

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 360
HOUSE BILL 1094

AN ACT TO MODIFY THE LAWS REGULATING THE OPERATION OF TOUR
BOATS WITH ABC PERMITS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-1006(i) reads as rewritten:

"(i) Tour Boats. – The Commission may issue permits to boats that conduct regularly scheduled tours upon the rivers or waterways of this State under the following conditions:

- (1) A boat shall serve meals on each tour and shall have a dining area with seating for at least 36 people;
- (2) A boat's gross receipts from food and non-alcoholic beverages shall be greater than its gross receipts from alcoholic beverages;
- (3) A boat may hold the permits listed in G.S. 18B-1001(1), (3), (5), and (10), but no off-premises sales may be made pursuant to those permits;
- (4) A boat shall ~~dock~~ have a home port in an area where issuance of the permits listed in subdivision (3) is legal, and all passengers shall enter ~~and leave~~ the boat at the home port or at other ports listed on a preannounced itinerary. there. While tour passengers are on board, the boat may not dock at any other place except for an emergency. The boat's permits are valid during tours that leave and return to the boat's home port, and apply regardless of whether the boat crosses into an area where sales are not legal, if the boat docks only at a port listed on the preannounced itinerary, except in an emergency. The boat's permits are valid during these tours, regardless of whether the boat crosses into an area where sales are not legal and
- (5) ~~A boat may not serve or sell any alcoholic beverages except during tours. A boat conducting tours along the intracoastal waterway and navigable waterways that enters into the intracoastal waterway, pursuant to a preannounced itinerary that includes visits to two or more cities, may serve alcoholic beverages pursuant to ABC permits issued according to the jurisdiction of its home port in the following manner:~~
 - a. While on tour, alcoholic beverages may be served to passengers;
 - b. While docked in any other port alcoholic beverages may be served only to tour passengers;

- c. During special city-sponsored events and festivals, in which case the boat may open its galley and bars at dockside to the general public and sell those alcoholic beverages that are lawful in the jurisdiction in which it is docked. Any sales in this manner shall be in accordance with the requirements of any ordinances of the jurisdiction in which the boat is docked.
- (6) Liquor purchased for resale in mixed beverages may be purchased only from the local board for the jurisdiction of the boat's home port."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of June, 1989.