

**RESOLUTION NO.: R-2019-073**

*Authorizing consumption of beer and wine only at Soda City Market Adoption Day within the Biergarten Area only on Saturday, November 9, 2019 with a rain contingency of Saturday, November 16, 2019*

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WHEREAS, Emile DeFelice ("Sponsor") is sponsoring the Soda City Market Adoption Day to be held in the half block area of the 1200 block of Main Street north of the entrance into the garage located behind 1221 Main Street to allow for ingress and egress to the parking garage; the intersection of Main Street and Lady Street; the 1300 block of Main Street between Lady Street and Washington Street; the intersection of Washington Street and Main Street; the 1400 block of Main Street; the intersection of Hampton Street and Main Street; the 1500 block of Main Street between Hampton Street and Taylor Street; the 1600 block of Main Street between Taylor Street and Blanding Street; set up and staging of a Biergarten within portions of the intersection of Lady Street and Main Street, the half block area of the 1100 block of Lady Street east of the entrance of the Lady Street parking garage adjacent to 1135 Lady Street and east of the entrance to the garage adjacent 1125 Lady Street garage to allow for ingress and egress to the parking garages; the half block area of the 1200 block of Lady Street west of the entrance of the driveway adjacent to First Citizen Bank and west of the entrance of the driveway adjacent to First Community Bank at 1213 Lady Street to allow for ingress and egress into the driveways; and the southern end of the 1300 block of Main Street to the brick median, and to allow for a twenty (20') foot emergency lane; excluding all sidewalks, Boyd Plaza and the intersection of Taylor Street, from 9:00 a.m. until 1:30 p.m. on Saturday, November 9, 2019, with a rain contingency of Saturday, November 16, 2019; and,

WHEREAS, Sponsor has requested permission for the temporary closing and use of the half block area of the 1200 block of Main Street north of the entrance into the garage located behind 1221 Main Street to allow for ingress and egress to the parking garage; the intersection of Main Street and Lady Street; the 1300 block of Main Street between Lady Street and Washington Street; the intersection of Washington Street and Main Street; the 1400 block of Main Street; the intersection of Hampton Street and Main Street; the 1500 block of Main Street between Hampton Street and Taylor Street; the 1600 block of Main Street between Taylor Street and Blanding Street; set up and staging of a Biergarten within portions of the intersection of Lady Street and Main Street, the half block area of the 1100 block of Lady Street east of the entrance of the Lady Street parking garage adjacent to 1135 Lady Street and east of the entrance to the garage adjacent 1125 Lady Street garage to allow for ingress and egress to the parking garages; the half block area of the 1200 block of Lady Street west of the entrance of the driveway adjacent to First Citizen Bank and west of the entrance of the driveway adjacent to First Community Bank at 1213 Lady Street to allow for ingress and egress into the driveways; and the southern end of the 1300 block of Main Street to the brick median, and to allow for a twenty (20') foot emergency lane; excluding all sidewalks, Boyd Plaza and the intersection of Taylor Street, from 7:00 a.m. until 2:00 p.m. on Saturday, November 9, 2019, with a rain contingency of Saturday, November 16, 2019; for an event to be held from 9:00 a.m. until 1:30 p.m., and for patrons to consume beer and wine beverages only during the event hours of 9:00 a.m. until 1:00 p.m., on Saturday, November 9, 2019, with a rain contingency of Saturday, November 16, 2019; 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 October, 2019 that the sale of beer and wine beverages only is authorized within the designated Biergarten area only between the hours of 9:00 a.m. and 1:00 p.m. on Saturday, November 9, 2019, with a rain contingency of Saturday, November 16 2019; and,

