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RESOLUTION NO.: R-2018-016

Authorizing consumption of beer and wine only at the NOCO Music Series in the Earlewood Park Amphitheater area on Tuesdays, March 6 , April 3, May 1, June 5, September 4 , October 2, November 6, 2018 with rain contingency dates of Tuesdays, March 13, April 10, May 8, June 12, September 11, October 9 and November 13, 2018

WHEREAS, the North Columbia Business Association ("Sponsor") is sponsoring the NOCO Tuesday Music Series in the Earlewood Park Amphitheater area on Tuesdays, March 6 , April 3, May 1, June 5, September 4 , October 2, November 6, 2018 with rain contingency dates of Tuesdays, March 13, April 10, May 8, June 12, September 11, October 9 and November 13, 2018; and,

WHEREAS, Sponsor has requested permission for the temporary closing and use from 5:00 a.m. until 9:00 p.m. of the Earlewood Park Amphitheater area, for preparation of the event, clean up after the event, crowd control and overflow of the event to be held on Tuesdays, March 6 , April 3, May 1, June 5, September 4 , October 2, November 6, 2018 with rain contingency dates of Tuesdays, March 13, April 10, May 8, June 12, September 11, October 9 and November 13, 2018, from 6:00 p.m. until 8:00 p.m.; and for patrons to consume beer and wine beverages only at the event during the hours of 6:00 p.m. until 7:30 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 6th day of March, 2018, that the sale of beer and wine beverages only is authorized between the hours of 6:00 p.m. and 7:30 p.m. on Tuesdays, March 6, April 3, May 1, June 5, September 4, October 2, November 6, 2018 with rain contingency dates of Tuesdays, March 13, April 10, May 8, June 12, September 11, October 9 and November 13, 2018; 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 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 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 cleanup of all trash and debris within the festival area and within the designated area of impact as shown on the attached drawing, 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 and within the designated area of impact as shown on the attached drawing, any costs incurred by the City in removing loose trash and debris within the festival area and within the designated area of impact as shown on the attached drawing, which the organizer has failed to clean up, shall be billed to and paid by the organizer; 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 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 portions of Earlewood Park Amphitheater area, with the exception of the parking areas, adjacent off-street parking areas and any other areas

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posted as to not allow alcoholic liquors or alcoholic beverages other than beer and/or wine beverages, is deemed to be the site of a public festival at which only beer and wine beverages may be consumed and the prohibition against possession or consumption of alcoholic beverages set forth in Sec. 14-99 shall not apply as to the possession and consumption of beer and/or wine beverages. 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 timeframes 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 Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina.

BE IT FURTHER RESOLVED that in the event of inclement weather on Tuesdays, March 6, April 3, May 1, June 5, September 4, October 2, November 6, 2018, the Earlewood Park Amphitheater area, with the exception of the parking areas, adjacent off-street parking areas and any other areas posted as to not allow alcoholic liquors or alcoholic beverages other than beer and/or wine beverages, shall be closed on Tuesdays, March 13, April 10, May 8, June 12, September 11, October 9 and November 13, 2018. The hours of operation for the event, service of beer and wine at the event and closing of streets for set up, clean up and crowd control of the event shall remain as outlined above.

BE IT FURTHER RESOLVED that should the organizer reschedule the event for another date beyond one (1) week from the date of the originally scheduled event, a request for a resolution of City Council approving the new date of the event shall be required.

Requested by:

City Manager _____




Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:


City Clerk

Introduced: 3/6/2018
Final Reading: 3/6/2018

DATE OF REQUEST

3/13/18

REQUESTOR'S NAME/CONTACT INFORMATION (E-MAIL/PHONE#/FAX#)

Sabrina Odum
2965 N Main St Col, S.C. 29201
SabrinaOdum1@gmail.com
803-900-2664

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

1000 First Tuesday Music Series

DATE(S) OF EVENTS:

3/6/18; 4/3/18; 5/1/18; 6/5/18; 9/4/18; 10/2/18; 11/6/18

RAIN CONTINGENCY DATE:

(Rescheduling due to inclement weather is allowed once within one week from the date of the originally scheduled event upon 24-hours written notice to the City, without a new request. The time of event operation shall remain the same.)

3/13/18; 4/10/18; 5/8/18;
6/12/18; 9/11/18; 10/9/18;
11/13/18

LOCATION OF EVENT

(I.e., Amphitheater area of Finlay Park; 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street)

Earlewood Park
1113 Parkside Drive
Col, S.C. 29201
Amphitheater area

STREET(S) OR PARK AREA TO BE CLOSED

(I.e., 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street; Amphitheater area of Finlay Park; Boyd Plaza)

1113 Parkside Drive and Amphitheater area

HOURS FOR STREET(S) OR PARK AREA TO BE CLOSED

(I.e., 5:00 p.m. - 12:00 a.m. ALLOW TIME FOR SET UP/CLEAN UP

5:30 to 7:30 p.m

HOURS OF EVENT

(I.e., 6:00 p.m. - 10:00 p.m.)*

6 p.m to 7:30 p.m

HOURS OF SERVICE OF BEER/WINE BEVERAGES ONLY (NO LIQUOR**)

(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 p.m to 7 p.m.

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 (stardis@columbiasc.net), fax (803-737-4250) or mailed to City Attorney's Office, ATTN: Shari Ardis, POB 887, Columbia, SC 29202. A draft Resolution will be prepared and forwarded for review to the event organizer, as well as to the City departments for coordination of City services and requirements (I.e., Police, Solid Waste, Parks and Recreation, etc.). 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. The event organizer is responsible for obtaining a permit or license if required by the South Carolina Department of Revenue.

***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 events to residential properties.**

****With the exception of the parks listed in Sec. 15-1 Prohibited acts in parks (B), POSSESSION OF LIQUOR IS STRICTLY PROHIBITED. VIP tents or VIP areas for possession and consumption of alcoholic beverages or alcoholic liquors within the event area are prohibited.**

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.

Fire Marshal George N. Adams, Jr., 803-545-3703; ctgdadams@columbiasc.net
Legal Department - Shari Ardis; 803-737-4242; stardis@columbiasc.net or fax 803-737-4250 - resolution preparation
Police Department Special Events - Officer Robert Hall; 803-545-3535; rjhall@columbiasc.net parade permit, police
Parks and Recreation - Pearl Osborne; 803-545-3100; peosborne@columbiasc.net park reservations
Police Department Community Services - Brenda Murphy; 803-545-3507; bmmurphy@columbiasc.net - street closing

Last revised: 1/2017

