

**07 NCAC 13B .1003 ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES**

(a) A person shall not possess, consume, sell, serve, or attempt to sell or serve any malt beverage, fortified wine, unfortified wine, or spirituous liquor as defined in G.S. 18B-101, within any state park, natural area, or recreation area, except:

- (1) as permitted under a long-term operating agreement;
- (2) in areas designated in accordance with Paragraph (g) of this Rule; or
- (3) after obtaining a Special Activity Permit approved by the Director of the Division or his or her designee in accordance with this Rule.

A person shall not possess, consume, sell, serve, or attempt to sell or serve any other alcoholic beverage, as defined by G.S. 18B-101, or controlled substance, as defined by G.S. 90-87(5) within any state park, natural area, or recreation area.

(b) A person shall not be or become intoxicated, as defined by G.S. 14-443(2), while within any state park, natural area, or recreation area, including during events approved under a Special Activity Permit.

(c) Requests for a Special Activity Permit authorizing the possession, consumption, sale or service of any malt beverage, fortified wine, unfortified wine, or spirituous liquor as defined in G.S. 18B-101, shall be made in writing to the Director of the Division or his or her designee, not less than 14 days prior to the date(s) of the intended use.

(d) The written request shall state:

- (1) the period of time and the area for which the use is requested;
- (2) the number of persons expected to be in attendance;
- (3) the type of activity and the type and amounts of malt beverage, fortified wine, unfortified wine, or spirituous liquor involved;
- (4) documentation of any and all permitting required by the North Carolina Alcoholic Beverage Control Commission; and
- (5) the name and address of the individual, organization or group seeking permission to use any portion of any state park, natural area, or recreational area for the possession, consumption, sale, or service of any malt beverage, fortified wine, unfortified wine, or spirituous liquor; and, for organizations and groups requesting permission, the name and address of the requestor or its authorized representative, such as the president or chief executive officer of the organization or group.

(e) The Special Activity Permit shall specify the hours of permitted use, type of malt beverage, fortified wine, unfortified wine, or spirituous liquor, the total amounts to be brought into the state park, natural area, or recreation area, the maximum number of attendees, the area where alcohol is permitted in accordance with Paragraph (g) of this Rule, and any additional conditions specified by the Director or his or her designee which are consistent with the purposes and management of the State Park System, as defined in G.S. 143B-135.42.

(f) If the Director of the Division or his or her designee concludes that the requested use will not hinder or impede any established use of the state park, natural area, or recreation area where the use is requested, is compliant with Paragraph (g) of this Rule, and is consistent with the protection of the natural resources, facilities, and public enjoyment of the State Park System, he or she shall grant permission to use the state park, natural area, or recreation area specified in the request submitted in accordance with this Rule. If the Director or his or her designee shall determine otherwise, he or she shall deny the request.

(g) The Director of the Division or his or her designee shall designate areas where possession, consumption sale or service of malt beverages, fortified wine, unfortified wine, or spirituous liquor, as defined in G.S. 18B-101, is allowed. Such areas may be limited so as not to interfere, or cause user conflicts with other organizations, groups or individuals also visiting the state park, natural area, or recreation area.

(h) Violation of the terms and conditions of a Special Activity Permit issued in accordance with this Rule is prohibited and shall result in revocation of the permit by the Director of the Division or his or her designee.

*History Note: Authority G.S. 143B-135.16;  
Eff. February 1, 1976;  
Amended Eff. January 1, 1983; June 1, 1981;  
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Readopted Eff. September 1, 2020.*