



AGENDA ITEM #: 20-38  
COUNCIL MTG OF: April 7, 2020  
FROM: David Caron, Town Administrator  
OFFERED BY: David Caron, Town Administrator  
PREPARED BY: David Caron, Town Administrator  
SUBJECT: Authorization to provide samples of distilled alcohol, cider, mead, wine and beer at the Derry Homegrown Farm & Artisan Market

## STAFF REPORT

**PURPOSE:** Grant authorization to Doire and Daydreaming Brewing to supply free samples of alcohol at the Derry Homegrown Farm & Artisan Market, pursuant to the authority provided in RSA 179:44 and RSA 178.

**TOWN ADMINISTRATOR COMMENTS:** The Town Council is encouraged to support this request by affirmatively acting upon Resolution #2020-009.

**BACKGROUND:** The Derry Homegrown Farm and Artisans Market is planning its 2020 season and the Town has received a request from Doire Distillery and Daydreaming Brewing seeking Council approval to serve samples; Resolution #2020-009 provides authorization within the mandates of NH RSA 179:44 for Daydreaming, which requires that such activity be authorized by the town or city's governing body and that the authorization must be in writing. The Legislature is currently considering a bill to authorize distilleries to participate pursuant to RSA 178; thus any approval for Doire would be contingent upon passage of enabling legislation.

**DISCUSSION:** In accordance with the Town Charter and State law, the Town Council is the governing body of the town and has the sole authority to grant the requested authority to provide samples under that statute. The authority requested is narrow as to the location and time of operation of the Market.

**FISCAL IMPACT:** Granting the requested authority will not have an impact on the town budget. However, it does support the town's goal of enhancing economic development by providing a business opportunity to the requesting party.

**RECOMMENDED ACTION BY COUNCIL:** Approve the requests by supporting Resolution #2020-009.

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# RESOLUTION

Number 2020-009

To Authorize Various Vendors to serve alcoholic beverage samples at the  
Derry Homegrown Farm and Artisans Market.

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town and, as such, it is empowered to act in accordance with RSA 179:44; and

WHEREAS, RSA 179:44 II-a authorizes wine manufacturers, beverage manufacturers, nano breweries and brew pubs to provide samples for tasting at a farmers' market, contingent upon written authorization by the Governing Body;

WHEREAS, the State Legislature is considering an expansion of said authority to include beverage manufacturers as may be authorized under RSA 178;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the following vendors are hereby authorized to provide alcoholic samples during all Derry Homegrown Farm and Artisan Market events, contingent upon compliance with all applicable state statutes and Town of Derry Ordinances.

Daydreaming Brewing Company

Doire Distilling

This Resolution shall take effect immediately upon its passage and shall remain in effect until rescinded by the Town Council.

Adopted: March 24, 2020

Attest:

X \_\_\_\_\_

Charles Foote, Council Chair

Date: \_\_\_\_\_

X \_\_\_\_\_

Daniel Healey, Town Clerk

Date: \_\_\_\_\_