

ORDINANCE NO. 2002-027

Granting encroachment to Gracie's for outdoor dining at 711 Harden Street

WHEREAS, Gracie's (hereinafter "Grantee") desires to utilize a portion of the sidewalk right of way for placement of tables and chairs immediately adjacent to its business located at 711 Harden Street for outdoor dining accommodations for up to eighteen (18) patrons during normal business hours; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the sidewalk or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 1st day of May, 2002, that Grantee is hereby granted the right to use a portion of the sidewalk right of way for placement of tables and chairs immediately adjacent to its business located at 711 Harden Street for outdoor dining accommodations for up to eighteen (18) patrons during normal business hours.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

PROVIDED, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, its successors and assigns, will indemnify and save harmless the City from any and all claims or causes of action which may arise by reason of the construction or maintenance of the aforesaid encroachment and in the event the encroachment becomes in conflict with future municipal plans, said property shall be returned to the City by Grantee.

PROVIDED FURTHER that the evidence of public liability insurance naming the City as an insured in the minimum amount of \$600,000.00 for personal injury and property damage shall be filed annually with the City Clerk by Grantee, its successors and assigns.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area

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to the satisfaction of the City Manager.

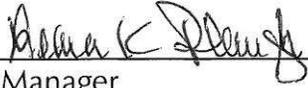
Requested by:



MAYOR

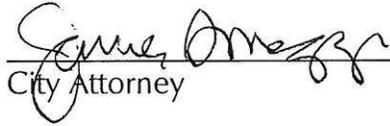
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Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 4/17/2002

Final Reading: 5/1/2002

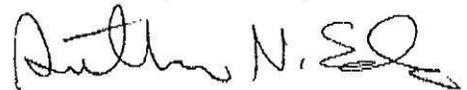
ATTN: SHARI ARDIS

March 18, 2002

To whom it may concern,

The purpose of this letter is to formally request approval for outdoor dining in front of our business located at 711 Harden Street. We are asking for approval to serve food and alcoholic beverages to customers directly in front of our restaurant. Considering the space available, we feel that our business could reasonably serve up to eighteen seated customers within the confines of our awning. We are currently open for dinner only but seek permission to conduct business outside during lunch hours as well. This fall we may explore the possibility of opening for lunch.

Respectfully submitted,



Anthony N. Ede

Owner

Gracie's

711 Harden Street



www.gracies-columbia.com

Tony Ede

Owner

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