

ATTACHMENT 1

Chapter 30-8-13

Land Development Ordinance

AMENDING CHAPTER 30 (LDO)

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

(Editor's Note: Added text shown with underlines and deleted text shown with strikethroughs.)

Section 1. That Table 8-1, Permitted Uses, is hereby amended by adding an additional reference of "30-8-13" in the Standards Column for the following uses:

1. Bars, Nightclubs, and Brewpubs
2. Clubs and Lodges
3. Special Events Facilities
4. Sexually Oriented Businesses

Section 2. That Article 8, District Use Requirements, is amended by adding a new section 30-8-13, Entertainment Facility Use Standards, as follows:

30-8-13 Entertainment Facility Use Standards

30-8-13.1 - Intent and Purpose.

It is the intention of this Article to reasonably regulate larger entertainment facilities open to the public where entertainment business is conducted ("Entertainment Facilities") at which at least two incidents or events involving Serious Violent Crimes have occurred within a twelve month period of time. The purpose of this Article is to prevent and limit adverse secondary impacts associated with large-capacity Entertainment Facilities for the general health, safety and welfare of the public.

30-8-13.2 - Applicability.

A. This Article applies to entertainment facilities as defined in this section at which at least two incidents or events involving Serious Violent Crimes have occurred within a twelve month period of time. For purposes of this Ordinance, "Serious Violent Crimes" shall mean and refer to the crimes of murder, manslaughter, rape, second degree sexual offense, robbery, or aggravated assault.

The Chief of Police or his designee shall be responsible for reporting the occurrence of two or more Serious Violent Crimes at Entertainment Facility locations within a twelve month period of time to the Planning Director and the Finance Director. For the purposes of this Ordinance, the occurrence of a Serious Violent Crime shall mean and refer to criminal acts that occur, whether wholly or in part, at the premises of the Entertainment Facility or upon the curtilage of the premises.

B. The term "Entertainment Facilities" shall mean and refer to Entertainment Facilities operating after 9:00 p.m., at which alcohol is sold, served or consumed and the occupancy capacity of the facility as determined by the Greensboro Fire Department is 150 persons or more unless otherwise stated within this Article. "Entertainment Facilities" includes facilities at which any of the following uses occur:

1. Bars;
2. Clubs or lodges where an event open to the public is being held or conducted and which include dancing or a live entertainment performance;
3. Dance clubs;
4. Night clubs;
5. Special events facilities where an event open to the public is being held or conducted which includes dancing or a live entertainment performance;
6. Temporary events open to the public where dancing or a live entertainment performance is being held or conducted; and/or,

7. Sexually oriented businesses at which some kind or type of dancing or live entertainment occurs, without regard to the occupancy capacity of the Entertainment Facility.

C. The term "Entertainment Facilities" also includes any facility at which dancing or a live entertainment performance is held or conducted with an occupancy capacity of 150 persons or more and open to the public after 9:00 p.m., which includes dancing or a live entertainment performance for persons under 21 years of age, regardless of alcohol being sold.

30-8-13.3 - Exemptions.

The following uses and activities are exempt from the provisions of this Article:

- A. Arts and crafts shows;
- B. Athletic fields and athletic events;
- C. Community festivals;
- D. Carnivals, fairs or circuses;
- E. Conventions, exhibitions, or trade shows;
- F. Religious events and assemblies;
- G. Uses, activities and facilities owned or operated by any Federal, State, county or local government agency or government-sponsored entity;
- H. Uses, activities and facilities owned or operated by any private educational institution; and,
- I. Entertainment Facilities operated by an organization designated as a non-profit entity under section 501(c) of the Internal Revenue Code, provided that the facility is for private events or activities of members and guests. The term "guests" shall mean only guests attending the event or activity on a bona fide invitation of the organization or member of the organization. The term "guest" shall not include any event or activity which may be attended by any person upon payment of a cover charge with or without use of an invitation made available to any member of the general public.

30-8-13.4 - Special Standards for Entertainment Facilities.

