

RESOLUTION NO.: R-2011-014

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 of April 7, April 14, April 21, April 28, May 5, May 12, May 19, May 26 and June 2, 2011; and,

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 to be held during the hours of 6:00 p.m. and 10:00 p.m., and for patrons to consume beer and wine beverages at the event during the hours of 6:00 p.m. and 9:30 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 1st day of February, 2011, that the sale beer and wine beverages is authorized between the hours of 6:00 p.m. and 9:30 p.m. on Thursday evenings of April 7, April 14, April 21, April 28, May 5, May 12, May 19, May 26 and June 2, 2011; 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 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.

ORIGINAL
STAMPED IN RED

ORIGINAL
STAMPED IN RED

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 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.

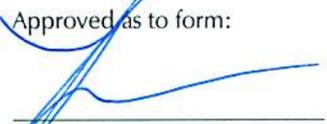
Requested by:

The Five Points Association

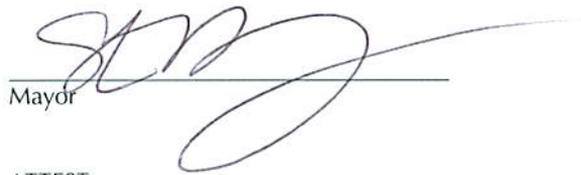
Approved by:


City Manager

Approved as to form:


City Attorney

Introduced: 2/1/2011
Final Reading: 2/1/2011


Mayor

ATTEST:


City Clerk

DATE OF REQUEST | December 28, 2010
REQUESTOR'S NAME/CONTACT INFORMATION (E-MAIL/PHONE#/FAX#) | Merritt McHaffie
merritt@fivepointscolumbia.com
803-748-7373/803-748-1119

EVENT NAME/PURPOSE (i.e., St. Patrick's/Charity Fund-raiser) | Five After Five Concert Series

DATE(S) OF EVENTS: | April 7, 14, 21, 28 & May 5, 12, 19, 26

LOCATION OF EVENT (i.e., Amphitheater area of Finlay Park; 1200 and 1300 blocks of Main Street) | Saluda Avenue - between Starbuck's & the Five Points fountain

STREET(S) TO BE CLOSED (i.e., 1200 and 1300 blocks of Main Street and 1100 and 1200 blocks of Lady Street) | Saluda Avenue (same location as above)

HOURS FOR STREET(S) TO BE CLOSED (i.e., 5:00 p.m.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 - 10:00pm

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 - 9:30pm

Requests should be submitted by mail, e-mail or fax at least NINETY (90) 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), fax (737-4250) or mailed to City Attorney's Office, ATTN: Shari Ardis, POB 667, Columbia, SC 29202. A draft Resolution will be prepared and forwarded for review to the event organizer, as well as to the Police Department Special Events office and to Parks and Recreation if the event is to be held in a City park. Approval from the adjoining business/property owners must be obtained before your request will be submitted to City Council if streets are to be closed off during business hours.

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 or neighborhood block parties. 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. Requests for street closings for private neighborhood block parties should be made to the Police Department Special Events and Public Safety. If food is to be cooked at the event contact the Assistant Fire Chief Carmen Floyd at (803) 545-3402 or cfdcfloyd@columbiasc.net.

Legal Department - Shari Ardis; 737-4242; slardis@columbiasc.net
Police Department Special Events - Officer Robert Hall; 545-3535; rjhall@columbiasc.net
Parks and Recreation - Loretta Coleman; 545-3100; lcoleman@columbiasc.net
Police Department Public Safety - Verna York; 545-3391; vbyork@columbiasc.net

10121919
R-2011-014