

**RESOLUTION NO.: R-2017-018**

*Authorizing consumption of beer and wine only at Five Points Association's 5 After 5 Concert Series on Sunday evenings April 2, May 7, July 2, June 4 and August 6, 2017*

WHEREAS, the Five Points Association is sponsoring its 5 After 5 Concert Series on Sunday evenings April 2, May 7, July 2, June 4 and August 6, 2017 on Saluda Avenue at the fountain plaza; and,

WHEREAS, the Association has requested permission for the temporary closing and use of Saluda Avenue between the fountain plaza and Starbuck's building at the intersection of Greene Street from 3:30 p.m. until 9:30 p.m., for preparation of the area for an outdoor event to be held during the hours of 4:00 p.m. and 9:00 p.m., and for patrons to consume beer and wine beverages at the event during the hours of 4:00 p.m. and 8:30 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 7th day of April, 2017, that the sale of beer and wine beverages only is authorized between the hours of 4:00 p.m. and 8:30 p.m. on Sunday evenings April 2, May 7, July 2, June 4 and August 6, 2017, on Saluda Avenue at the fountain plaza; and,

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location; 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 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 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, including snakes, shall be prohibited. Coolers, glass bottles and breakable glasses and/or cups shall be prohibited; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion of Saluda Avenue between the fountain plaza and Starbuck's building at the intersection of Greene 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, 1998 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, Saluda Avenue between the fountain plaza and Starbuck's building at Greene 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 alcoholic 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 provided by vendors within the areas designated.



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STAMPED IN RED

BE IT FURTHER RESOLVED that during the designated time the closed portion of Saluda Avenue between the fountain plaza and Starbuck's building at the intersection of Greene 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 Saluda Avenue between the fountain plaza and Starbuck's building at the intersection of Greene 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 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 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 Sunday evenings April 2, May 7, July 2, June 4 and August 6, 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 any of the event dates 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:

Senior Assistant City Manager Baker

  
\_\_\_\_\_  
Mayor

Approved by:

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

Approved as to form:

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

ATTEST:

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

Introduced: 2/7/2017  
Final Reading: 2/7/2017

DATE: 1/9/17

NAME OF REQUESTOR Five Points Association/Amy Beth Franks

EVENT NAME/PURPOSE (i.e., St. Patrick's/Charity Fund-raiser) Five After Five Concert Series (local, outdoor concert series)

DATE(S) OF EVENTS: April 2, May 7, June 4, July 2, Aug 6

LOCATION OF EVENT (i.e., Amphitheater area of Finlay Park; 1200 and 1300 blocks of Main Street)

Saluda Avenue - between the fountain and the building with Starbucks

STREET(S) TO BE CLOSED (i.e., 1200 and 1300 blocks of Main Street and 1100 and 1200 blocks of Lady Street)

Saluda Avenue between Starbucks and the fountain, only

HOURS FOR STREET(S) TO BE CLOSED (i.e., 5:00 p.m. - 12:00 a.m.) ALLOW TIME FOR SET UP/CLEAN UP

3:30 pm - 9:30 pm

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

4:00 pm - 9:00 pm

HOURS OF SERVICE OF BEER/WINE (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.)

4:00 pm - 8:30 pm

Please submit requests by mail, e-mail or fax at least sixty (60) 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 (737-4250) or mail, POB 147, Columbia, SC 29217. A draft Resolution will be prepared and forwarded for your review as well as to the Police Department Special Events office and to Parks and Recreation if the event is to be held in a City park.

PLEASE 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. 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.

Legal Department - Shari Ardis; 737-4242; [slardis@columbiasc.net](mailto:slardis@columbiasc.net)  
Police Department Special Events - Officer Robert Hall; 545-3535; [rjhall@columbiasc.net](mailto:rjhall@columbiasc.net)  
Parks and Recreation - Loretta Coleman; 545-3100; [lcoleman@columbiasc.net](mailto:lcoleman@columbiasc.net)

Submit by Email

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