

RESOLUTION NO.: R-2020-091

Authorizing consumption of beer and wine only at Live on Lincoln Fundraiser for the Arts on Sunday, October 25, 2020 with a rain contingency date of Sunday, November 8, 2020

WHEREAS, the Koger Center for the Arts ("Koger Center") is hosting Live on Lincoln in the Vista on Sunday, October 25, 2020 from 5:00 p.m. until 7:00 p.m., with a rain contingency date of Sunday, November 8, 2020; and,

WHEREAS, the Koger Center has requested permission for the temporary closing and use of the 1200 block of Lincoln Street between Lady Street and Gervais Street from 3:00 p.m. until 10:00 p.m. for preparation and staging of the area for an outdoor event to be held between 5:00 p.m. and 7:00 p.m., and for patrons to consume beer and wine beverages only at on Sunday, October 25, 2020 from 5:00 p.m. until 6:30 p.m., with a rain contingency date of Sunday, November 8, 2020; and,

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

1. 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 shall modify the plans and footprint as safety protocols published by the CDC and SCDHEC are updated.

2. 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.

3. 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.

4. Organizer shall require all attendees of the event to adhere to all COVID-19 safety protocols to include but not be limited to wearing of face masks, social distancing and frequent washing of hands.

5. 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 should 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.

6. Organizer shall post signs or markers to prohibit lines or crowds forming near food vendors and should encourage attendees to bring their own water. Alcohol, beer and/or wine shall be prohibited at the event without approval of a written resolution of City Council.

7. Organizer shall coordinate with food vendors to offer touchless payment options if possible and available or provide a tray for the exchange of payment to avoid hand contact. Frequently touched surfaces should be cleaned after each customer and customers are encouraged to use their own pens.

8. At no cost to the City, Organizer shall be responsible for providing private security during the hours of 3:00 p.m. until 10:00 p.m. of no less than two (2) private security officers.

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 20th day of October, 2020, that the sale of beer and wine beverages only in plastic containers or cans only is authorized between the hours of 5:00 p.m. and 6:30 p.m. on October 25, 2020., with a rain contingency date of Sunday, November 8, 2020; and,

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location and that the Guild shall approve or disapprove all amplified entertainment activities; 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 cleanup 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,

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any costs incurred by the City in removing 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 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, police golf carts, and horse-drawn carriages, 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 1200 block of Lincoln Street between Lady Street and Gervais 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, 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 closed portion of the 1200 block of Lincoln Street between Lady Street and Gervais 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 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. Possession and consumption of beer and wine beverages 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 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 Sunday, October 25, 2020, closed portion of the 1200 block of Lincoln Street between Lady Street and Gervais Street shall be closed on Sunday, November 8, 2020. 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 _____

Approved by:



City Manager

Approved as to form:

T. A. Knox

City Attorney

Introduced: 10/20/2020
Final Reading: 10/20/2020



Mayor

ATTEST:



City Clerk

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

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

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

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

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)

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

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

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 (shari.ardis@columbiasc.gov), 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.**

****ONLY BEER AND WINE BEVERAGES ARE ALLOWED ON CITY PROPERTY. POSSESSION OF LIQUOR IS STRICTLY PROHIBITED. VIP tents or VIP areas for possession and consumption of beer and wine beverages 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., Main Street Latin Festival, St. Patrick's Festival, Vista Lights,, Rocky Shoals Spider Lily Festival, 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; george.adams@columbiasc.gov
Legal Department - Shari Ardis; 803-737-4242; shari.ardis@columbiasc.gov or fax 803-737-4250 - resolution preparation
Parking Services - Jessica Argoe; (803) 545-0287; jessica_argoe@columbiasc.gov - meter bagging
Parks and Recreation - Pearl Osborne; 803-545-3100; pearl.osborne@columbiasc.gov park reservations
Police Department Special Events - Officer Robert Hall; 803-545-3535; robert.hall@columbiasc.gov - parade permit, police
Police Department Community Services - Brenda Murphy; 803-545-3507; brenda.murphy@columbiasc.gov - street closing
Last revised: 12/2019

To whom it may concern,

The Koger Center for the Arts seeks permission to close Lincoln Street between Gervais Street and Lady Street in the Vista on Sunday, October 25th from 3:00 pm to 10:00 pm for a fundraising event organized to support community arts and cultural groups. "Live on Lincoln" will invite patrons of the arts to Lincoln Street for a socially-distant performance experience in support of Midlands arts and cultural organizations. A set dinner menu catered by Blue Marlin will be provided for social groups at individual tables distanced throughout Lincoln Street. A stage will be set at the far end of Lincoln Street on the Lady Street side where Midlands artists will showcase mini-performances in support of local organizations struggling to endure the Covid-19 shutdown. The event will start at 5:00 pm and end at 7:00 pm. We are also requesting the same permission for a potential rain date on Sunday, November 8th should the original event be cancelled due to inclement weather. The Koger Center is asking permission to close the street at 3:00 pm and reopen at 10:00 pm to allow enough time for setup and breakdown. The Koger Center will ensure the safety of patrons and performers by adhering to the following safety protocols:

