

RESOLUTION NO.: R-2019-084

Authorizing consumption of beer and wine only at the Bierkeller's Fall Series of Tuesday Biergartens at Riverfront Park in the Amphitheater Area of the Riverfront Park on Tuesdays, September 24, October 1, October 8, October 15, October 22, October 29, November 5, November 12 and November 19, 2019 with rain date contingencies of Thursdays, September 26, October 3, October 10, October 17, October 24, October 31, November 7, November 14 and November 21, 2019

WHEREAS, Bierkeller ("Sponsor") is sponsoring the Bierkeller's Fall Series of Tuesday Biergartens at Riverfront Park in the Amphitheater Area of the Riverfront Park on Tuesdays, September 24, October 1, October 8, October 15, October 22, October 29, November 5, November 12 and November 19, 2019 from 5:00 p.m. until 9:00 p.m., with rain date contingencies of Thursdays, September 26, October 3, October 10, October 17, October 24, October 31, November 7, November 14 and November 21, 2019; and,

WHEREAS, the Sponsor has requested permission for the use of the Amphitheater Area at Riverfront Park from 5:00 p.m. until 9:30 p.m. on Tuesdays, September 24, October 1, October 8, October 15, October 22, October 29, November 5, November 12 and November 19, 2019, for preparation and staging of the area and for crowd control and overflow at the outdoor events to be held in the Amphitheater Area at Riverfront Park between 5:00 p.m. and 9:00 p.m. on Tuesdays, September 24, October 1, October 8, October 15, October 22, October 29, November 5, November 12 and November 19, 2019, and for patrons to consume beer and wine only at the events during the hours of 5:00 p.m. until 8:30 p.m. on Tuesdays, September 24, October 1, October 8, October 15, October 22, October 29, November 5, November 12 and November 19, 2019, with rain date contingencies of Thursdays, September 26, October 3, October 10, October 17, October 24, October 31, November 7, November 14 and November 21, 2019; and,

WHEREAS, it has been determined that such events would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this 17th day of September, 2019, that the sale of beer and wine beverages only are authorized between the hours of 5:00 p.m. and 8:30 p.m. on Tuesdays, September 24, October 1, October 8, October 15, October 22, October 29, November 5, November 12 and November 19, 2019, with rain date contingencies of Thursdays, September 26, October 3, October 10, October 17, October 24, October 31, November 7, November 14 and November 21, 2019; 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, skateboards, and horses, except police horses, is prohibited. Canines 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 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, within the event area are prohibited; and,

BE IT FURTHER RESOLVED that organizer is responsible or shall make arrangements for the clean up of all trash and debris within the festival 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 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, any costs incurred by the City in removing

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loose trash and debris within the festival 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 during the designated time that the Amphitheater Area at Riverfront Park, with the exception of the parking area and any other areas posted as to not allow beer and wine only, 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 Amphitheater Area at Riverfront Park, with the exception of the parking area and any other areas posted as to not allow beer and wine only, is deemed to be the site of a public festival at which beer and wine only may be consumed and the prohibition against possession or consumption of beer and wine only as set forth in Sec. 14-99 shall not apply. Possession and consumption of beer and wine only shall be permitted only in containers provided by vendors within the areas designated.

PROVIDED, FURTHER, that the event organizer shall provide the names and cell phone numbers of at 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 Code 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, September 24, October 1, October 8, October 15, October 22, October 29, November 5, November 12 and November 19, 2019, the Amphitheater Area of Riverfront Park shall be closed on Thursdays, September 26, October 3, October 10, October 17, October 24, October 31, November 7, November 14 and November 21, 2019. The hours of operation for the event, service of beer and wine at the event and closing of the Amphitheater Area of Riverfront Park for set up, clean up and crowd control of the events 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 Simons _____



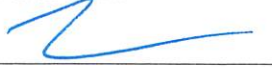
Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:


City Clerk

Introduced: 9/17/2019
Final Reading: 9/17/2019

DATE OF REQUEST 8/13/19

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

Scott Burgess
bierkellercolumbia@gmail.com/(803) 338-1599

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

Bierkeller's Fall Series of Tuesday Biergartens

DATE(S) OF EVENTS: (monthly can be on one request)

9/24, 10/1, 10/8, 10/15, 10/22, 10/29, 11/5, 11/12, 11/19

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.)

9/26, 10/3, 10/10, 10/17, 10/24, 10/31, 11/7, 11/14, 11/21

LOCATION OF EVENT

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

Brick and grassy amphitheater areas at Riverfront Park South, 312 Laurel Street, Columbia, SC 29201

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)

n/a

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

Park will remain open during setup and take down.

