

RESOLUTION

**A RESOLUTION OF THE COMMISSION
OF KNOX COUNTY, TENNESSEE,
ESTABLISHING A PEDESTRIAN
BEVERAGE ZONE PILOT PROGRAM
AND DESIGNATING BELLTOWN
COMMONS AS THE INITIAL
PEDESTRIAN BEVERAGE ZONE.**

RESOLUTION: R-26-8-906

REQUESTED BY: COMMISSIONER HILL

PREPARED BY: COMMISSIONER HILL

**APPROVED AS TO FORM
AND CORRECTNESS:** _____
DIRECTOR OF LAW

APPROVED: _____ **DATE** _____

VETOED: _____ **DATE** _____

**VETO
OVERRIDE:** _____ **DATE** _____

MINUTE BOOK	PAGE
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WHEREAS, Knox County seeks to support orderly economic development, walkable mixed-use areas, local restaurants, small businesses, tourism, and community activity within appropriate commercial districts; and

WHEREAS, Belltown Commons is planned as a mixed-use commercial and community gathering area within the Belltown development, with restaurants, retail uses, pedestrian areas, landscaped open space, parking areas, and an outdoor amphitheater intended to host live music, performances, and other community events; and

WHEREAS, the Board of Commissioners finds that a limited, clearly marked, and locally regulated pedestrian beverage zone may encourage pedestrian activity, support event programming and local businesses, and enhance public enjoyment of designated mixed-use areas while maintaining appropriate public safety controls; and

WHEREAS, the Board of Commissioners desires to establish a pilot program known as the Knox County Pedestrian Beverage Zone program, or “PBZ,” under which alcoholic beverages and beer may be purchased from approved participating businesses and consumed only within a clearly defined and marked PBZ boundary; and

WHEREAS, the Board of Commissioners further desires to designate Belltown Commons as the initial pilot location for the PBZ program, subject to the requirements, operating rules, boundaries, signage, container-identification requirements, and enforcement provisions set forth in this Resolution and its exhibits; and

WHEREAS, the Board of Commissioners intends that the PBZ program operate only in compliance with all applicable federal, state, and local laws, and nothing in this Resolution shall be construed to authorize any sale, service, possession, or consumption of alcoholic beverages or beer that is prohibited by state law, the rules of the Tennessee Alcoholic Beverage Commission, the rules of the Knox County Beer Board, or any other applicable regulatory authority; and

WHEREAS, the Board of Commissioners finds that the pilot program should be subject to review after implementation so that the County may evaluate public safety, sanitation, business participation, economic activity, pedestrian circulation, event operations, and compatibility with surrounding uses; and

WHEREAS, the Belltown Commons PBZ is located entirely on privately owned property within unincorporated Knox County, and nothing in this Resolution is intended to authorize or permit the possession or open consumption of alcoholic beverages or beer on any public street, public sidewalk, or public right-of-way.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

SECTION 1. Establishment of Pedestrian Beverage Zone Pilot Program.

There is hereby established a Knox County Pedestrian Beverage Zone pilot program, referred to in this Resolution as the “PBZ program.”

The purpose of the PBZ program is to allow, within a specifically designated and marked area, eligible persons who are twenty-one years of age or older to purchase alcoholic beverages or beer from approved participating businesses and consume those beverages while walking within the approved PBZ boundary, subject to the terms of this Resolution, all applicable licenses and permits, and all applicable state and local law.

SECTION 2. Designation of Belltown Commons as Pilot PBZ.

Belltown Commons is hereby designated as the initial pilot Pedestrian Beverage Zone.

The approved PBZ boundary shall be the area shown on Exhibit A, attached hereto and incorporated by reference. The PBZ boundary shall include only the area shaded or otherwise identified on Exhibit A and shall not include areas outside the marked boundary.

The PBZ boundary may include sidewalks, pedestrian areas, plazas, landscaped open spaces, parking areas, private common areas, outdoor event areas, and other designated pedestrian areas within Belltown Commons, but only to the extent shown on Exhibit A and permitted by applicable law.

SECTION 3. Pilot Term and Review.

The Belltown Commons PBZ shall operate as a pilot program for an initial period of twelve months beginning on the date the County Codes Administration ~~County Mayor or designee~~ determines that all required approvals, signage, participant authorizations, and operating procedures are in place.

~~Before the end of the pilot period, T~~he Codes Administration office and the property owner~~County Mayor or designee~~ shall provide a quarterly report to the Board of Commissioners regarding the operation of the pilot program. The report ~~shall~~may address, as applicable, public safety calls, code enforcement issues, sanitation, litter, pedestrian activity, business participation, complaints, operational problems, event operations, and recommendations for continuation, modification, expansion, suspension, or termination.

SECTION 4. Hours of Operation.