- A. The Finance Director or his designee shall immediately suspend the privilege license of any person or business to which this Ordinance is determined to apply.
- B. The Planning and Community Development Director shall not recommend approval of re-issuance or lifting the suspension of a privilege license for the operation of a public entertainment facility unless the Planning and Community Development Director or his designee certifies that the applicant has prepared a plan approved by the Chief of Police or his designee and, if the facility is already opened for business, that the Entertainment Facility is operating in compliance with the requirements of the City of Greensboro Public Entertainment Uses Security Manual. Any required security plan shall conform to the requirements contained in the City of Greensboro Public Entertainment Uses Security Manual, and all Entertainment Facilities shall have a continuing duty to comply with the requirements of this Article. Applicants under this Article shall be responsible for operating the Entertainment Facility in compliance with the security plan.

30-8-13.5 - Approval required for issuance or renewal of permit.

- A. No person or business subject to the operation of this Ordinance shall be permitted or licensed by the City of Greensboro to make any use or engage in any business as an Entertainment Facility without first having complied with the requirements imposed by this Article and the City of Greensboro Public Entertainment Uses Security Manual, applicable review and approval procedures in Article 4 of this Ordinance, and any applicable permitting or licensing procedures in Chapters 4, 10 and 13 of the City of Greensboro Code of Ordinances.
- B. The Planning and Community Development Director shall be responsible for investigating and determining whether any applicant for a privilege license to make any use or engage in any business as an Entertainment Facility is in compliance with the requirements imposed by this Article.

30-8-13.6 - Additional fees for application processing.

- A. In addition to providing the information required in the City of Greensboro Public Entertainment Uses Security Manual, the applicant must also pay a nonrefundable application processing fee in such amount as established by the City Manager before approval may be granted by the Planning and Community Development Director. The fee shall be set in such amount as required to defray the costs of investigating the applicant's information for verification of compliance with this Article and eligibility for approval.
- B. Upon receiving a completed, signed application and payment in full of the application processing fee, the Planning and Community Development Director or his designee shall investigate the information contained in the application to verify its accuracy and the applicant's eligibility for a privilege license.

30-8-13.7 - Investigation; minimum standards for approval.

- A. Within a reasonable time not to exceed 30 days after receipt of a completed, signed application for a privilege license, the additional application requirements and all application fees, the Planning and Community Development Director will complete the required investigation and recommend approval or denial of a privilege license.
- B. If the Planning and Community Development Director recommends denial of issuing a privilege license, the applicant shall be informed of writing of the denial and the reasons on which the denial is based.
- C. The Planning and Community Development Director will deny the application for any of the following reasons:
1. The applicant or any individual identified in the application is under 18 years of age;
 2. The application is incomplete, unsigned or the investigation fee has not been paid;
 3. The applicant or any individual identified in the application refused to allow an inspection of the premises;
 4. The applicant or any individual identified in the application has overdue permit fees associated with the operation of a public entertainment business;
 5. The applicant or any individual identified in the application has an ownership interest in, or is a managing agent, of any other Entertainment Facility at which the privilege license has been suspended or revoked;
 6. The applicant failed to provide information with regard to the identity of

employees who are responsible for managing or supervising the business operating the entertainment facility;

7. The applicant or any individual identified in the application has been convicted of:

a. Any felony, where less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date;

b. Any misdemeanor offense identifies herein, where less than two years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, with the misdemeanor offenses identified as follows:

1. Any misdemeanor of or equivalent to G.S. 14-190.9, indecent exposure; G.S. 14-202, secretly peeping into room occupied by female person; G.S. 14-33, assault; G.S. 14-34, assault by pointing gun; G.S. 14-32.1, assault on handicapped person; G.S. 14-288.9, assault on emergency personnel; G.S. 14-318.2, child abuse; G.S. 14-401.14, ethnic intimidation; G.S. 14-277.1, communicating threats; G.S. 14-196, harassing phone calls; G.S. 14-277.3, stalking; G.S. 14-269, carrying concealed weapon; G.S. 14-269.7, possession of handgun by minor; G.S. 14-315.1, storage of firearm to protect minors; G.S. 14-269.3, carrying weapon where alcoholic beverages are sold and consumed; G.S. 14-277.2, weapons at parades; G.S. 14-204, 14-204.1, prostitution, loitering for prostitution; G.S. 14-190.5, preparation of obscene photographs; G.S. 14-190.14, 14-190.15(a), displaying/disseminating material harmful to minors; G.S. 14-190.15(b), exhibiting harmful performances to minors; G.S. 14-316.1, contributing to the delinquency of a minor; any misdemeanor offense under G.S. 90-86-90-113.249; or

2. Common law offenses of false imprisonment or going armed to the terror of the people.

c. Where an applicant or individual identified in the application has been convicted of any two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period, the period of time elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, shall be five years.

d. Any violation of any of the sections of this article or any violation of public entertainment regulations of any other city, county, or state.

e. The fact that a conviction has been appealed has no effect on the denial of the permit.

