entire business district.

V. Impact on Township Finances:

The event sponsor may need to purchase the use of public parking spaces within the designated area on Cricket Avenue for the duration of the event. There are no other expected impacts on Township finances.

VI. Staff Recommendation:

If authorizing an event along Cricket Avenue that does not include the larger business community is acceptable to the Board of Commissioners, staff recommends approval.

