

ORDINANCE NO. 2002-082

*Granting encroachment to 5 Points Diner/Minglewood
for placement of four (4) tables and sixteen (16) chairs for
outdoor dining at 800 Harden Street*

WHEREAS, 5 Points Diner/Minglewood (hereinafter "Grantee") desires to utilize a portion of the sidewalk right of way area immediately adjacent to its business located at 800 Harden Street for placement of four (4) tables and sixteen (16) chairs for outdoor dining by 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 16th day of October, 2002, that Grantee is hereby granted the right to use a portion of the sidewalk right of way immediately adjacent to its business located at 800 Harden Street for placement of four (4) tables and sixteen (16) chairs for outdoor dining by 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.

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns.

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

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at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:



MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 10/2/2002

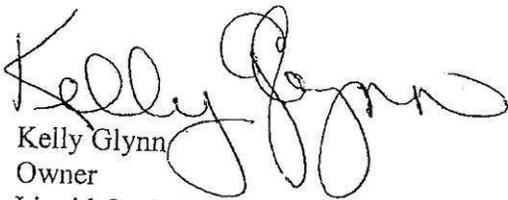
Final Reading: 10/16/2002

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August 26, 2002

City Hall
Legal Department
Shari Ardis

This is a request for an encroachment license to allow for our patrons to enjoy food and beverages outside at designated tables during business hours. We would like to have four tables with four chairs each set up under our awning from 8:00am - 4:00am. We would also like to keep these tables chained up against the side of our building when the business is closed. We are the 5 Points Diner/Minglewood located at 800 Harden Street in 5 Points. We serve breakfast and lunch as well as late night food, and would like to serve our patrons outside during nice weather. Thanking you in advance.



Kelly Glynn
Owner
Liquid Capital, LLC
Db. 5 Points Diner / Minglewood
800 Harden Street
Columbia, SC 29205
803-254-9999