30-8-13.8 – Duration and termination of additional entertainment use standards.

A. Entertainment Facilities which are already open and operating shall also be subject to the requirements of this Ordinance. The license of any person or business operating an Entertainment Facility at which two or

more incidents or events of Serious Violent Crimes occur within a twelve month period of time shall be suspended until such time as the licensee shall meet the requirements of this Ordinance.

- B. Entertainment Facilities shall be required to meet all of the requirements of this Ordinance for a period of two years from the date on which the licensee is next issued a privilege license or a current license is removed from suspension.

30-8-13.9 – Change of business name, ownership or management.

No person or business subject to this Ordinance shall avoid the requirements herein by change of the name of the business or its managers. No person or business subject to this Ordinance shall avoid the requirements herein by selling, giving, or otherwise conveying to any other person or entity unless the following conditions are met:

- A. The present owner, nor any director, officer, member, manager or partner of the owner may have any form of ownership, employment or financial interest in the Entertainment Facility; and,
- B. No member of the immediate family of the present owner may have any form of ownership, employment or financial interest in the Entertainment Facility.

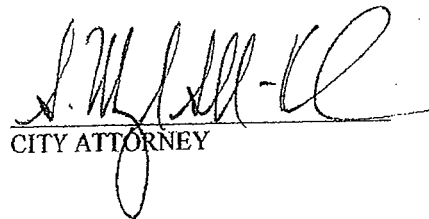
Section 3. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 4. This ordinance shall become effective upon adoption.

THE FOREGOING ORDINANCE WAS ADOPTED
BY THE CITY COUNCIL OF THE CITY OF GREENSBORO
ON THE 2ND DAY OF APRIL, 2013 AND WILL
BECOME EFFECTIVE UPON ADOPTION.

ELIZABETH H. RICHARDSON
CITY CLERK

APPROVED AS TO FORM


CITY ATTORNEY



Article 8. District Use Requirements

30-8-13 Entertainment Facility Use Standards

30-8-13.1 Intent and Purpose

It is the intention of this Article to reasonably regulate larger entertainment facilities open to the public where entertainment business is conducted ("Entertainment Facilities") at which at least two incidents or events involving Serious Violent Crimes have occurred within a twelve month period of time. The purpose of this Article is to prevent and limit adverse secondary impacts associated with large-capacity Entertainment Facilities for the general health, safety and welfare of the public.

30-8-13.2 Applicability

A. This Article applies to entertainment facilities as defined in this section at which at least two incidents or events involving Serious Violent Crimes have occurred within a twelve month period of time. For purposes of this Ordinance, "Serious Violent Crimes" shall mean and refer to the crimes of murder, manslaughter, rape, second degree sexual offense, robbery, or aggravated assault.

The Chief of Police or his designee shall be responsible for reporting the occurrence of two or more Serious Violent Crimes at Entertainment Facility locations within a twelve month period of time to the Planning Director and the Finance Director. For the purposes of this Ordinance, the occurrence of a Serious Violent Crime shall mean and refer to criminal acts that occur, whether wholly or in part, at the premises of the Entertainment Facility or upon the curtilage of the premises.

B. The term "Entertainment Facilities" shall mean and refer to Entertainment Facilities operating after 9:00 p.m., at which alcohol is sold, served or consumed and the occupancy capacity of the facility as determined by the Greensboro Fire Department is 150 persons or more unless otherwise stated within this Article. "Entertainment Facilities" includes facilities at which any of the following uses occur:

1. Bars;
2. Clubs or lodges where an event open to the public is being held or conducted and which include dancing or a live entertainment performance;
3. Special events facilities where an event open to the public is being held or conducted which includes dancing or a live entertainment performance;
4. Temporary events open to the public where dancing or a live entertainment performance is being held or conducted; and/or
5. Sexually oriented businesses at which some kind or type of dancing or live entertainment occurs, without regard to the occupancy capacity of the Entertainment Facility.

C. The term "Entertainment Facilities" also includes any facility at which dancing or a live entertainment performance is held or conducted with an occupancy capacity of 150 persons or more and open to the

public after 9:00 p.m., which includes dancing or a live entertainment performance for persons under 21 years of age, regardless of alcohol being sold.

(Amended by Ord. 14-0151 on 12/2/14)

Effective on: 12/2/2014

30-8-13.3 Exemptions

The following uses and activities are exempt from the provisions of this Article:

- A. Arts and crafts shows;
- B. Athletic fields and athletic events;
- C. Community festivals;
- D. Carnivals, fairs or circuses;
- E. Conventions, exhibitions, or trade shows;
- F. Religious events and assemblies;
- G. Uses, activities and facilities owned or operated by any Federal, State, county or local government agency or government-sponsored entity;
- H. Uses, activities and facilities owned or operated by any private educational institution; and
- I. Entertainment Facilities operated by an organization designated as a non-profit entity under section 501(c) of the Internal Revenue Code, provided that the facility is for private events or activities of members and guests. The term "guests" shall mean only guests attending the event or activity on a bona fide invitation of the organization or member of the organization. The term "guest" shall not include any event or activity which may be attended by any person upon payment of a cover charge with or without use of an invitation made available to any member of the general public.

30-8-13.4 Special Standards for Entertainment Facilities

- A. The Finance Director or his designee shall immediately suspend the privilege license of any person or business to which this Ordinance is determined to apply.
- B. The Planning Director shall not recommend approval of re-issuance or lifting the suspension of a privilege license for the operation of a public entertainment facility unless the Planning Director or his designee certifies that the applicant has prepared a plan approved by the Chief of Police or his designee and, if the facility is already opened for business, that the Entertainment Facility is operating in compliance with the requirements of the City of Greensboro Public Entertainment Uses Security Manual. Any required security plan shall conform to the requirements contained in the City of Greensboro Public Entertainment Uses Security Manual, and all Entertainment Facilities shall have a continuing duty to comply with the requirements of this Article. Applicants under this Article shall be responsible for operating the Entertainment Facility in compliance with the security plan.

30-8-13.5 Approval Required for Issuance or Renewal of Permit

- A. No person or business subject to the operation of this Ordinance shall be permitted or licensed by the City of Greensboro to make any use or engage in any business as an Entertainment Facility without first having complied with the requirements imposed by this Article and the City of Greensboro Public Entertainment Uses Security Manual, applicable review and approval procedures in Article 4 of this Ordinance, and any applicable permitting or licensing procedures in Chapters 4, 10 and 13 of the City of Greensboro Code of Ordinances.

- B. The Planning Director shall be responsible for investigating and determining whether any applicant for a privilege license to make any use or engage in any business as an Entertainment Facility is in compliance with the requirements imposed by this Article.

30-8-13.6 Additional Fees for Application Processing

- A. In addition to providing the information required in the City of Greensboro Public Entertainment Uses Security Manual, the applicant must also pay a nonrefundable application processing fee in such amount as established by the City Manager before approval may be granted by the Planning Director. The fee shall be set in such amount as required to defray the costs of investigating the applicant's information for verification of compliance with this Article and eligibility for approval.
- B. Upon receiving a completed, signed application and payment in full of the application processing fee, the Planning Director or his designee shall investigate the information contained in the application to verify its accuracy and the applicant's eligibility for a privilege license.