- Staggered arrival and exit times and assigned seating to mitigate crowds. The Koger Center will open check-in 30 minutes prior to the event to alleviate lines and will stagger dismissal by small groups of tables.
- The Koger Center will allow a maximum capacity of four people from the same social group per table. Attendees must buy a table to attend the event in lieu of individual tickets.
- The event will be capped at 250 people. The Koger Center will sell 60 tables of four.
- All tables will be spaced at least six feet apart.
- The first row of tables will be set fifteen feet from the front of the stage.
- Food and drinks will be served table side. Once the attendees are seated, they will be discouraged from moving about unless using the restrooms inside of Blue Marlin.
- Blue Marlin servers will follow all hospitality safety guidelines and will be wearing masks and gloves when preparing food. Blue Marlin is a Palmetto Priority participating restaurant. All food will be prepared inside of their restaurant and served by their staff.
- Masks will be worn unless eating, drinking, or performing.
- Patrons will turn in or fill out a COVID-19 waiver upon arrival and sanitizing stations will be spread throughout the event.
- The Koger Center will offer a refund policy for those exhibiting Covid-19 symptoms to discourage those feeling sick from attending the event.
- The Koger Center must be granted approval from the University of South Carolina and adhere to approved University event safety requirements to move forward with the event.

While the ongoing Covid-19 pandemic continues to force the widespread closure of cultural organizations and venues, artists are enduring a catastrophic loss of income. This unprecedented crisis threatens the survival of the dynamic and diverse cultural identity at the heart of the Midlands community. Proceeds raised through ticket sales, sponsorships, and individual donations will be split evenly among the participating arts organizations. We expect to feature ten to fifteen three-to-five minute "mini-performances" by local organizations including the Columbia Classical Ballet, ColaJazz, the University of South Carolina School of Music and Theater ensembles, and many others. Artists and organizations are encouraged to invite their regular audience members and patrons for a socially-distanced evening of fine dining and live entertainment to benefit and sustain arts and culture in the Midlands.

Sincerely,
Simms Oliphant

Development and Community Relations Coordinator
Koger Center for the Arts
803-777-9733
oliphane@mailbox.sc.edu

From: Events <events@scommerce.com>
Date: Monday, September 28, 2020 at 4:12 PM
To: KAREN MAGRADEY <MAGRADEY@mailbox.sc.edu>
Cc: "reopeningguidance@dhec.sc.gov" <reopeningguidance@dhec.sc.gov>
Subject: Event Exception Request Response

To USC Koger Center for the Arts:

Thank you for the "Koger Center Presents Live on Lincoln" application for exemption request submitted on 09/28/2020. Following a careful review of your application, the relevant [Executive Order](#) from the Governor, guidance from the South Carolina Department of Health and Environmental Control (SC DHEC), and applicable law, your event request has been GRANTED.

Each application is evaluated individually. Events anticipating at least two hundred and fifty (250+) attendees must be able to comply with social distancing guidelines and best practices as issued by the Center for Disease Control ("CDC") and SC DHEC, and compliance with all local, state, and federal laws.

Please be advised that the Governor's Executive Orders are not permanent and are subject to change and modification by further Executive Order. Newly issued Executive Orders may modify or revoke the approval of your event without notice.

Each event's hosts are responsible for ensuring that the Event's approval is current and valid under the most current statewide guidance. Accordingly, all hosts should monitor the issuance of Executive Orders subsequent to its initial approval to determine whether a more recent Executive Order modifies or revokes current approvals, even if previously approved by the South Carolina Department of Commerce and SC DHEC.

If a subsequent Executive Order potentially modifies or revokes the approval of your event, you should seek further confirmation by submitting another application. Reliance on prior clarification by the Department of Commerce and DHEC will not prevent closure by law enforcement if the event's approval is not valid under the most recent statewide guidance. Any changes to the event (including, but not limited to: entering a new phase of re-opening, the venue, event host, etc.) will require a new event request form submittal for each instance.

In accordance with the South Carolina Code of Laws, State, county, or city official have been authorized and directed to enforce the provisions of Executive Order 2020-50 and any prior orders issued in connection with the present State of Emergency. The penalty for violation of any provision of this and prior executive orders is a misdemeanor, and, upon conviction, the violator must be fined not more than one hundred dollars or imprisoned for not more than thirty days. This event approval WILL NOT protect the applicant from action by law enforcement if applicant fails to comply with its representations made within its application.

