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**RESOLUTION NO.: R-2010-009**

*Authorizing consumption of beer and wine at Five Points Association's 5 After 5 Concert Series*

WHEREAS, the Five Points Association is sponsoring its 5 After 5 Concert Series on Thursday evenings beginning April 1, 2010 through May 27, 2010.

WHEREAS, the Association has requested permission for the temporary closing and use of Saluda Avenue between the fountain plaza and Starbuck's building at the intersection of Harden Street from 6:00 p.m. until 11:00 p.m., for preparation of the area for an outdoor event, and for patrons to consume beer and wine beverages at the event during the hours of 6:00 p.m. and 10:30 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 17th day of March, 2010, that the sale beer and wine beverages is authorized between the hours of 6:00 p.m. and 10:30 p.m. on Thursday's beginning April 2, 2009 through June 25, 2009; and,

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

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, skateboards, and horses, except police horses, is prohibited. All pets, including snakes, shall be prohibited. Coolers, glass bottles and breakable glasses and/or cups shall be prohibited; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion, with the exception of the parking area and any 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, 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, Saluda Avenue at Greene Street, with the exception of the parking area and any other areas posted as to not allow alcoholic beverages, is deemed to be the site of a public festival at which alcoholic 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 provided by vendors within the areas designated.

BE IT FURTHER RESOLVED that during the designated time the closed portion of Saluda Avenue between the fountain plaza and Starbuck's building at the intersection of Harden Street, with the exception of the parking area and

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any 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 closed portion of Saluda Avenue between the fountain plaza and Starbuck's building at the intersection of Harden Street, with the exception of the parking area and any 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 only 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 Code Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina.

Requested by:

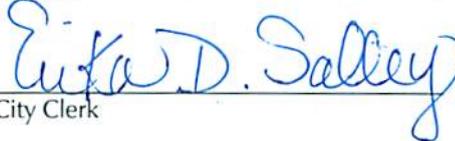
The Five Points Association

  
\_\_\_\_\_  
Mayor

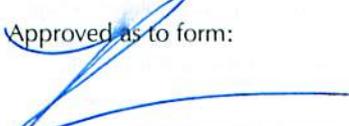
Approved by:

  
\_\_\_\_\_  
City Manager

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
City Attorney

Introduced: 3/17/2010  
Final Reading: 3/17/2010

DATE: February 2, 2010

NAME OF REQUESTOR Five Points Association

EVENT NAME/PURPOSE (i.e., St. Patrick's/Charity Fund-raiser

Five After Five/Local Music Concerts

DATE(S) OF EVENTS: April 1, 8, 15, 22, 29/May 6, 13, 20, 27

LOCATION OF EVENT  
(i.e., Amphitheater area  
of Finlay Park; 1200 and 1300  
blocks of Main Street)

Saluda Avenue, bounded by Greene Street. Between the fountain plaza and Starbuck's/CJ's.

STREET(S) TO BE CLOSED  
(i.e., 1200 and 1300 blocks of  
Main Street and 1100 and 1200  
blocks of Lady Street)

Portion of Saluda Avenue between the fountain plaza and Starbuck's building. (address is roughly 753 Saluda Avenue)

HOURS FOR STREET(S) TO BE CLOSED  
(i.e., 5:00 p.m. - 12:00 a.m.)  
ALLOW TIME FOR SET UP/CLEAN UP

6:00pm - 11:00pm

HOURS OF EVENT  
(i.e., 6:00 p.m. - 10:00 p.m.)

6:00pm - 11:00pm

HOURS OF SERVICE OF BEER/WINE  
(Service should end one-half hour prior to  
end of event, i.e., event is 6-10 p.m., beer/  
wine service is 6-9:30 p.m.)

6:00pm - 10:30pm

Please submit requests by mail, e-mail or fax at least sixty (60) days in advance of the event to allow for preparation and review of the Resolution and scheduling on Council's agenda. Requests may be sent by e-mail ([slardis@columbiasc.net](mailto:slardis@columbiasc.net)), fax (737-4250) or mail, POB 147, Columbia, SC 29217. A draft Resolution will be prepared and forwarded for your review as well as the Police Department Special Events office and to Parks and Recreation if the event is to be held in a City park.

PLEASE NOTE: This form should only be used for public events where beer and/or wine are to be sold and consumed on City property (i.e., Five After Five, St. Patrick's Festival, Concerts in Finlay Park, etc.).

This form should not be used to request use of City property for private events (birthday, retirement, anniversary parties, etc.) nor for sidewalk sales. Requests for private events at City parks should be made through the Parks and Recreation Department. Requests for sidewalk sales should be made to the City Manager.

Legal Department - Shari Ardis; 737-4242; [slardis@columbiasc.net](mailto:slardis@columbiasc.net)  
Police Department Special Events - Sgt. Taurus Sanders; 545-3535; [tdsanders@columbiasc.net](mailto:tdsanders@columbiasc.net)  
Parks and Recreation - Pearl Osborne; 545-3100; [peosborne@columbiasc.net](mailto:peosborne@columbiasc.net)

Submit by Email

2/3/2010

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2/24/2010