30-8-13.7 Investigation; Minimum Standards for Approval

- A. Within a reasonable time not to exceed 30 days after receipt of a completed, signed application for a privilege license, the additional application requirements and all application fees, the Planning Director will complete the required investigation and recommend approval or denial of a privilege license.
- B. If the Planning Director recommends denial of issuing a privilege license, the applicant shall be informed of writing of the denial and the reasons on which the denial is based.
- C. The Planning Director will deny the application for any of the following reasons:
1. The applicant or any individual identified in the application is under 18 years of age;
 2. The application is incomplete, unsigned or the investigation fee has not been paid;
 3. The applicant or any individual identified in the application refused to allow an inspection of the premises;
 4. The applicant or any individual identified in the application has overdue permit fees associated with the operation of a public entertainment business;
 5. The applicant or any individual identified in the application has an ownership interest in, or is a managing agent, of any other Entertainment Facility at which the privilege license has been suspended or revoked;
 6. The applicant failed to provide information with regard to the identity of employees who are responsible for managing or supervising the business operating the entertainment facility;
 7. The applicant or any individual identified in the application has been convicted of:
 - a. Any felony, where less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date;
 - b. Any misdemeanor offense identifies herein, where less than two years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, with the misdemeanor offenses identified as follows:
 - i. Any misdemeanor of or equivalent to G.S. 14-190.9, indecent exposure; G.S. 14-202, secretly peeping into room occupied by female person; G.S. 14-33, assault; G.S. 14-34, assault by pointing gun; G.S. 14-32.1, assault on handicapped person; G.S. 14-288.9, assault on emergency personnel; G.S. 14-318.2, child abuse; G.S. 14-401.14, ethnic intimidation; G.S. 14-277.1, communicating threats; G.S. 14-196, harassing phone calls; G.S. 14-277.3, stalking; G.S. 14-269, carrying concealed weapon; G.S. 14-269.7, possession of handgun by minor; G.S. 14-315.1, storage of firearm to protect minors; G.S. 14-269.3, carrying weapon where alcoholic beverages are sold and consumed; G.S. 14-277.2, weapons at parades; G.S. 14-204, 14-204.1,

prostitution, loitering for prostitution; G.S. 14-190.5, preparation of obscene photographs; G.S. 14-190.14, 14-190.15(a), displaying/disseminating material harmful to minors; G.S. 14-190.15(b), exhibiting harmful performances to minors; G.S. 14-316.1, contributing to the delinquency of a minor; any misdemeanor offense under G.S. 90-86-90-113.249; or

- ii. Common law offenses of false imprisonment or going armed to the terror of the people.
- c. Where an applicant or individual identified in the application has been convicted of any two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period, the period of time elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, shall be five years.
- d. Any violation of any of the sections of this article or any violation of public entertainment regulations of any other city, county, or state.
- e. The fact that a conviction has been appealed has no effect on the denial of the permit.

30-8-13.8 Duration and Termination of Additional Entertainment Use Standards

- A. Entertainment Facilities which are already open and operating shall also be subject to the requirements of this Ordinance. The license of any person or business operating an Entertainment Facility at which two or more incidents or events of Serious Violent Crimes occur within a twelve month period of time shall be suspended until such time as the licensee shall meet the requirements of this Ordinance.
- B. Entertainment Facilities shall be required to meet all of the requirements of this Ordinance for a period of two years from the date on which the licensee is next issued a privilege license or a current license is removed from suspension.

30-8-13.9 Change of Business Name, Ownership or Management

No person or business subject to this Ordinance shall avoid the requirements herein by change of the name of the business or its managers. No person or business subject to this Ordinance shall avoid the requirements herein by selling, giving, or otherwise conveying to any other person or entity unless the following conditions are met:

- A. The present owner, nor any director, officer, member, manager or partner of the owner may have any form of ownership, employment or financial interest in the Entertainment Facility; and
- B. No member of the immediate family of the present owner may have any form of ownership, employment or financial interest in the Entertainment Facility.

(Amended by Ord. 13-44 on 4/2/13)

CITY OF GREENSBORO

PUBLIC ENTERTAINMENT USES SECURITY MANUAL

I. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Breach of the peace means an act that disturbs the public order, including, but not limited to, assault, unlawful possession of dangerous or deadly weapons, discharge of firearms and homicide.

Chief of police means the chief of the Greensboro Police Department, or his designee.

Conviction and convicted mean a finding of guilt for a violation of a municipal or county ordinance or state or federal law, an adjudication withheld on such a finding of guilt, an adjudication of guilt on any plea of guilty or *nolo contendere*, or the forfeiture of a bond or bail when charged with a violation of a municipal or county ordinance or state or federal law.

Employee describes and pertains to any person who performs any service or entertainment upon the premises of a public entertainment business, whether or not the person is denominated an employee, independent contractor, agent, or otherwise, and regardless of whether or not the person is paid a salary, wage, or other compensation by the owner or operator of the business. The term "employee" does not include a person exclusively on the premises for any of the following:

- (1) The repair or maintenance of the premises;
- (2) The delivery of goods to the premises; or
- (3) The delivery of services, such as legal, accounting, insurance, or other similar services provided to businesses generally.

Juvenile means a person less than 18 years of age.

