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Testimony from:

Marc Hyden, Director of State Government Affairs, R Street Institute

In SUPPORT of approving an open-air drinking district in Marietta, Georgia

April 8, 2019

Marietta City Council

City Council Members,

My name is Marc Hyden. My family and I are longtime Cobb County residents, and I am the Director of State Government Affairs for the R Street Institute, a nonprofit, nonpartisan public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government in many areas, including expanding commercial freedom. That's why we support the creation of an open-air drinking district in Marietta, Georgia.

Over the past several years, the state of Georgia has been updating its alcohol policies to bring them in line with the rest of the country. Indeed, many Georgia cities—Alpharetta,<sup>1</sup> Acworth,<sup>2</sup> Canton,<sup>3</sup> Duluth,<sup>4</sup> Kennesaw,<sup>5</sup> Powder Springs,<sup>6</sup> Smyrna,<sup>7</sup> Stockbridge,<sup>8</sup> Savannah,<sup>9</sup> etc.—have already approved open-air drinking districts, which authorize drinking in specifically designated areas.

These endeavors go hand in hand with the current national movement to permit open containers in entertainment areas.<sup>10</sup> While imbibing in public spaces seems like a modern phenomenon, it's actually not. It wasn't until the mid-1970s that statutes limiting open-air drinking began to proliferate.<sup>11</sup> There were many different justifications for these ordinances at the time, but the most commonly repeated defense today stems from a desire to advocate for good public health and safety outcomes. These are noble objectives. But perpetuating certain alcohol-free districts within entertainment areas may do little to dissuade unhealthy and criminal behavior.



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The problem with prohibitions of open-air drinking is that they might lead to adverse public health effects. *The Sport Journal* — a peer-reviewed academic periodical — highlighted that some individuals binge drink before alcohol-free events so that they can maintain their buzz for the duration of the event. If these people could drink at the event, then they may not feel the urge to adopt such behavior. Instead, they could nurse their beverages more responsibly over a lengthier period of time.<sup>12</sup>

Public safety may improve as well, because there is reason to believe that open-air drinking districts reduce the frequency of drunk driving. After all, it's less appealing to drive from bar to bar when you can walk between them with a drink in your hand. This could help individuals avoid driving under the influence and save lives.

Furthermore, the creation of an open-air drinking district in Marietta could bring about an economic windfall. It is not a coincidence that a host of new open-air drinking districts have developed across the state.<sup>13</sup> Rather, it seems that open-air drinking districts are good for business. If they are, then relaxing unnecessarily strict alcohol ordinances will attract more development. Beyond this payoff, open-air drinking districts may lure tourists as well as conferences, festivals, concerts and other events, helping local companies thrive and increasing tax revenue.<sup>14</sup>

Ultimately, much of this debate relates to consumer choice and individual liberty. After all, why should adults be prohibited from safely consuming alcohol in entertainment areas when there may be fewer adverse effects? They shouldn't, and that's why it is important that the city council approve an open-air drinking district in Marietta.

Thank you for your time.

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- <sup>2</sup> "Open Container District," Acworth Tourism.
- <sup>3</sup> Dixon, Kristal, "Canton Approves Downtown Open Container Proposal," The Patch, September 7, 2018.
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- <sup>5</sup> Williams, Ross, "Kennesaw approves open container districts," Marietta Daily Journal, January 23, 2019.
- <sup>6</sup> Dixon, Kristal, "Powder Springs approves open container district," Atlanta Journal Constitution, March 5, 2019.
- <sup>7</sup> "Smyrna Approves 'Carry Out' Alcohol Policy in Downtown Restaurant District," Smyrna Vision, February 20, 2018.
- <sup>8</sup> Adgie, Joe, "Stockbridge approves Open Container district," Henry Herald, September 11, 2018.
- <sup>9</sup> Kefalas, Emilie, "To-Go Cup Takeaway: Savannah's Open Container Policy," Savannah.com, August 1, 2018.
- <sup>10</sup> Fung, Easter, "Property Developers Push for Open Drinking on City Streets," Wall Street Journal, July 18, 2017.
- <sup>11</sup> Satran, Joe, "The Secret History Of The War On Public Drinking," Huffington Post, December 6, 2017.
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- <sup>14</sup> Henderson, Tim, "To boost downtowns, some cities loosen rules on public drinking," PBS, October 29, 2016.