HOURS OF EVENT

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

5-9 pm

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.)*

5:30-8:30 pm

5:00 pm email

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 (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 (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; cfgdadams@columbiasc.net

Legal Department - Shari Ardis; 803-737-4242; slardis@columbiasc.net or fax 803-737-4250 - resolution preparation

Parking Services - Zach Pearce; (803) 545-0287; zpearce@columbiasc.net - meter bagging

Police Department Special Events - Officer Robert Hall; 803-545-3535; rhall@columbiasc.net parade permit, police

Parks and Recreation - Pearl Osborne; 803-545-3100; peosborne@columbiasc.net park reservations

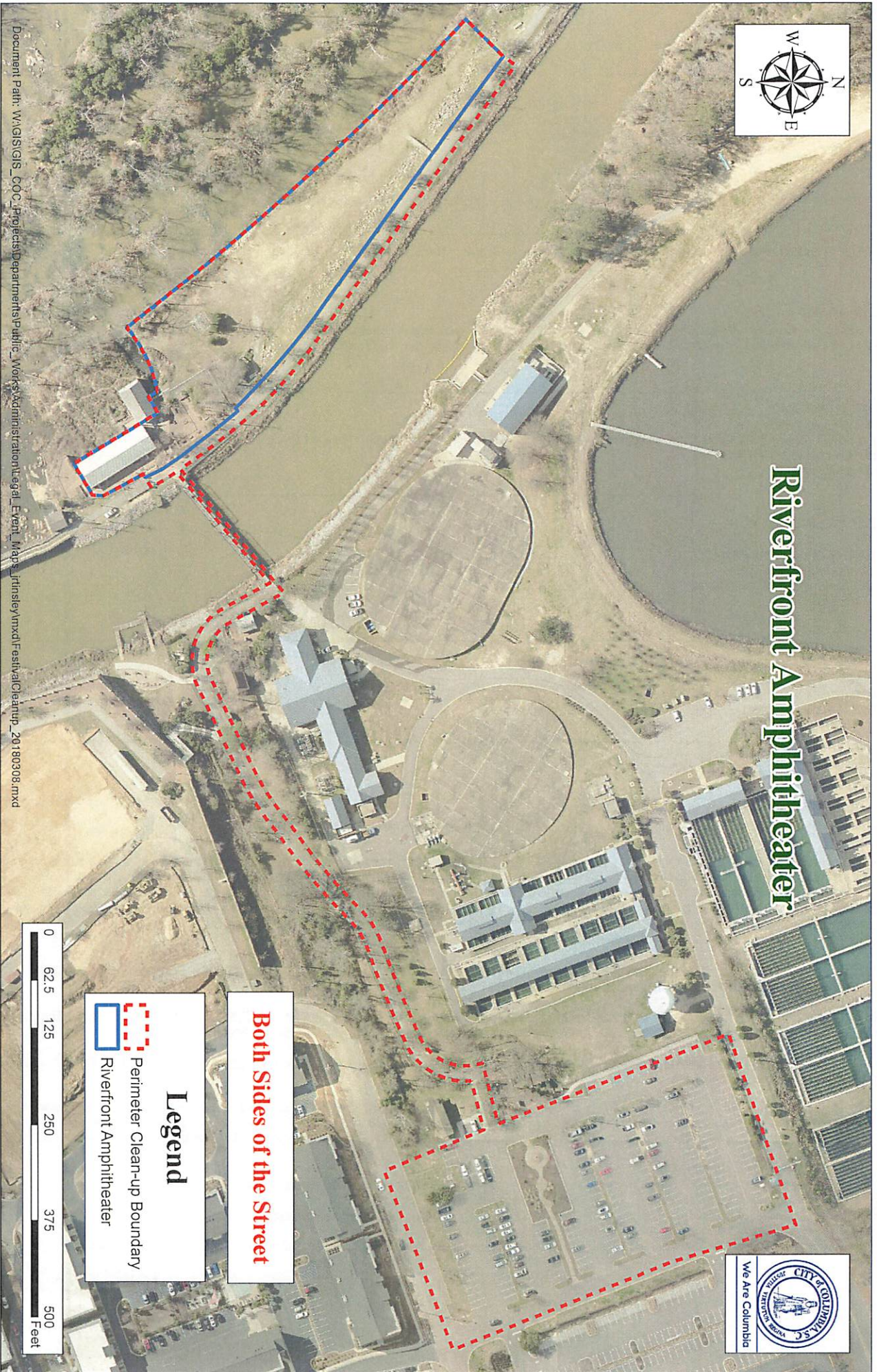
Police Department Community Services - Brenda Murphy; 803-545-3507; bmmurphy@columbiasc.net - street closing

Last revised: 3/2018

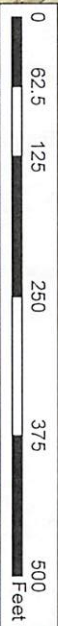
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Riverfront Amphitheater



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Legend

- Perimeter Clean-up Boundary
- Riverfront Amphitheater

Both Sides of the Street

