

ORDINANCE NO. 2003-001

Granting encroachment to Bar None at 620 Harden Street for outdoor dining

WHEREAS, Bar None (hereinafter "Grantee") desires to utilize a portion of the sidewalk right of way area adjacent to its business at 620 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 ____ day of _____, 2003, that Grantee is hereby granted the right to use the portion of the sidewalk right of way adjacent to its business located at 620 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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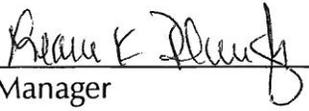
at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:



MAYOR

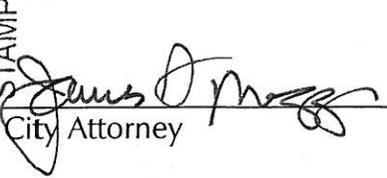
Approved by:



City Manager

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Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 2/5/2003
Final Reading: 2/19/2003

To Shari Ardis:

Bar None is submitting this letter to request approval for outdoor dining in front of our establishment located at 620 Harden Street. We are asking for your approval to serve food and alcoholic beverages directly in front of our place of business. We feel that our business could reasonably serve up to sixteen seated customers within the confines of our awning.

Our business hours are as follows: Monday through Wednesday 4:00 PM till 6:00 A.M. Thursdays and Fridays we are open for business from 3:00 P.M. till 6:00 A.M. Saturdays and Sundays we are open from 12:00 noon until 2:00 A.M. Eventually we would like to serve lunch during the weekdays.

As a restaurant and tavern we have been in operation for eight years. To meet our customer's needs and to accommodate walk by traffic we installed park benches 7 years ago.

Because of recently enforced encroachment policies, our customers have not been able to enjoy sitting outside to experience the village flair of 5 Points. We appreciate your consideration in this matter and look forward to hearing from you.

Thank you,

Daniel Peter Blied
Owner
Bar None
620 Harden Street