The Belltown Commons PBZ may operate daily from 10:00 a.m. until 10:00 p.m., unless further restricted by state law, County regulation, Beer Board action, TABC requirement, property-owner rule, participant agreement, or other applicable authority.

No person shall consume alcoholic beverages or beer within the PBZ outside the approved hours of operation, except as otherwise permitted by law.

No participating business shall sell or provide alcoholic beverages or beer for PBZ consumption outside the approved hours of operation, except as otherwise permitted by law.

SECTION 5. Approved Participating Businesses.

Only businesses approved by Knox County as PBZ participants may sell or provide alcoholic beverages or beer for consumption within the PBZ.

To participate, a business must:

A. hold all alcoholic beverage, liquor-by-the-drink, beer, food-service, business, and other licenses or permits required by applicable law;

B. be located within or immediately adjacent to the approved PBZ boundary, unless otherwise approved by Knox County and permitted by law;

C. agree in writing in the recorded operational plan to comply with this Resolution, the PBZ operating rules, all TABC requirements, all Knox County Beer Board requirements, and all applicable laws;

D. provide wristbands to participants and use only approved PBZ cups, containers, labels, stickers, or other identification methods;

E. refuse service to underage persons and visibly intoxicated persons;

F. maintain staff training and internal controls sufficient to comply with alcoholic-beverage and beer laws;

G. cooperate with Knox County, law enforcement, the Knox County Beer Board, TABC, and property management concerning PBZ enforcement; and

H. immediately cease PBZ sales if directed to do so by Knox County, law enforcement, the Knox County Beer Board, TABC, or other lawful authority.

Approval as a PBZ participant is a privilege and may be suspended or revoked by Knox County for violation of this Resolution, violation of applicable law, failure to maintain required licenses or permits, public safety concerns, failure to cooperate with enforcement, or other good cause.

The Codes Administration office County Mayor or designee shall maintain and publish a current list of approved participating businesses on the website. Approval as a participating business may be suspended or revoked for violation of applicable law or PBZ rules. Participation in the PBZ program does not require a separate zone-level license from the Knox County Beer Board beyond each participating business's existing required retail beer or alcoholic-beverage permits; however, each participating business remains subject to all applicable Knox County Beer Board rules and licensing conditions.

SECTION 6. Approved PBZ Containers, ~~and~~ Stickers and Wristbands.

Alcoholic beverages and beer sold for PBZ consumption shall be served only in a County-approved PBZ cup or container, or in a container bearing a County-approved PBZ sticker or label.

Each approved PBZ cup, container, sticker, ~~or label~~, and wristband shall include, at minimum:

A. identification of the PBZ program;

B. identification of the participating business that sold or provided the beverage,

which may be by business logo, printed business name, approved sticker, or other County-approved method;

C. language or markings indicating that the beverage must remain within the PBZ boundary; and

D. any other information required by Knox County, the Knox County Beer Board, TABC, or applicable law.

The sample PBZ signage and container-identification formats shown on Exhibit B are approved as general PBZ identification formats, subject to administrative modification for readability, placement or, regulatory compliance, ~~or updated County branding.~~

No glass container may be used for PBZ consumption. ~~unless expressly approved by Knox County and permitted by all applicable laws and regulations.~~

No person may possess an alcoholic beverage or beer within the PBZ in a container that does not comply with this Section, except as otherwise permitted by law.

SECTION 7. Boundary, Signage, and Notice.

~~The property owner of Belltown Commons Knox County, the property owner, or the PBZ administrator shall~~ install and maintain ~~cause~~ PBZ boundary signage to be ~~installed and maintained~~ at appropriate entrances, exits, and pedestrian transition points.

PBZ signage shall substantially identify:

A. the area as a Pedestrian Beverage Zone;

B. the approved hours of operation;

C. that alcoholic beverages and beer must be finished or discarded before leaving the PBZ area;

D. that outside alcoholic beverages and beer are not permitted within the PBZ unless otherwise allowed by law;

E. a QR code or other link to current PBZ information and rules, where practical; and

F. any other rules required by Knox County, the Knox County Beer Board, TABC, law enforcement, or the PBZ operating plan.

The sign designs attached as Exhibit B are approved as the initial PBZ informational and boundary sign designs, subject to administrative modification for readability, placement or, regulatory compliance, ~~or updated County branding.~~ Boundary signage shall be posted at appropriate exit points to notify pedestrians that alcoholic

beverages may not be carried beyond the approved PBZ boundary.

SECTION 8. Prohibited Conduct.

Within the PBZ, except as otherwise permitted by law, it shall be prohibited for any person to:

- A. possess or consume alcoholic beverages or beer outside the approved PBZ hours;
- B. leave the PBZ boundary with an open alcoholic beverage or beer container purchased for PBZ consumption;
- C. bring alcoholic beverages or beer into the PBZ;
- D. possess alcoholic beverages or beer in an unapproved container;
- E. possess or consume alcoholic beverages or beer in violation of any applicable law, regulation, license condition, permit condition, posted rule, or lawful order;
- F. remove, damage, obscure, or alter PBZ signage, boundary markers, or safety controls; or
- G. possess or consume alcoholic beverages or beer within the PBZ if that person is under the minimum age required to purchase or consume alcoholic beverages under applicable Tennessee law.

