

RESOLUTION NO.: R-2013-035

Authorizing consumption of beer and wine beverages only at Moe's Burrito Dash 5k fundraiser for Epworth Children's Home after race celebration in the 600 block of South Main

WHEREAS, Moe's Southwest Grill ("Sponsor") is sponsoring Moe's Burrito Dash 5k fundraiser for Epworth Children's Home after race celebration in the 600 block of South Main Street between Devine Street and Blossom Street from 8:30 a.m. until 12:00 p.m. on Saturday, April 20, 2013; and,

WHEREAS, Sponsor has requested permission for the temporary closing and use of the 600 block of South Main Street between Devine Street and Blossom Street, from 6:00 a.m. until 12:00 p.m. Saturday, April 20, 2013 for set up, clean up, and staging of the event to be held in the 600 block of South Main Street between Devine Street and Blossom Street, on Saturday, April 20, 2013 from 8:30 a.m. until 12:00 p.m.; for patrons to consume beer and wine beverages during the event hours of 8:30 a.m. and 11:30 a.m. on Saturday, April 20, 2013; and for crowd control and overflow; 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 9th day of April, 2013, that the sale of beer and wine beverages only is authorized between the hours of 8:30 a.m. and 11:30 a.m. on Saturday, April 20, 2013 in the 600 block of South Main Street between Devine Street and Blossom Street; 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 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 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 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 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. All pets shall be prohibited. 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 600 block of South Main Street between Devine Street and Blossom Street, 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, the 600 block of South Main Street between Devine Street and Blossom Street 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.

Requested by:

Moe's Southwest Grill



Mayor

Approved by:



Theresa Wilson
City Manager

ATTEST:



Erika D. How
City Clerk

Approved as to form:



City Attorney

Introduced: 4/9/2013

Final Reading: 4/9/2013