

RESOLUTION NO.: R-2009-005

*Authorizing consumption of alcoholic beverages and
Five Points Association's 5 After 5 Concert Series*

WHEREAS, the Five Points Association is sponsoring its 5 After 5 Concert Series on Thursday evenings beginning April 2, 2009 through June 25, 2009.

WHEREAS, the Association has requested permission for the temporary closing and use of Saluda Avenue at the intersection of Harden Street from 6:00 p.m. until 11:00 p.m., for preparation of the area for an outdoor event, and for patrons to consume alcoholic beverages at the event during the hours of 6:00 p.m. and 10:30 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 18th day of February, 2009 that the sale of alcoholic beverages is authorized between the hours of 6:00 p.m. and 10:30 p.m. on Thursday's beginning April 2, 2009 through June 25, 2009; 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. 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 at the intersection of Harden Street, and Saluda Avenue 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 at Greene Street, with the exception of the parking area and any other areas posted as to not allow alcoholic beverages, is deemed to

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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 alcoholic beverages shall be permitted only in containers provided by vendors within the area designated.

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.

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Requested by:

The Five Points Association



Mayor

Approved by:



Interim City Manager

ATTEST:



City Clerk

Approved as to form:



City Attorney

Introduced: 2/18/2009
Final Reading: 2/18/2009