

ORIGINAL STAMPED IN RED

RESOLUTION NO.: R-2022-003

Authorizing consumption of beer and wine only at the "St. Pat's in Five Points Festival" and authorizing the City Manager and the Parks and Recreation Director to sign Park Rules for the St. Pat's in Five Points Festival on Saturday, March 19, 2022 with a rain contingency of Sunday, March 20, 2022

WHEREAS, the Five Points Association is sponsoring the "St. Pat's in Five Points Festival" to raise funds for charity and beautification and revitalization of the Five Points area on Saturday, March 19, 2022, with inclement weather contingencies to include Saturday night and Sunday, March 20, 2022; and,

WHEREAS, the Association has requested the temporary closing and use of the 2100 block of Greene Street from 8:00 a.m. Friday, March 18, 2022 until 11:59 p.m. Saturday, March 19, 2022; the 600 block of Harden Street, from 6:00 p.m. Friday, March 18, 2022 until 11:59 p.m. Saturday, March 19, 2022; the 700 block of Saluda Avenue from 6:00 p.m. Friday, March 18, 2022 until 11:59 p.m., Saturday, March 19, 2022; that Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Heidt Street; Devine Street between Laurens Street and Millwood Avenue; Saluda Avenue between Greene Street and Blossom Street; Harden Street between Blossom Street and Pendleton Street, Santee Avenue from Blossom Street to Heidt Street, College Street from Laurens Street to Pine Street on Saturday, March 19, 2022 from 2:00 a.m. until 11:59 p.m. for preparation and staging of the area for an outdoor event to be held on Saturday, March 19, 2022 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 6:30 p.m.; and,

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

WHEREAS, the Association has requested that the City Manager and the Parks and Recreation Director be authorized to sign the attached "Park Rules for the Five Points Association and merchants to Conduct Street and Sidewalk Sales for St. Pat's in Five Points Festival" so that the rules may be posted at all entrances into the event area; and,

WHEREAS, to ensure the safety of attendees, Organizer understands and agrees as follows:

1. Firearms shall be prohibited within the festival footprint outlined above on Saturday, March 19, 2022 from 2:00 a.m. until 11:59 p.m. regardless of whether such firearm is carried openly or concealed, and regardless of whether the individual carrying such firearm is a valid concealed weapons permit holder.
2. The Organizer shall establish a boundary line around the event space of the festival footprint and the Organizer shall ensure all entrance points into the permitted event area are posted with signage stating "NO CONCEALABLE WEAPONS ALLOWED" that complies with the size and formatting requirements of section 23-31-235 of the South Carolina Code.
3. When publicizing the event in the community, the Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.
4. Organizer shall work with the City to develop a written plan and design a footprint of the event area that adheres to COVID-19 pandemic safety and social distancing protocols as published by the CDC and SCDHEC, and Organizer shall modify the plans and footprint as safety protocols published by the CDC and SCDHEC are updated.
5. The City may cancel the event at any time based upon public safety and/or public health concerns. The City shall not be financially responsible for any costs associated with the cancellation of the event.
6. Organizer shall display signs (physical and/or electronic) throughout the event area that discourage physical contact, such as hugs, handshakes, fist bumps, and high-fives during the event.
7. Organizer shall encourage all attendees of the event to adhere to all COVID-19 safety protocols to include, but not be limited to, wearing face masks, social distancing, and frequent washing of hands.
8. Organizer is required to provide portable restroom facilities at the event unless it can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site

which will be available to the public during the event. Organizer is to provide a minimum of four (4) chemical or portable toilets and two (2) wash stations for every 250 people, or portion thereof who attends the event. Ten percent (10%) of these facilities shall be ADA accessible. This figure is based upon the maximum number of attendees at the event during peak time. The City of Columbia may determine the total number of required restroom facilities on a case-by-case basis. Organizer shall post signs or markers to prohibit lines or crowds forming near the restroom without maintaining a distance of at least six (6) feet from other people.

9. Organizer shall post signs or markers to prohibit lines or crowds forming near food vendors. Alcohol, beer and/or wine shall be prohibited at the event without approval of a written resolution of City Council.

10. to use their own pens.

11. At no cost to the City, Organizer shall be responsible for hiring no fewer than two (2) off-duty City of Columbia police officers during the hours of 2:00 a.m. and 11:59 p.m. on Saturday, March 19, 2022.