This event approval is based on information and representations provided to the South Carolina Department of Commerce and DHEC by the event host. Notwithstanding any and all Federal and State requirements, resuming activities and events remains in your discretion. The South Carolina Department of

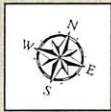
It is the responsibility of the host of the event to ensure that the event is held in a manner consistent with the law and the Governor's Executive Order. SC Department of Commerce and DHEC cannot certify that there will be no exposure to or transmission of COVID-19 even if all safety protocols are taken and guidelines are enforced. To host and/or attend events during the COVID-19 pandemic is solely at your own risk.

This approval is not a permit or a contract and does not constitute a waiver of any other federal, state, local, municipal, and private rules and regulations regarding events. Event hosts are still required to consult the proper authorities concerning permitting, rules and regulations as applicable.

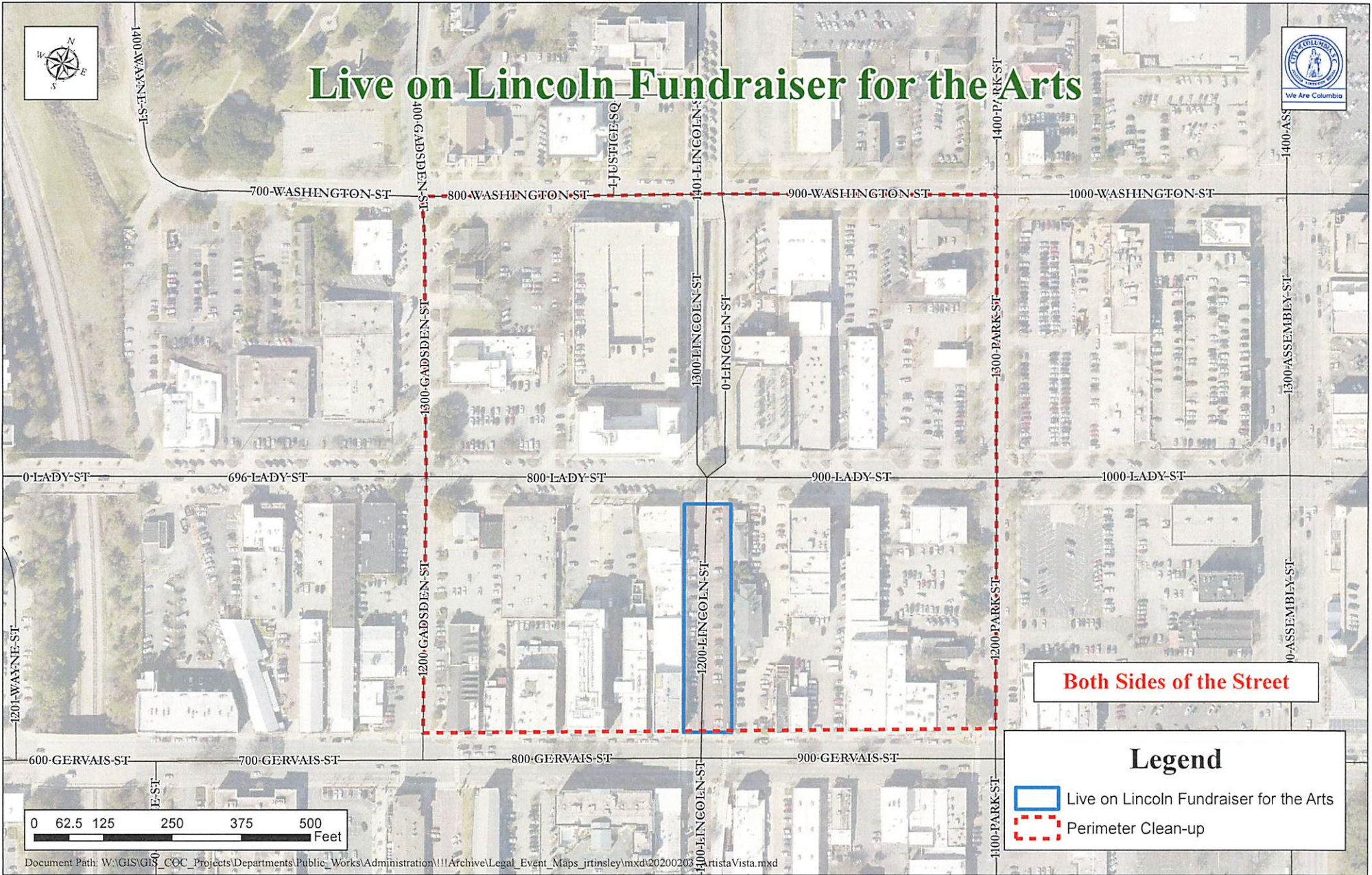
For further information about how to plan to safely hold large gatherings during the COVID-19 pandemic, please visit the CDC Events and Gatherings guidance [site](#) and /or AccelerateSC website at <https://accelerate.sc.gov> .

Sincerely,

SC Department of Commerce



Live on Lincoln Fundraiser for the Arts



Both Sides of the Street

Legend

-  Live on Lincoln Fundraiser for the Arts
-  Perimeter Clean-up