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

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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 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, skate boards, and horses, except police horses, is prohibited. Canines and felines are allowed, provided that current leash laws are observed as are set out in the 1998 Code of Ordinances of the City of Columbia, as amended. 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 and only within the designated Biergarten area within portions of the intersection of Lady Street and Main Street, the half block area of the 1100 block of Lady Street east of the entrance of the Lady Street parking garage adjacent to 1135 Lady Street and east of the entrance to the garage adjacent 1125 Lady Street garage to allow for ingress and egress to the parking garages; the half block area of the 1200 block of Lady Street west of the entrance of the driveway adjacent to First Citizen Bank and west of the entrance of the driveway adjacent to First Community Bank at 1213 Lady Street to allow for ingress and egress into the driveways; and the southern end of the 1300 block of Main Street to the brick median, and to allow for a twenty (20') foot emergency lane, excluding all sidewalks, Boyd Plaza and the intersection of Taylor Street from 9:00 a.m. until 1:00 p.m. on Saturday, November 9, 2019, with a rain contingency of Saturday, November 16, 2019, and with the exception of the parking areas, adjacent off-street parking areas and 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, only within the designated Biergarten area within portions of the intersection of Lady Street and Main Street, the half block area of the 1100 block of Lady Street east of the entrance of the Lady Street parking garage adjacent to 1135 Lady Street and east of the entrance to the garage adjacent 1125 Lady Street garage to allow for ingress and egress to the parking garages; the half block area of the 1200 block of Lady Street west of the entrance of the driveway adjacent to First Citizen Bank and west of the entrance of the driveway adjacent to First Community Bank at 1213 Lady Street to allow for ingress and egress into the driveways; and the southern end of the 1300 block of Main Street to the brick median, and to allow for a twenty (20') foot emergency lane, excluding all sidewalks, Boyd Plaza and the intersection of Taylor Street from

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9:00 a.m. until 1:00 p.m. on Saturday, November 9, 2019, with a rain contingency of Saturday, November 16, 2019, and with the exception of the parking areas, adjacent off-street parking areas 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 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 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 Saturday, November 9, 2019 that the designated Biergarten area within portions of the intersection of Lady Street and Main Street, the half block area of the 1100 block of Lady Street east of the entrance of the Lady Street parking garage adjacent to 1135 Lady Street and east of the entrance to the garage adjacent 1125 Lady Street garage to allow for ingress and egress to the parking garages; the half block area of the 1200 block of Lady Street west of the entrance of the driveway adjacent to First Citizen Bank and west of the entrance of the driveway adjacent to First Community Bank at 1213 Lady Street to allow for ingress and egress into the driveways; and the southern end of the 1300 block of Main Street to the brick median, and to allow for a twenty (20') foot emergency lane, excluding all sidewalks, Boyd Plaza and the intersection of Taylor Street shall be closed on Saturday, November 16, 2019. 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:


Assistant City Manager Shealy

  
\_\_\_\_\_  
Mayor

Approved by:

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

Approved as to form:

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

ATTEST:

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

Introduced: 10/1/2019  
Final Reading: 10/1/2019

DATE OF REQUEST

August 6th 2019

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

Jordan Clark  
jordan@sodacitysc.com & hello@sodacitysc.com  
803-521-2806

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

Soda City Adoption Day

DATE(S) OF EVENTS:

Saturday, November 9th 2019

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.)

Saturday, November 16th 2019

LOCATION OF EVENT

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

North half of the 1200 block of Main St after the parking garage, 1300 - 1600 blocks of Main St, intersections of Lady + Main, intersection of Washington + Main, intersection of Hampton + Main

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)

North half of the 1200 block of Main St after the parking garage, 1300 - 1600 blocks of Main St, intersections of Lady + Main, intersection of Washington + Main, intersection of Hampton + Main

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

7am - 2pm

HOURS OF EVENT

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

9am - 1:30pm

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.)\*

9am - 1pm

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](mailto:slardis@columbiasc.net)), fax (803-737-4250) 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 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 (8), 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; [cfgdadams@columbiasc.net](mailto:cfgdadams@columbiasc.net)  
Legal Department - Shari Ardis; 803-737-4242; [slardis@columbiasc.net](mailto:slardis@columbiasc.net) or fax 803-737-4250 - resolution preparation  
Police Department Special Events - Officer Robert Hall; 803-545-3535; [rjhall@columbiasc.net](mailto:rjhall@columbiasc.net) parade permit, police  
Parks and Recreation - Pearl Osborne; 803-545-3100; [peosborne@columbiasc.net](mailto:peosborne@columbiasc.net) park reservations  
Police Department Community Services - Brenda Murphy; 803-545-3507; [bmmurphy@columbiasc.net](mailto:bmmurphy@columbiasc.net) - street closing

Last revised: 1/2017

MICHAEL R. ZINSLOFF

