

RESOLUTION NO.: R-2013-001

Authorizing consumption of beer and wine only at the "St. Pat's in Five Points Festival"

WHEREAS, the Five Points Association is sponsoring the "St. Pat's in Five Points Festival" to raise funds for charity, beautification and revitalization of the Five Points area on Saturday, March 16, 2013, with rain contingencies to include Saturday night and Sunday, March 17, 2013; and,

WHEREAS, the Association has requested the temporary closing and use of the 2100 block of Greene Street from 12:00 p.m. Friday, March 15, 2013 until 7:00 p.m. Saturday, March 16, 2013; the 600 block of Harden Street, from 3:00 p.m. Friday, March 15, 2013 until 9:00 p.m. Saturday, March 16, 2013; that Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Pavillion Avenue; Devine Street between Saluda Avenue and Heidt Street; Saluda Avenue between Greene Street and Blossom Street and Harden Street between Blossom Street and College Street on Saturday, March 16, 2013 from 2:00 a.m. until 9:00 p.m., for preparation and staging of the area for an outdoor event to be held on Saturday, March 16, 2013 between 7:30 a.m. and 7:00 p.m., and for patrons to consume beer and wine at the event during the hours of 9:00 a.m. and 6:00 p.m.; and,

WHEREAS, the Association has requested permission to conduct sidewalk sales as part of the celebration; and,

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

BE IT RESOLVED by the Mayor and Council this 8th day of January, 2013, that between the hours of 9:00 7:30 a.m. and 7:00 p.m. on Saturday, March 16, 2013 (and in the event of rain, from 1:00 p.m. to 6:00 p.m. Sunday, March 17, 2013) that Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Pavillion Avenue; Devine Street between Saluda Avenue and Heidt Street; Saluda Avenue between Greene Street and Blossom Street and Harden Street between Blossom Street and College Street, merchants in Five Points are authorized to operate sale booths for items normally sold in their course of business on the sidewalks immediately in front of their places of business; 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 clean up 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,

BE IT FURTHER RESOLVED that street sales of arts and crafts items (to be defined as items which are in whole or in part handmade and not items purchased for resale) and food and beverage items and game booths be permitted and that the Association be authorized to determine and allocate available space to vendors and to charge reasonable fees to cover its costs in promoting and operating the festival. The Association may limit the number of vendors based on the space available. The Five Points Association sponsored beer sales are authorized between 9:00 a.m. and 6:00 p.m. on Saturday, March 16, 2013. The Five Points Association sponsored food sales will stop at 6:30 p.m. on Saturday, March 16, 2013. In the event of rain on Saturday, March 16, 2013, beer sales shall be extended through 9:30 p.m. and food sales shall be extended through 10:00 p.m. The Association shall prescribe the required application form and appropriate deadline for receiving application; and,

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location and the Association shall approve or disapprove all amplified entertainment activities; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within the area designated on the attached map. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skateboards, and horses, except police horses, are prohibited. Pets shall be prohibited. Coolers, glass bottles, breakable glasses and/or breakable cups, and backpacks shall be prohibited in the festival area as designated on the attached map; and,

BE IT FURTHER RESOLVED that during the designated time the area shown on the attached map is designated to be a Public Park and provisions of Chapter 15, Parks and Recreation, Sec. 15-1, 15-2 and 15-3, 1998 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 area designated on the attached map is deemed to be the site of a public festival at

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which alcoholic beverages may be consumed and the prohibition against possession or consumption of alcoholic beverages as set forth in Sec. 14-99 shall not apply, however, possession and consumption of alcoholic beverages shall be permitted only in containers provided by the Five Points Association within the area designated.

BE IT FURTHER RESOLVED that should it rain on Saturday, March 16, 2013, the Festival's hours of operation will be extended until 10:00 p.m. Furthermore, depending on the amount of rain during the event Saturday March 16, 2013, and in the sole judgment of the Five Points Association, its Board of Directors and the St. Pat's in Five Points Committee, the event will also be extended to include Sunday, March 17, 2013, between the hours of 1:00 p.m. and 6:00 p.m.; and,

BE IT FURTHER RESOLVED that in the event of rain the event is extended to include Sunday, March 17, 2013, beer sales shall be authorized between the hours of 1:00 p.m. and 5:30 p.m. and food sales shall be authorized between the hours of 1:00 p.m. and 6:00 p.m. on Sunday, March 17, 2013; and,

PROVIDED, FURTHER, the street and sidewalk sale shall be allowed during either of these dates and hours of operation as listed above.

PROVIDED, FURTHER, that in the event that it does not rain, Santee Avenue between Harden Street and Blossom Street shall be closed to through traffic, and parking by non-residents shall be prohibited within Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Pavillion Avenue; Devine Street between Saluda Avenue and Heidt Street; Saluda Avenue between Greene Street and Blossom Street and Harden Street between Blossom Street and College Street between the hours of 8:00 a.m. and 11:00 p.m. Saturday, March 16, 2013. In the event of rain, the streets shall be closed through 3:00 a.m. Sunday March 17, 2013.

PROVIDED, FURTHER, in the event that it does rain on Saturday, March 16, 2013, that Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Pavillion Avenue; Devine Street between Saluda Avenue and Heidt Street; Saluda Avenue between Greene Street and Blossom Street and Harden Street between Blossom Street and College Street shall be closed to through traffic, and parking by non-residents shall be prohibited, Sunday, March 17, 2013, between the hours of 12:01 a.m. and 8:00 p.m.

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 sidewalks shall not be obstructed for pedestrian traffic in violation of Sec. 22-72, 1998 Code of Ordinances of the City of Columbia, South Carolina, and that no solicitation or transactions be made in violation of Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina, and that no vendor locations be allowed on any street not closed by the Mayor and Council during the period of celebration.

Requested by:

The Five Points Association



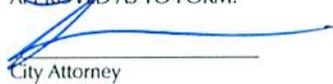
Mayor

APPROVED BY:



City Manager

APPROVED AS TO FORM:



City Attorney

ATTEST:


City Clerk

Introduced: 1/8/2013
Final Reading: 1/8/2013