

0404246

RALEIGH, NORTH CAROLINA (North Carolina State)

(1) North Carolina General Statutes Chapter 18B and Section 105-113.71 authorize municipalities to exercise limited regulatory authority over the licensing and permitting of places selling alcoholic beverages and over the possession and consumption of alcoholic beverages.

HOURS OF SALE: Unlawful between 2:00 AM and 7:00 AM

HOURS OF CONSUMPTION: Unlawful between 2:30 AM and 7:00 AM

SUNDAY HOURS: Unlawful to sell or consume from the time at which sale or consumption must cease on Sunday morning until 12:00 Noon on that day.

No University information from North Carolina State

FT. COLLINS, COLORADO (Colorado State University)

Unlawful Sale/Consumption between 2:00 AM and 7:00 AM

A city cannot enlarge on the state-provided hours of sale, but can require fewer hours.

CHAPEL HILL, NORTH CAROLINA (University of North Carolina)

(1) North Carolina General Statutes Chapter 18B and Section 105-113.71 authorize municipalities to exercise limited regulatory authority over the licensing and permitting of places selling alcoholic beverages and over the possession and consumption of alcoholic beverages.

State § 18B-1004. Hours for sale and consumption.

(a) Hours of sale: unlawful between 2:00 AM and 7:00 AM

Hours of consumption: unlawful between 2:30 AM and 7:00 AM

Sunday Hours: unlawful to sell or consume from the time at which sale or consumption must cease on Sunday morning until 12:00 Noon on that day.

No information from the University of North Carolina

4-224. Local ordinances; prohibitions

A city, town or county **shall not adopt ordinances or regulations in conflict with the provisions of this** title including, but not limited to, ordinances or regulations pertaining to **hours** and days of **liquor sales** and ordinances or regulations that conflict with the definition of restaurant contained in this title.

HOURS OF SALE:

Unlawful between 2:00 AM and 6:00 AM on weekdays

Unlawful between 2:00 AM and 10:00 AM on Sundays

HOURS OF CONSUMPTION:

Unlawful between 2:30 AM and 6:00 AM on weekdays

Unlawful between 2:30 AM and 10:00 AM on Sundays

PREMISE HOURS:

Unlawful for any person other than a licensee or an employee of the licensee engaged in job-related activity to be present on the premises of licensed liquor establishments:

between 2:30 AM and 6:00 AM of any weekday or Saturday

between 2:30 AM and 10:00 AM on Sunday

University of Arizona

SHADE Diversion Program is by the Campus Health Service's Alcohol and Other Drug Educational Program.

- 4 hours of educational risk reduction classes for students who have violations of alcohol and other drug policies
- Provide motivation to change drinking or non-drinking habits
- Taught how to estimate alcohol content and to calculate blood concentration
- Learn how to pace intake, avoid intoxication, plan consumption, and the ability to recognize when to stop
- Additional assistance is available to the student body by a professional staff

HOURS OF SALE:

Unlawful Monday through Saturday between 2:00 AM and 7:00 AM

Unlawful on Sunday between 2:00 AM and 12:00 Noon

HOURS OF CONSUMPTION:

Unlawful Monday through Saturday between 2:15 AM and 7:00 AM

Unlawful on Sunday between 2:15 AM and 12:00 Noon

Premise restrictions not mentioned.

University of Texas

Alcohol services:

- Tabling of information
- Peer advisor programs
 - Workshops for student organizations per request
 - Approximately 100 per school year
- Provide education and therapeutic group sessions
- Center designated for student abuse recovery
- Designated Driver Program
 - Student ran program based on volunteers
 - Every three sessions, volunteer is compensated with local vendor coupons/gift certificate.

**Comments by Lohse Beeland, chair,
UF Committee on Alcohol and Other Drug Education and Policy
at the April 21, 2005 City of Gainesville Public Safety Committee, page 1
#040424**

The University of Florida does not support the proposal for extending bar closing from 2 am to 3 am, even with the understanding alcohol would not be sold or served after 2 am. Based on data from the 2004 CORE survey administered by Gator Well Health Promotions, only 16% of our students believe this is an important issue for the City to consider. We have not been able to identify any data that will support the argument that allowing a 3 am closing in bars will ensure a "responsible drinking environment and alleviate the current problem of excessive crowding, violence and crime." While the later closing could theoretically lessen congestion and crowds, there is no evidence that it could reduce crime rates or lessen pressure on police, traffic and patrons. In fact it could make for a more volatile situation, as Dr. Paul Doering and Dr. Phil Barkley will explain.

To address issues presents in previous discussions:

We acknowledge there is an inherent problem with bars closing abruptly after last call, forcing students into the streets, that public and paid transportation may be difficult to access, taxi services may be at capacity and that buses may be overcrowded. While at first glance a later closing appears to be a logical solution, closer scrutiny will show it is a very flawed suggestion and the City should consider other alternatives. One question to ask is why is this crowd issue different from folks leaving a movie theater or basketball game? The answer is many of the patrons are impaired from the large amounts of alcohol that have been consumed, they have poor judgment and they are making unsafe decisions. The problem is caused by the push for drinks at last call, the cheap availability of alcohol through drink specials and overcrowding of the bars. An additional hour will not solve the problem.

It is being argued that a later closing will encourage responsible behavior by providing an opportunity to make sensible decisions about when to vacate and ensure an efficient

**Comments by Lohse Beeland, chair,
UF Committee on Alcohol and Other Drug Education and Policy
at the April 21, 2005 City of Gainesville Public Safety Committee, page 2**

and orderly exit with an hour to trickle home and leave establishments at leisure. The reality in all probability will very different, as decisions made by impaired persons will not follow a rational decision-making processes... in all probability most patrons will leave when the taps have been turned off. It is being claimed that because UF students have high GPA's and SAT's, they will respond intelligently. However those scores cannot be used as accurate indicators of potential alcohol use or non-use and/or decision-making while impaired.

In addition, we question the economic incentive for the businesses... it is not reasonable to assume there will be responsible activity in bars when no alcohol can be sold or served during the additional hour. We believe the bars need to be more responsible and follow existing laws.

Some additional programs have been suggested by Student Government to balance the extended hour proposal:

- UF supports their proposal to develop a marketing campaign which will address alcohol abuse by including information on transportation, tow and go, effect of alcohol on system, emergency info, etc. This campaign should be in conjunction with the existing campaigns coordinated by Gator Well and other health educators on campus.
- UF supports their proposal for monthly roundtable discussions including bar owners to discuss pertinent information on alcohol distribution and responsible consumption, provided those roundtables include health and wellness professionals. The opportunity to have the community come together about

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- these issues and look at viable solutions such as ID Scanners, elimination of drink specials and the Responsible Vendor program should benefit all parties.

Some of the SG proposals are already being coordinated on campus:

- Alcohol education is already addressed at Preview, First Year Florida, for all Greek students and in residence halls.

- UF strongly supports the existing online alcohol education program and is discussing requiring it for all students.

Some of the SG proposals have flaws:

- Possibly expanded Later Gator service, increased routes and frequency of bus runs is commendable, depending on the additional cost to students and whether a majority of students approve the additional expense.

- Increased late night activities on campus are being addressed but the sheer number of students suggests that it will be critical for local businesses to also consider developing late night non-alcohol locations, such as coffee houses, etc.

Again, while in theory extending the bar hours appears to be a logical solution to identified safety issues concerning bar closings, this proposal is flawed and will prove to be more of a problem than a solution and the University of Florida does not support it. As the Gainesville Sun stated in their April 14 editorial: "Is it a good idea? No. If nothing else, it would send a mixed message about the city's attitude toward excessive drinking ..."

**Comments by Lohse Beeland, chair,
UF Committee on Alcohol and Other Drug Education and Policy
at the April 21, 2005 City of Gainesville Public Safety Committee, page 4**

As many of you know, there are three sub-committees reviewing the 3 areas of concern identified in a February Town-Gown meeting: Enforcement, Access and Marketing and Culture/Social Environment. There is clearly a strong interest in resolving the problems that center around alcohol abuse. We have received many emails supporting the steps that have been taken. UF does not support the proposed extension of bar hours, as it will not contribute positively to solving the current problem of unsafe crowds in downtown Gainesville at the 2 am closings.

Please hear the comments of Dr. Paul Doering, Distinguished Service Faculty of the UF College of Pharmacy and Dr. Phil Barkley, director of the UF Student Health Care Center to support our stance.

Dear City Commissioners:

In evaluating the merits of extending bar hours from 2 am to 3 am in the City of Gainesville, there are several compelling health and safety facts and factors that argue against this extension.

Excessive alcohol use represents a major public health threat to our society. According to *Clinical Toxicology 1st Edition* (2001), excessive alcohol use is associated with the following national consequences:

- * 67% of all Murders
- * 50% of all Fatal Motor Vehicle Accidents
- * 35% of all Suicides
- * 40% of all Emergency Department Visits
- * 33% of Hospital Admissions

In addition, alcohol is consumed by either the victim or perpetrator in 75% of all sexual assaults (*Dangerous Liaisons: Substance Abuse and Sex*, 1999). Finally, the National Institute for Alcohol Abuse & Alcoholism (Alcohol Alert, 2001) maintains that alcohol costs the US economy \$185 billion annually.

