

RESOLUTION NO.: R-2017-002

Authorizing consumption of beer and wine only at Soda City Oktoberfest on Saturday, September 30, 2017

WHEREAS, Emile DeFelice ("Sponsor") is sponsoring the Soda City Oktoberfest to be held in the 1300 block of Main Street between Lady Street and Washington Street; the 1400 block of Main Street between Washington and Hampton Street; the half block area of 1100 block of Washington Street east of the parking lot behind 1401 Main Street and Washington Street Garage to allow for ingress and egress into the parking lot and garage; the half block area of the 1200 block of Washington Street west of the entrance to the Meridian Parking Garage and driveway to the Sumter Street Garage to allow for ingress and egress into the parking garage and driveway; the 1500 block of Main Street between Hampton Street and Taylor Street, excluding Boyd Plaza, from 9:00 a.m. until 3:30 p.m. on Saturday, September 30, 2017; and,

WHEREAS, Sponsor has requested permission for the temporary closing and use of 1400 and 1500 blocks of Main Street between Taylor Street and Washington Street to include the intersection of Hampton Street, the half block area of the 1100 block of Hampton Street east of the entrance to the parking lot to allow for ingress and egress into the parking lot, the 1200 block of Hampton Street west of the driveway entrance to the Marriott to allow for ingress and egress into the Marriott driveway, excluding Boyd Plaza, from 7:00 a.m. until 4:30 p.m. on Saturday, September 30, 2017 for set up, clean up, staging of the event and crowd control and overflow for the event to be held on Saturday, September 30, 2017 from 9:00 a.m. until 3:30 p.m. in the 1300 block of Main Street between Lady Street and Washington Street; the 1400 block of Main Street between Washington and Hampton Street; the half block area of 1100 block of Washington Street east of the parking lot behind 1401 Main Street and Washington Street Garage to allow for ingress and egress into the parking lot and garage; the half block area of the 1200 block of Washington Street west of the entrance to the Meridian Parking Garage and driveway to the Sumter Street Garage to allow for ingress and egress into the parking garage and driveway; the 1500 block of Main Street between Hampton Street and Taylor Street, excluding Boyd Plaza; and for patrons to consume beer and wine beverages only during the event hours of 9:00 a.m. until 3:00 p.m. on Saturday, September 30, 2017; 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 21st day of February, 2017, that the sale of beer and wine beverages only is authorized between the hours of 9:00 a.m. and 3:00 p.m. on Saturday, September 30, 2017; 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, 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,

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BE IT FURTHER RESOLVED that during the designated time the closed portion of the 1300 block of Main Street between Lady Street and Washington Street; the 1400 block of Main Street between Washington and Hampton Street; the half block area of 1100 block of Washington Street east of the parking lot behind 1401 Main Street and Washington Street Garage to allow for ingress and egress into the parking lot and garage; the half block area of the 1200 block of Washington Street west of the entrance to the Meridian Parking Garage and driveway to the Sumter Street Garage to allow for ingress and egress into the parking garage and driveway; the 1500 block of Main Street between Hampton Street and Taylor Street, excluding Boyd Plaza, 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, 1300 block of Main Street between Lady Street and Washington Street; the 1400 block of Main Street between Washington and Hampton Street; the half block area of 1100 block of Washington Street east of the parking lot behind 1401 Main Street and Washington Street Garage to allow for ingress and egress into the parking lot and garage; the half block area of the 1200 block of Washington Street west of the entrance to the Meridian Parking Garage and driveway to the Sumter Street Garage to allow for ingress and egress into the parking garage and driveway; the 1500 block of Main Street between Hampton Street and Taylor Street, excluding Boyd Plaza, 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, September 30, 2017, the City Manager is authorized to approve the rescheduling of the canceled event for another date within one (1) week from the date of the originally scheduled event upon receiving twenty-four (24) hours written notice requesting the rescheduling of the event. The hours of operation for the event, service of beer and wine only 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 Gentry



Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

Introduced: 2/21/2017

Final Reading: 2/21/2017

ATTEST:


City Clerk

DATE OF REQUEST

12/8/2016

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

Emile DeFelice
Market Hall
sodactysc@gmail.com
803-917-0794

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

Oktoberfest

DATE(S) OF EVENTS:

September 30 2017

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.)

N/A

LOCATION OF EVENT

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

1300, 1400, & 1500 blocks of Main St between Lady St and Taylor St. Including the intersection of Hampton St and the half block area of the 1100 block of Hampton St east of the entrance to the parking lot and the 1200 block of Hampton St west of the driveway entrance to Marriott. Including the intersection of Washington, the half block area of the 1100 block of Washington east of the parking lot behind 1401 Main Street and the half block area of the 1200 block of Washington Street west of the entrance to the Meridian Parking Garage.

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)

1300, 1400, & 1500 blocks of Main St between Lady St and Taylor St. Including the intersection of Hampton St and the half block area of the 1100 block of Hampton St east of the entrance to the parking lot and the 1200 block of Hampton St west of the driveway entrance to Marriott. Including the intersection of Washington, the half block area of the 1100 block of Washington east of the parking lot behind 1401 Main Street and the half block area of the 1200 block of Washington Street west of the entrance to the Meridian Parking Garage.

