

RESOLUTION NO.: R-2014-037

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Authorizing Soda City Spring Fest on Saturday, March 22, 2014 within the parking spaces of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas; and within the parking spaces of the 1400 block of Main Street, excluding the sidewalk areas and in the event of inclement weather approving use of the rear bay area of the first floor of the City Center Parking Garage as an alternate site, excluding the sidewalk areas, parking areas, adjacent garage and off-street parking areas

WHEREAS, Resolution No.: R-2013-110 approved by City Council on December 10, 2013, authorized Emile DeFlice ("Sponsor") to organize and operate an Open Air Market from 9 a.m. to 1 p.m. on Saturdays from January 5, 2014 through December 26, 2015, within the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas and based on growth and/or seasonal fluctuations expanding to the 1400 block of Main Street without closing the intersection of Hampton Street and Main Street for Soda City (open air market), or due to inclement weather or during certain other events the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street, with the exception of sidewalk areas, parking areas, adjacent garage and off-street parking areas; and,

WHEREAS, Resolution No.: R-2013-110 further authorized Sponsor to temporarily close and use the 1500 block of Main Street, excluding Boyd Plaza, and based on growth and/or seasonal fluctuations expanding to the 1400 block of Main Street between Hampton Street and Taylor Street without closing the intersection of Hampton Street and Main Street, from 7:30 a.m. until 3:00 p.m. for set up, clean up, and staging of the event to be held in the parking spaces only from 9:00 a.m. until 2:00 p.m. on Saturdays from January 5, 2014 through December 26, 2015, for patrons to taste locally produced wine and beer beverages only provided by market vendors at the event during the operating hours of 9:00 a.m. until 1:30 p.m.; and for crowd control and overflow; and,

WHEREAS, Sponsor desires to hold Soda City Spring Fest at the Open Air Market on Saturday, March 22, 2014 and requests the temporary closing and use of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas, the intersection of Main Street and Hampton Street, the parking spaces of the 1400 block of Main Street, excluding the sidewalk areas, and in the event of inclement weather approving use of the rear bay area of the first floor of the City Center Parking Garage as an alternate site, excluding the sidewalk areas, parking areas, adjacent garage and off-street parking areas from 7:30 a.m. until 3:00 p.m. for set up, clean up and staging of the event to be held from 9:00 a.m. until 2:00 p.m. and for patrons to be permitted to consume locally produced wine and beer beverages only provided by market vendors at the event on Saturday, March 22, 2014 during the hours of 9:00 a.m. until 1:30 p.m.; and,

WHEREAS, it has been determined that such an event would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this 18th day of March, 2014, that that the sale of beer and wine beverages only provided by market vendors is authorized between the hours of 9:00 a.m. and 1:30 p.m. on Saturday, March 22, 2014; and,

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location; and,

BE IT FURTHER RESOLVED that outdoor possession and consumption of beer and wine beverages, all outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of the event to residential properties; and,

BE IT FURTHER RESOLVED that possession and consumption of alcoholic liquors or alcoholic beverages other than beer and/or wine beverages within the event area is prohibited; and,

BE IT FURTHER RESOLVED that VIP tents or VIP areas for the possession and consumption of alcoholic liquors or alcoholic beverages, other than beer or wine beverages, within the event area are prohibited; and,

BE IT FURTHER RESOLVED that organizer is responsible or shall make arrangements for the cleanup of all trash and debris within the festival area and shall place same in the roll carts provided by the City. Any overflow of trash and debris shall be placed in garbage bags with the top securely closed and placed beside the City roll carts. The number of roll carts needed for the event shall be determined by organizer and the City Solid Waste Division prior to the event and placed throughout the event area to ensure that trash and debris are well contained. Roll carts and bagged trash and debris shall be returned to the collection point designated by the City in a timely manner. If the organizer has not opted to use City services to clean up the festival area, any costs incurred by the City in removing loose trash and debris within the festival area, which the organizer has failed to clean up, shall be billed to and paid by the organizer; and,

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BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within the area. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skate boards, and horses, except police horses, is prohibited. Canines and felines are allowed, provided that current leash laws are observed as are set out in the 1998 Code of Ordinances of the City of Columbia, as amended. Coolers, glass bottles, breakable glasses and/or cups and backpacks shall be prohibited. Shopping bags shall be allowed; and,

BE IT FURTHER RESOLVED that should the market be relocated to the City Center Parking Garage that tents and food trucks shall be prohibited and all vendors shall be restricted to the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing as Exhibit "F" so as to allow for vehicular ingress and egress to the parking garage, and for the safety, ingress and egress of pedestrians,; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within either event area location. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skate boards, and horses, except police horses, is prohibited, except for such times as the Organizer permits loading before the event and unloading after the closing of the event. Canines and felines are allowed, provided that current leash laws are observed as are set out in the 1998 Code of Ordinances of the City of Columbia, as amended. Coolers, glass bottles, breakable glasses and/or cups and backpacks shall be prohibited. Shopping bags shall be allowed; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion of the parking spaces of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas; and the parking spaces of the 1400 block of Main Street, excluding the sidewalk areas, the intersection of Hampton Street and Main Street, and in the event of inclement weather the rear bay area of the first floor of the City Center Parking Garage, excluding the sidewalk areas, parking areas, adjacent garage and off-street parking areas, and other areas posted as to not allow alcoholic beverages, shall be declared to be a Public Park and provisions of Chapter 15, Parks and Recreation, Sec. 15-1, 15-2 and 15-3, Code of Ordinances of the City of Columbia, South Carolina are in effect. Pursuant to Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses Against the Public Peace and Order, Sec. 14-99, 1998 Code of Ordinances of the City of Columbia, South Carolina, the parking spaces of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas; and the parking spaces of the 1400 block of Main Street, excluding the sidewalk areas, the intersection of Hampton Street and Main Street, and in the event of inclement weather the rear bay area of the first floor of the City Center Parking Garage, excluding the sidewalk areas, parking areas, adjacent garage and off-street parking areas, and other areas posted as to not allow alcoholic beverages, is deemed to be the site of a public festival at which beer and wine beverages may be consumed and the prohibition against possession or consumption of alcoholic beverages set forth in Sec. 14-99 shall not apply. Possession and consumption of beer and wine beverages shall be permitted only in plastic cups, plastic or aluminum bottles or aluminum cans provided by vendors within the areas designated.

PROVIDED, FURTHER, that the event organizer shall provide the names and cell phone numbers of a least two contact persons who can receive complaints during the event, including any set up and breakdown times. The cell phones shall remain on at all times during the event and during any set up and breakdown time.

PROVIDED, FURTHER, that failure of the event organizer to strictly comply with the time frames and other requirements and responsibilities set forth in this resolution may result in a denial of subsequent requests to allow the event.

PROVIDED, HOWEVER, that no solicitation or transactions be made in violation of Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina.

Requested by:

Emile DeFelice _____



Mayor

Approved by:



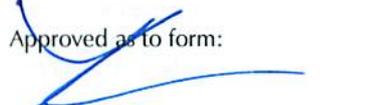
City Manager

ATTEST:



City Clerk

Approved as to form:



City Attorney

Introduced:

Final Reading: