



Legislation Details (With Text)

File #: 19-206
Type: Resolution (Consent) **Status:** Passed
File created: 5/2/2019 **In control:** County Attorney
On agenda: 5/28/2019 **Final action:** 5/28/2019
Enactment date: 5/28/2019 **Enactment #:** 2019-136
Title: Commissioner Philbeck - County Attorney - To Amend Chapter 11 - Offenses and Miscellaneous Provisions, Article I., of the Gaston County Code of Ordinances to Create Section 11.2 to Authorize Gaston County Police Department to Access SBI Databases; To Amend Section 11.1 to Clarify Prohibition of Alcohol on County Property Except as Designated in Chapter 12 of the Code of Ordinances
Sponsors: Tracy L. Philbeck
Indexes: Ordinance
Code sections:
Attachments: 1. Adopted 2019-136, 2. Resolution, 3. Hyperlink - Code of Ordinances – Ch. 11; Art. 1; Sec. 11-1

Date	Ver.	Action By	Action	Result
5/28/2019	1	Board of Commissioners	approved	Pass

Commissioner Philbeck - County Attorney - To Amend Chapter 11 - Offenses and Miscellaneous Provisions, Article I., of the Gaston County Code of Ordinances to Create Section 11.2 to Authorize Gaston County Police Department to Access SBI Databases; To Amend Section 11.1 to Clarify Prohibition of Alcohol on County Property Except as Designated in Chapter 12 of the Code of Ordinances

STAFF CONTACT

Charles Moore - County Attorney

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The State advised the Gaston County Police Department that they are not authorized to access Criminal History Record Information related to ABC permitting purposes absent authority granted to the Police Department in an Ordinance. This Ordinance is intended to grant such authority for the Police Department. This will enable businesses to serve or sell alcohol in the County and will also enable the Police Department to do background checks for events in County parks where alcohol will be served at events. This ordinance can be found in proposed Section 11-2 of the Gaston County Code of Ordinances.

Gaston County Staff also wish to clarify Section 11-1 of the Ordinance which prohibits alcohol at County buildings. The addition to Section 11-1 affirms this general prohibition, unless specified under Chapter 12 of the Code of Ordinances. Section 12-4 of the Gaston County Code of Ordinances authorizes alcohol to be served under limited circumstances at

park events.

POLICY IMPACT

N/A; Section 11-2 enables the Gaston County Police Department to examine various state databases for ABC permitting matters and Section 11-1 clarifies the general prohibition against alcohol on county property.

ATTACHMENTS

Resolution