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, 2022, that Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Heidt Street; Devine Street between Laurens Street and Millwood Avenue; Saluda Avenue between Greene Street and Blossom Street; Harden Street between Blossom Street and Pendleton Street, Santee Avenue from Blossom Street to Heidt Street, College Street from Laurens Street to Pine Street the 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 between the hours of 9:00 a.m. and 6:30 p.m., and that the sale of beer and wine beverages only is authorized between the hours of 9:00 a.m. and 6:30 p.m. on Saturday, March 19, 2022, (and in the event of inclement weather, from 9:00 a.m. to 6:30 p.m. Sunday, March 20, 2022); and

BE IT FURTHER RESOLVED that possession and consumption of alcoholic liquors or alcoholic beverages other than beer and/or wine beverages only 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 only are allowed in VIP areas on private property; and,

BE IT FURTHER RESOLVED that Organizer is responsible or shall make arrangements for the clean-up of all trash and debris within the event 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's Solid Waste Division prior to the event and placed throughout the event area to ensure that trash and debris are well contained. Organizer shall return the roll carts and bagged trash and debris 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 event area, any costs incurred by the City in removing loose trash and debris within the event area, which the Organizer has failed to clean up, shall be billed to and paid by the Organizer; and,

BE IT FURTHER RESOLVED that outdoor possession and consumption of beer and wine beverages only, 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 event area. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skate boards, and horses, (except police golf carts or ATVs), and horse-drawn carriages, is prohibited. All pets, including cats, dogs (except police K-9s), horses, birds, lizards, and snakes, are prohibited. Coolers, glass bottles, breakable drinking glasses and/or cups, large bags, and backpacks shall be prohibited inside the event area; and,

BE IT FURTHER RESOLVED that during the designated time the area shown on the attached map shall be declared to be a Public Park and the provisions of Chapter 15, Parks and Recreation, Sec. 15-1, 15-2, and 15-3, of the 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, of the Code of Ordinances of the City of Columbia, South Carolina, the designated event area of the festival footprint 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, however, liquor may be served in VIP areas on private property and 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 in the event of inclement weather on Saturday, March 19, 2022, 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 19, 2022, 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 20, 2022, between the hours of 9:00 a.m. and 7:00 p.m.; and,

BE IT FURTHER RESOLVED that in the event of inclement weather, the event is extended to include Sunday, March 20, 2022, beer sales shall be authorized between the hours of 9:00 a.m. and 6:30 p.m. and food sales shall be authorized between the hours of 9:00 a.m. and 6:30 p.m. on Sunday, March 20, 2022; 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, Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Heidt Street; Devine Street between Laurens Street and Millwood Avenue; Saluda Avenue between Greene Street and Blossom Street; Harden Street between Blossom Street and Pendleton Street, Santee Avenue from Blossom Street to Heidt Street, College Street from Laurens Street to Pine Street shall be closed between the hours of 2:00 a.m. and 11:59 p.m. Saturday, March 19, 2022. In the event of inclement weather, the streets shall be closed through 3:00 a.m. Sunday March 18, 2020.

PROVIDED, FURTHER, in the event of inclement weather on Saturday, March 19, 2022, Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Heidt Street; Devine Street between Laurens Street and Millwood Avenue; Saluda Avenue between Greene Street and Blossom Street; Harden Street between Blossom Street and Pendleton Street, Santee Avenue from Blossom Street to Heidt Street, College Street from Laurens Street to Pine Street shall be closed to through traffic, and parking by non-residents shall be prohibited, Sunday, March 20, 2022, between the hours of 12:01 a.m. and 7:00 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 and address complaints during the event, including any set up and breakdown times. The cell phones shall remain on, with ringers and alerts functioning 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:

Assistant City Manager Shealy

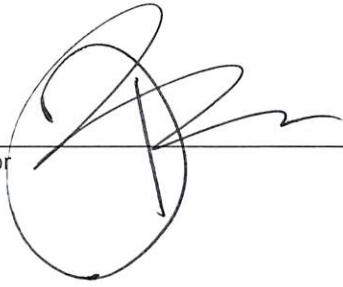
Approved by:


City Manager

Approved as to form:


City Attorney

Introduced: 2/1/2022
Final Reading: 2/1/2022


Mayor

ATTEST:


City Clerk