SECTION 9. Security, Sanitation, Live Events, and Operations.

The PBZ shall operate according to an administrative operating plan approved by the ~~Codes Administration Office. County Mayor or designee~~. The County Mayor or designee shall ~~adopt and~~ file the initial operating plan with the County Clerk within ninety (90) days of the effective date of this Resolution. The operating plan, and any subsequent amendments thereto, shall be approved by the Codes Administration office and filed with the County Clerk and made available for public inspection.

The operating plan may include:

- A. PBZ boundary map with approved maximum commercial square footage identified in the operating plan and signage locations;
- B. participating-business approval procedures;
- C. approved container, sticker, and label specifications;
- D. security and law-enforcement coordination;

E. trash, recycling, litter-control, and sanitation procedures;

F. procedures for live music, performances, and other events at the Belltown Commons outdoor amphitheater;

G. procedures for temporary suspension during emergencies, severe weather, overcrowding, construction, public safety concerns, or other operational issues;

H. procedures for complaints, violations, and participant discipline; and

I. any additional rules necessary for safe and orderly operation.

The PBZ shall operate only in accordance with sanitation and waste-disposal measures approved as part of the PBZ operating plan. Such measures may include trash and recycling receptacles, litter control, collection schedules, post-event cleanup, and other measures reasonably necessary to maintain public health, safety, and appearance within the PBZ.

Sanitation and waste-disposal measures may be provided by participating businesses, property owners, event operators, private contractors, or other responsible parties, and nothing in this Resolution shall require the County to provide additional waste-disposal services. ~~unless separately approved.~~

The ~~Codes Administration Office County Mayor or designee~~ may approve administrative modifications to the operating plan, signage placement, participant forms, sticker specifications, event procedures, and similar implementation details, provided such modifications are consistent with this Resolution and applicable law.

SECTION 10. Enforcement.

The Knox County Sheriff's Office, Knox County Codes Administration, the Knox County Beer Board, and any other agency with lawful jurisdiction may enforce applicable laws, regulations, permits, and rules within the PBZ.

Violation of this Resolution or the PBZ operating rules may result in removal from the PBZ, citation, arrest, suspension or revocation of PBZ participant approval, referral to the Knox County Beer Board, referral to TABC, or any other remedy available by law. Nothing herein shall limit the authority of law enforcement to pursue criminal charges under applicable law for conduct that constitutes a criminal offense independent of this Resolution.

The ~~Codes Administration Office County Mayor or designee~~ may temporarily suspend PBZ operations. ~~in whole or in part, if necessary for public safety, regulatory compliance, emergency response, severe weather, special events, construction, crowd management, or other substantial operational concerns.~~

SECTION 11. Property Owner and Management Responsibilities.

Before PBZ operations begin, the owner or manager of the property included within the PBZ shall provide written consent to the PBZ designation and shall agree to cooperate with Knox County regarding signage, maintenance, sanitation, security, participant coordination, event operations, and enforcement, as applicable under the approved operating plan.

Nothing in this Resolution shall prevent the property owner or manager from imposing stricter rules on the possession or consumption of alcoholic beverages or beer within private property under its control, provided such rules do not conflict with applicable law.

SECTION 12. No Expansion Without Approval.

The Belltown Commons PBZ boundary shall not be expanded beyond the area shown on Exhibit A unless approved by the Board of Commissioners by subsequent resolution or other appropriate legislative action.

Additional PBZ pilot locations may be considered by the Board of Commissioners by separate resolution.

SECTION 13. Compliance With State and Local Law.

This Resolution is intended to operate only to the fullest extent permitted by state and local law.

No provision of this Resolution shall be construed to authorize any sale, service, possession, transportation, or consumption of alcoholic beverages or beer that is prohibited by Tennessee law, federal law, TABC rule, Knox County Beer Board rule, license condition, permit condition, or other applicable authority.

If any approval, license, permit, rulemaking, state authorization, or regulatory action is required before the PBZ may operate, PBZ operations shall not begin until such approval, license, permit, rulemaking, authorization, or regulatory action has been obtained.

SECTION 14. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Resolution is held invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Resolution, which shall remain in full force and effect.

SECTION 15. Effective Date.

This Resolution is to take effect from and after its passage, as provided by the Charter of Knox County, Tennessee, the public welfare requiring it.

Presiding Officer of the Commission	Date
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County Clerk	Date
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Approved: _____

County Mayor	Date
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Vetoed: _____

County Mayor	Date
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