The following issues merit your attention in fully evaluating extending bar hours:

1. It takes approximately one hour for a person to absorb one alcoholic drink. Variables such as gender, body weight, fatigue, food absorbed before hand, and medication can alter this rate (Dr. Paul Doering, *Pharmacotherapy: A Pathophysiologic Approach*, 5th. Ed. Substance-Related Disorders II: Alcohol, Nicotine, and Caffeine. Appleton and Lange, Stamford, Connecticut, 2001, 1202-1218). Consequently, spending an extra hour at the bar may actually increase an individual's blood alcohol concentration rather than allowing a person to sober up prior to leaving the establishment.
2. While alcohol will not be sold after 2:00am, in all likelihood, patrons in non-compliant bars will continue to consume their drink(s) purchased at last call.
3. If alcohol is not available after 2:00am, certain already intoxicated patrons may be more likely to experiment with illicit or non-prescribed prescription drugs.
4. In the last 15 months there have been five student alcohol related deaths and the binge drinking rates have increased 6% to 12% since Spring 2002. Officials at the University of Florida believe that extending bar hours may result in more alcohol related consequences at a time when a campus/community coalition is exploring various prevention initiatives.

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Proponents for extending bar hours argue that the policy proposal will remedy late night downtown congestion. However, it is likely the majority of patrons will stay at the bars until they close. In summary, the health and economic consequences of extending the bar hours clearly outweigh any theoretical benefits.

Please let me know if I can address any questions, comments, or concerns.

Sincerely,

Phillip L. Barkley, M.D.
Director, Student Health Care Center
Associate Professor, Community Health and Family Medicine
University of Florida

Submitted to the Public Safety Committee Staff Liaison 5/2/05

Alcohol Absorption and Metabolism in the Context of Bar Closings

Comments submitted by:

Paul L. Doering, M.S.
Distinguished Service Professor of Pharmacy Practice
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Gainesville, Florida

Before the Public Safety Committee of the Gainesville City Commission
April 21, 2005

In the continuing debate as to whether bars in the City of Gainesville should be allowed to remain open after 2 A.M., one sometimes hears the following reasoning for allowing bars to stay open one more hour:

“Why not allow the bars to remain open until 3 A.M., but stop selling alcohol at 2 A.M.? In this manner, patrons would have an additional hour to sober up before being sent out into the streets.”

While this logic may appear sound on its surface, some facts about alcohol’s absorption and metabolism are being overlooked. To understand this fully, one must first review the way in which alcohol enters the body, is distributed throughout, and finally is eliminated.

Absorption of alcohol begins in the stomach within 5 to 10 minutes of oral ingestion. The onset of clinical effects follows fairly rapidly and is proportional to the amount of alcohol finding its way into the bloodstream. While alcohol is absorbed primarily from the upper regions of the small intestines, it is also absorbed in smaller amounts from the stomach, esophagus, and mucous membranes. Peak serum concentrations of alcohol usually are achieved 30 to 90 minutes after finishing the last drink, although it is variable depending on the type of alcoholic beverage consumed, what and when the person last ate, and other factors. In the typical person drinking beer, wine, or mixed drinks in a bar setting, the average time for the alcohol to reach a peak in the blood is 1 hour.

Alcohol is “burned off” by the liver at a constant rate corresponding to approximately one alcoholic drink per hour (defined as one 12 ounce beer, one glass of wine or 1.5 ounce of 80 proof distilled beverage). On average, the blood alcohol concentration is lowered from 0.015–0.022 percent per hour in the nontolerant individual after the peak has occurred.

Assume for the moment that a person is drinking at a steady rate over the course of an evening. Under the current scenario with 2 A.M. closings, the person would leave the bar

and would return home (hopefully safely) and would not be driving from that point forward. With the bars allowed to remain open until 3 A.M., the person would essentially be discharged from the establishment at or about the time the alcohol is reaching a peak level in the bloodstream. While there is no guarantee that blood levels of alcohol in would be in the safe range even at closing, the logic is distorted if one is to think that the ensuing hour would allow the alcohol to decrease. In fact, the alcohol must first reach a peak (about 1 hour after the last drink) before it came begin to come down.

In summary, the argument that people should be allowed to remain in the bar for an hour to “sober up” is based on flawed information and it ignores the facts about how alcohol is handled by the body.

5/6/05

