

**RESOLUTION NO.: R-2007-022**

*Authorizing consumption of beer and wine in the 1000 block of Washington Street  
for outdoor concerts at Kelly's Deli and Pub on Saturday, June 2, 2007*

WHEREAS, Kelly's Deli and Pub ("Kelly's") is holding an outdoor concert on Saturday, June 2, 2007 from 10:00 a.m. Saturday, June 2, 2007 until 2:00 a.m., Sunday, June 3, 2007 adjacent to its business in the 1000 block of Washington Street;

WHEREAS, Kelly's has requested permission for the temporary closing and use of the 1000 block of Washington Street adjacent to its building from 9:00 a.m. Saturday, June 2, 2007 until 2:00 a.m. Sunday June 3, 2007 for preparation and staging of the area for an outdoor event to be held between 10:00 a.m. Saturday, June 2, 2007 until 2:00 a.m. Sunday, June 3, 2007, and for patrons to consume alcoholic beverages at the event during the hours of 10:00 a.m. Saturday, June 2, 2007 until 1:30 a.m. Sunday, June 3, 2007; 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 2nd day of May, 2007, that the sale of alcoholic beverages is authorized between the hours of 10:00 a.m. on Saturday, June 2, 2007 and 1:30 a.m. on Sunday, June 3, 2007; 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, skate boards, and horses, except police horses, is prohibited. All pets, including snakes, shall be prohibited. Coolers, glass bottles, breakable glasses and/or cups, large bags and backpacks shall be prohibited; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion of the

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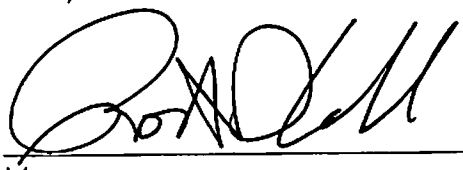
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STAMPED IN REC

1000 block of Washington 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, 1998 Code of Ordinances of the City of Columbia, South Carolina are in effect. Pursuant to 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, between the hours of 10:00 a.m. Saturday, June 2, 2007 and 1:30 a.m. Sunday, June 3, 2007, the 1000 block of Washington 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 alcoholic beverages shall be permitted only in containers provided by vendors within the area designated.

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:

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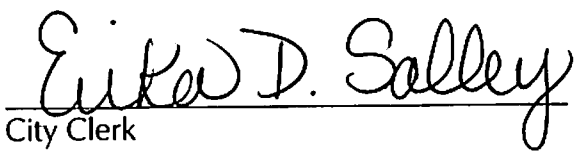


Mayor

Approved by:

  
City Manager

ATTEST:

  
City Clerk

Approved as to form:



City Attorney

Introduced: 5/2/2007

Final Reading: 5/2/2007

Matter No.: 07040359  
Attorney: V. E. J. Sca  
Date In: 4/17/07  
File No.: R-2007-022  
Date Out: 4/25/07

LAW OFFICES OF AMYE L. RUSHING,  
ATTORNEY AT LAW

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April 17, 2007

Shari Lyn Ardis  
Legal Admin. Coordinator  
Office of the City Attorney  
P.O. Box 147  
Columbia, SC 29217  
**VIA FAX (737-4250) and U.S. MAIL**

**RE: Kelly's Deli & Pub - 1001 Washington Street  
Street Closing**

Dear Ms. Ardis,

Thank you so much for your help with Kelly's request to close a portion of Washington Street for an upcoming event. Unfortunately, we have run into scheduling problems and have moved the event to Saturday, June 2, 2007. We are respectfully requesting that the street closing be changed to that date.

The requested closing would be the 1000 block of Washington where Kelly's Deli and Pub is located. They are requesting that it be closed from 9:00am Saturday, June 2, 2007 until Sunday, June 3, 2007 at 2:00am. The purpose of this street closing is so that Kelly's can have room for a few bands to set up and perform for their patrons outside.

We do plan on serving alcohol throughout the event, from 10:30a.m.until 1:30am, at the latest. This event will be much like the cvcnt that Kelly's did last year (April 22, 2006).

Again, thank you so much for your assistance with this event - we are very excited about it and appreciate all you are doing to make it happen. If you have any questions or if I need to provide any additional information, please do not hesitate to call me at your convenience.

Sincerely,

  
Amye L. Rushing