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 to 4:30

HOURS OF EVENT

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

9AM to 3:30pm

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 to 3PM

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 867, 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 the event 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.**

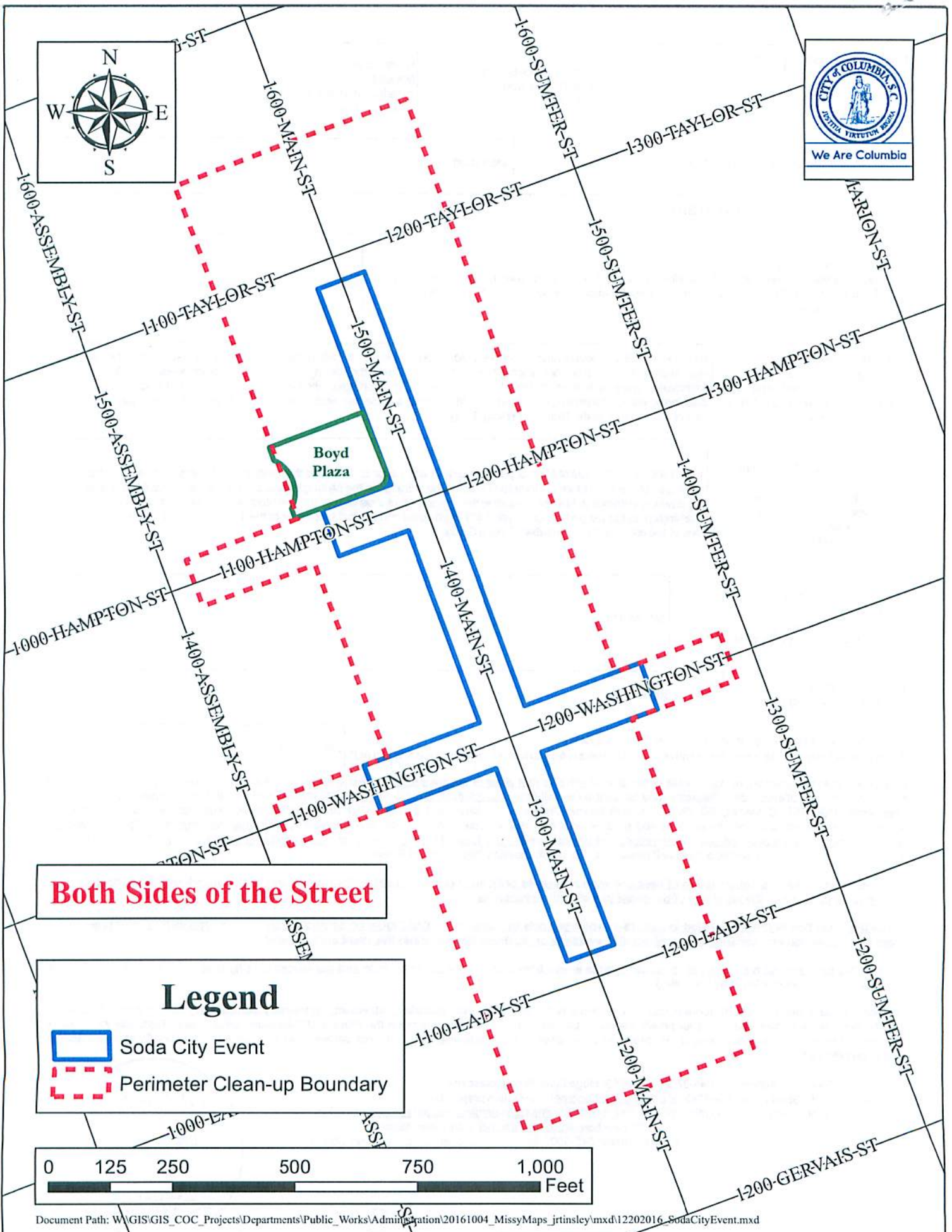
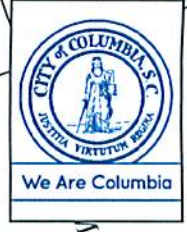
NOTE: **This form should only be used for public events where beer and/or wine are to be sold and consumed on City property (i.e., Five After Five, St. Patrick's Festival, Concerts in Finlay Park, etc.).**

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., 545-3703; 413-8553; cfgdadams@columbiasc.net
Legal Department - Shari Ardis; 737-4242; slardis@columbiasc.net - resolution preparation
Police Department Special Events - Officer Robert Hall; 545-3535; rjhall@columbiasc.net parade permit, police
Parks and Recreation - Loretta Coleman; 545-3100; peosborne@columbiasc.net park reservations
Police Department Community Services - Brenda Murphy; 545-3507; bmmurphy@columbiasc.net street closing





R-2017-002



Both Sides of the Street

Legend

-  Soda City Event
-  Perimeter Clean-up Boundary

