

RESOLUTION NO.: R-2005-063

*Authorizing consumption of alcoholic beverages at
Five Points Association's 5 After 5 Fall Concert Rain Date*

WHEREAS, the Five Points Association (Association) sponsored its 5 After 5 Fall Concert Series on Thursday evenings in September and October, 2005; and

WHEREAS, the concert scheduled for October 6, 2005 was rained out and the Association has rescheduled the concert for Thursday, November 3, 2005; and,

WHEREAS, the Association has requested permission for the temporary closing and use of Harden Street at the entrance to Saluda Avenue from 5:30 p.m. to 12:00 a.m. and Greene Street at the entrance to Saluda Avenue between 5:30 p.m. and 12:00 a.m. for preparation of the area for the outdoor event, and for patrons to consume alcoholic beverages at the event during the hours of 6:30 p.m. and 11:00 p.m.; 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 26th day of October, 2005 that the sale of alcoholic beverages is authorized between the hours of 6:30 p.m. and 11:00 p.m. on Thursday November 3, 2005; and,

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location; 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, including snakes, shall be prohibited. Coolers, glass bottles and breakable glasses and/or cups shall be prohibited; and,

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BE IT FURTHER RESOLVED that during the designated time the closed portion of Harden Street at Saluda Avenue and Greene Street at Saluda Avenue, with the exception of the parking area and any 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, 1998 Code of Ordinances of the City of Columbia, South Carolina are in effect. Pursuant to 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, Harden Street at Saluda Avenue and Greene Street at Saluda Avenue, with the exception of the parking area and any other areas posted as to not allow alcoholic beverages, is deemed to be the site of a public festival at which alcoholic 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 alcoholic beverages shall be permitted only in containers provided by vendors within the area designated.

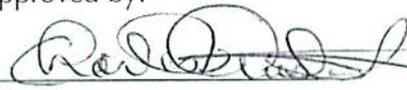
PROVIDED, HOWEVER, that no solicitation or transactions be made in violation of Code Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina.

Requested by:



Mayor

Approved by:



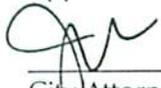
City Manager

ATTEST:



City Clerk

Approved as to form:



City Attorney

Introduced: 10/26/2005

Final Reading: 10/26/2005

Last Revised: 10/19/2005

Matter No:	05/01/55
Attorney:	D. W. Burts
Date In:	10/18/05
File No:	R-2005-063+64
Date Out:	10/20/05

Ardis, Shari

From: RichardBurts@aol.com
Sent: Tuesday, October 18, 2005 4:26 PM
To: Ardis, Shari
Subject: Five Points After 5...

Shari Lynn, I need your help. I have put together the Five Points Association's, Five Points After 5 Spring Concert Series Resolution. It is the same one you sent me recently with the dates changed. The updated Resolution is attached...

We had our most important show rained out with tropical storm Tammy and I need to put it on at the end of this season - November 3rd. I know this is short notice for this show - I normally schedule a open rain date at the end of each season and some how in the time crunch for Katrina, left it out.

The one that got rained out had over 40 musicians representing over 20 bands. Students as young as 8 years old were to play - my 12 year old was also to play. They are counting on this so much!

I thought if we can go ahead and do the Spring Resolution at the same time, it will not be double work for you. The Resolution number needs to be changed, but, I think that's all.

Thanks! I hope you can help me!

Richard

10/18/2005