Knowingly means with actual knowledge of a specific factor, or with reasonable inquiry, what a reasonable person should have known as a specific fact.

Operator means and includes any person who is both present on and in charge of any public entertainment business or performs duties of the manager.

Owner means the legal owner of a public entertainment business and includes the following:

- (1) The owner of a sole proprietorship;

- (2) Each member of a firm, association, or general partnership;
- (3) Each general partner in a limited partnership; or
- (4) Each officer, director, and owner of 10 percent or more of the stock of a corporation.

Patron means any person present at the public entertainment business, whether such person is a paying customer or guest. "Patron" does not include owners or employees of the public entertainment business.

Permittee means a person in whose name a permit to operate a public entertainment business has been issued, as well as the individual listed as an applicant on the application for an entertainment permit.

Person means any individual, group of individuals, corporation, partnership, association or other entity formed for the purpose of conducting business, or any combination of such.

Premises means the interior of a structure and all exterior areas owned or leased by the permittee and the areas immediately adjacent to the premises that patrons utilize to stand in line to the premises and areas utilized by patrons to smoke before reentering the public entertainment business.

Public Entertainment means any of the following activities:

- (1) Dancing;
- (2) Audience participation in the entertainment; or
- (3) Live entertainment.

Entertainment Facilities shall not include taverns, bars, lounges, cocktail lounges and other drinking establishments where electronically reproduced music emanating from a loudspeaker system is provided for the listening pleasure of patrons, so long as no other public entertainment is provided or allowed.

Security Personnel means any person(s) who perform(s) security related tasks on behalf of the permittee including, but not limited to: removing problem patrons from the premises, removing illegal contraband from patrons at the premises, checking identifications of patrons to ensure minimum age compliance with local and state laws, and escorting patrons from the premises. Security personnel must be qualified to engage in the private securities profession as mandated in the North Carolina General Statutes, Chapter 74C.

II. Minimum Requirements for Facility Security

A. The following security shall be provided at all entertainment facilities engaged in public entertainment:

1. Each entertainment facility shall provide one security person on site for every 100 patrons, up through 400 patrons, and then one additional security person for every 200 additional patrons through 800, and then one additional security person for every 300 additional patrons. "Patrons" means all persons on the premises and includes persons waiting in line to enter the premises. The following table visually depicts these requirements:

Number of Patrons	Security Staff Required
Up to 100	1
101-200	2
201-300	3
301-400	4
401-600	5
601-800	6
801-1100	7
1101-1400	8

2. The security personnel required to be on duty when the public entertainment begins or 9:00 p.m., whichever occurs first in time, and shall remain on duty for at least one-half hour after the entertainment facility has closed or after all patrons have vacated the area immediately surrounding the premises and the adjacent parking lots used by patrons, whichever occurs later in time.
3. The security persons shall provide security that is plainly visible to patrons inside the premises of the entertainment facility. Security persons will also maintain plainly visible security along the outside perimeter of the premises, and at parking sites immediately adjacent to the premises and used by patrons.
4. Security persons shall extend every effort to remove disruptive persons separately and ensure that each departs the premises and parking area prior to the next disruptive person being removed from the premises and parking area.
5. If found, security personnel shall remove any illegal contraband from patrons, report its existence to the Greensboro police department, identify the person in possession of the illegal contraband and immediately turn it over to the proper law enforcement authorities.
6. All security personnel shall register and maintain valid registration status with the State of North Carolina's as required in Chapter 74C on the North Carolina General Statutes. At no time shall any security personnel register with the state at

any level that is less than that of an unarmed security guard. Armed security guards must be qualified pursuant to the requirements of North Carolina General Statute's 74C-13, *et. seq.* Proof of application and registration for all security personnel shall be maintained by the permittee and shall consist of copies of all relevant documentation including: application forms, receipts for application fees and live scan fees, and actual proof of registration.

