

ORIGINAL
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RESOLUTION NO.: R-2013-037

Amending Resolution R-2013-018 to approve use of the rear bay area of the first floor of the City Center Parking Garage as a permanent alternate site for Soda City and authorize City staff to require vendors remove items City staff deems not to be in compliance with Resolution R-2013-018

WHEREAS, by Resolution No. R-2013-018 approved on February 5, 2013, a copy of which is attached hereto and incorporated herein by reference, the Mayor and City Council authorized tastings only of locally produced wine and beer only provided by market vendors and operation of Soda City, an open-air market featuring farmers and food within the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas; authorized the City Manager to execute an Agreement between the City of Columbia and Emile DeFelice ("Organizer") for use of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas for Soda City; and reserved unto the City of Columbia the right to negotiate with the Market Organizer and other parties to accommodate unplanned events that the City deems as extraordinary; and,

WHEREAS, Organizer has requested that the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing be approved as a permanent alternate site location for the Market so that during certain events, such as inclement weather, the market could be relocated; and,

WHEREAS, the City of Columbia has the right, in its sole and exclusive discretion, to require a vendor to remove any items that City staff deems not to be in compliance with Resolution R-2013-018; and,

WHEREAS, it has been determined that approval of the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing for use as a permanent alternate site for the market during certain events such as inclement weather would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council this 3rd day of September, 2013, that Resolution R-2013-018 approved on February 5, 2013 be amended to allow that the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing be approved as a permanent alternate site location for the Market so that during certain events, such as inclement weather, the market could be relocated; and,

BE IT FURTHER RESOLVED the City of Columbia has the right, in its sole and exclusive discretion, to require a vendor to remove any items that City staff deems not to be in compliance with Resolution R-2013-018; and,

BE IT FURTHER RESOLVED that during certain events, such as inclement weather, the market will be relocated to the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing, which will be used as a permanent alternate location; and,

BE IT FURTHER RESOLVED that should the Market Organizer or City of Columbia recommend relocation of the market to the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing, the Market Organizer shall communicate with the City's Parking Services Department, the City's Public Works Department, the City Police Department and the City of Columbia Fire Marshall regarding such change by 12:00 p.m. (noon) on Friday before the market. The Market Organizer will also be responsible for notification of vendors for such location change. Inclement weather shall be defined as weather-related events that might cause safety issues for vendors and/or customers, including high winds, torrential or continuous rain, thunderstorms, ice, etc.; and,

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BE IT FURTHER RESOLVED that vendor set up within the City Center Parking Garage shall be restricted to the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing so as to allow for vehicular ingress and egress to the parking garage, and for the safety, ingress and egress of pedestrians; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion of the 1500 block of Main Street between Hampton Street and Taylor Street, excluding Boyd Plaza and the sidewalk areas, with the exception of the parking areas, adjacent off-street parking areas and other areas posted as to not allow alcoholic beverages, or in the event of inclement weather, the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing, with the exception of the sidewalk 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 1500 block of Main Street between Hampton Street and Taylor Street, with the exception of Boyd Plaza, sidewalk areas, parking areas, adjacent off-street parking areas and any other areas posted as to not allow alcoholic beverages, or in the event of inclement weather, the rear bay area of the first floor of the City Center Parking Garage located on Taylor Street as depicted on the attached drawing, with the exception of the sidewalk areas, adjacent off-street parking areas and other areas posted as to not allow alcoholic beverages, is deemed to be the site of a public festival at which the tasting of locally produced wine and beer beverages only provided by market vendors may be consumed and the prohibition against possession or consumption of wine and beer beverages only set forth in Sec. 14-99 shall not apply. Possession and tastings only of locally produced wine and beer beverages only which are provided by market vendors only shall be permitted only in plastic cups provided by vendors within the areas designated.

BE IT FURTHER RESOLVED that the remainder of the terms and conditions as outlined in Resolution R-2013-018, a copy of which is attached hereto and incorporated herein by reference, shall remain in full force and effect.

Requested by:

Emile DeFelice



Mayor

Approved by:



Cheresa Wilson
City Manager

ATTEST:

Approved as to form:



City Attorney



Erika D. Moore
City Clerk

Introduced: 9/3/2013
Final Reading: 9/3/2013