7. At closing time, the security personnel shall be responsible for clearing the patrons of the entertainment facility from the sidewalk and street areas in front of the premises and from other areas accessible to persons around the perimeter and within one hundred and fifty feet of the premises.
8. While on duty, all security personnel shall have a nameplate containing the security personnel's full name and the word "SECURITY" printed in bold, capital letters. The nameplate shall be exhibited prominently on the clothing, at chest level, and shall be visible and easily read at all times. The nameplate shall be a minimum of three inches high and nine inches wide, with the required information printed in capital letters, at least two and one-half inches high and in a contrasting and highly visible color. As an alternative to a nameplate, the security personnel's name and the word "SECURITY" may be embroidered on the security personnel's outermost garment with the required information meeting the above specifications and located at chest level.
9. The entertainment facility shall not allow any security personnel to, and no security personnel shall, sit at the bar, consume alcoholic beverages or any controlled substance, be under the influence of alcoholic beverages or any controlled substance, or engage in any other violations of law while on duty. Additionally, the entertainment facility shall not allow any security personnel to, and no security personnel shall at any time, serve any patron any food, drink, alcohol or other consumable item or items.
10. The entertainment facility shall not allow any security personnel to be, and no security personnel shall be, in possession of any firearm while on the premises without first having obtained a license from the appropriate state or local agency authorizing the security personnel to be in possession of a firearm.
11. If the entertainment facility employs security personnel that will be in possession of a firearm while on the premises, the security personnel shall, no less than days prior to the date he or she will begin employment with the entertainment facility, provide the Chief of Police with the following:
 - a. A copy of the license issued to the security personnel by the appropriate state or local agency authorizing him or her to possess such firearm;
 - b. A copy of his or her law enforcement identification (if he or she is employed by a law enforcement agency); and

- c. A copy of his or her North Carolina driver's license or North Carolina identification card.
 - 12. Security shall be responsible for maintaining order at the entertainment facility premises and shall ensure the patrons do not carry concealed weapons, including but not limited to guns and knives.
- B. The applicant shall be responsible for compliance with the security plan without regard to assignment or sub-lease of the entertainment facility to any other person or entity for any future public entertainment. If the use of an entertainment facility is assigned or sub-leased to another person or entity, the assignee or sub-tenant shall be jointly responsible with the applicant for compliance with the security plan. Nothing in this Manual shall be construed to modify or expand any restrictions upon the transfer or assignment of a privilege license in Chapter 13 of the Greensboro Code of Ordinances.

III. Plan

The applicant shall provide a written security plan which describes in detail all procedures which the entertainment facility shall use to continuously meet the Minimum Requirements for Facility Security. The security plan shall also include the following:

- A. A list of equipment to be used for facility security purposes;
- B. A list of the employees, agents or contractors of the entertainment facility whose responsibilities include compliance with the security plan, including a description of the duties of each such employee, agent or contractor; and,
- C. A schedule which shows at least twelve (12) hours annually of mandatory training for each such employee, agent or contractor, to maintain certification under the Private Protective Service Act.

IV. Applications and Review

- A. In addition to providing all information required by other applications for a privilege license under this ordinance or Chapter 13 of the City of Greensboro Code of Ordinances, the applicant must also provide the following information to the Planning Director before a privilege license may be issued:
 - 1. The full name, address and telephone number of the owner of the real property where the entertainment facility is located.
 - 2. The address of the principal office of the business that operates the entertainment facility or the location at which its business records are kept, if different from the address of the entertainment facility.

3. The Federal tax identification number of the business which operates the entertainment facility.
 4. The name(s), address(s) and telephone number(s), date(s) of birth, and social security or Federal tax identification number(s) of for each person who is an owner of the business operating the entertainment facility. If the business is owned by a corporation, then the applicant will provide the required information herein for each officer of the corporation. If the business is owned by a limited liability company, then the applicant will provide the required information herein each member and manager of the company. If the business is owned by any form of partnership, then the applicant will provide the required information herein each general partner of the partnership.
 5. The name(s), address(s) and telephone number(s), date(s) of birth, and social security or Federal tax identification number(s) of each person who is an employee of the applicant responsible for managing or supervising the business operating the entertainment facility.
 6. A copy of the current lease between the owner of the real property where the entertainment facility is located and the owner of the business that operates the entertainment facility.
 7. A sketch plan or diagram showing the configuration of the premises and including a statement of total floor space occupied by the business. The sketch need not be to scale but must provide accurate measurements.
 8. A notarized statement from the applicant or applicant's representative that all information provided to the City of Greensboro is true and correct.
- B. After the issuance of a privilege license, applicants under this article shall have a continuing duty to supplement all information required by this section if the information changes in any way from what is stated on the application. The applicant shall have thirty (30) days in which to provide such supplemental information to the Planning Director.