

RESOLUTION NO.: R-2006-010

*Authorizing consumption of beer and wine in the 1000 block of Washington Street
for outdoor concerts at Kelly's Deli and Pub*

WHEREAS, Kelly's Deli and Pub ("Kelly's") is holding an outdoor concert on Saturday, April 22, 2006 from 10:00 a.m. Saturday, April 22, 2006 until 2:00 a.m., Sunday, April 23, 2006 adjacent to its business in the 1000 block of Washington Street;

WHEREAS, Kelly's has requested permission for the temporary closing and use of the 1000 block of Washington Street adjacent to its building from 9:00 a.m. Saturday, April 22, 2006 until 2:00 a.m. Sunday April 23, 2006 for preparation and staging of the area for an outdoor event to be held between 10:00 a.m. Saturday, April 22, 2006 until 2:00 a.m. Sunday, April 23, 2006, and for patrons to consume alcoholic beverages at the event during the hours of 10:00 a.m. Saturday, April 22, 2006 until 1:30 a.m. Sunday, April 23, 2006; 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 5th day of April, 2006, that the sale of alcoholic beverages is authorized between the hours of 10:00 a.m. on Saturday, April 22, 2006 and 1:30 a.m. on Sunday, April 23, 2006; 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, breakable glasses and/or cups, large bags and backpacks shall be prohibited; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion of the

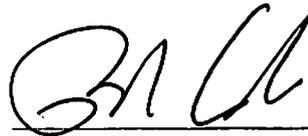
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1000 block of Washington Street, with the exception of the parking area and any other areas posted as to not allow alcoholic beverages, shall be declared to be a Public Park and provisions of Chapter 15, Parks and Recreation, Sec. 15-1, 15-2 and 15-3, 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, between the hours of 10:00 a.m. Saturday, April 22, 2006 and 1:30 a.m. Sunday, April 23, 2006, the 1000 block of Washington Street, 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:



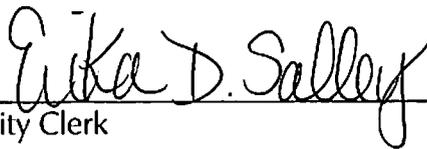
Mayor

Approved by:



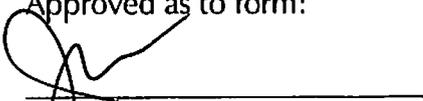
City Manager

ATTEST:



City Clerk

Approved as to form:



City Attorney

Introduced: 4/5/2006

Final Reading: 4/5/2006

LAW OFFICES OF AMYE L. RUSHING, P.A.

ATTORNEY AT LAW

1001 WASHINGTON STREET • SUITE 300 • COLUMBIA, SC 29201

OFFICE: (803) 254-8050 • FAX: (803) ~~929-0927~~

March 15, 2006

Shari Lyn Ardis
Legal Admin. Coordinator
Office of the City Attorney
P.O. Box 147
Columbia, SC 29217
VIA FAX (737-4250) and U.S. MAIL

Dear Ms. Ardis,

Thank you so much for your fax of March 13, 2006. I reviewed it with Kelly and she indicates to me that the service of alcohol will end no later than 1:30am. The hours of the event will be from 10am on Saturday, April 22, 2006 until 2am on Sunday, April 23, 2006. We do plan on serving alcohol throughout the event up until 1:30am, at the latest.

Again, thank you so much for your assistance with this event - we are very excited about it and appreciate all you are doing to make it happen. If you have any questions or if I need to provide any additional information, please do not hesitate to call me at your convenience. Please also note that my fax number has changed to (803) 254-5252.

Sincerely,



Amye L. Rushing



LAW OFFICES OF AMYE L. RUSHIN
ATTORNEY AT LAW

1001 WASHINGTON STREET • SUITE 300 • COLUMBIA, SC
OFFICE: (803) 254-8050 • FAX: (803) 929-0927

Matter No.: 01030171
Attorney: AMYL
Date In: 3/2/06
File No.: 15-2000-210
Date Out: 3/7/06

1/2p
left message w/mrs Rushin
mye called back to
say she would get
the letters. on 3/3/06

February 27, 2006

- letter from the
Vista Blvd or its
businesses
affecting

City of Columbia
ATTENTION: ERICA SALLEY
P.O. Box 147
Columbia, SC 29217

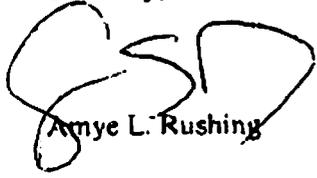
Dear Ms. Salley,

I am contacting you on behalf of Kelly's Deli and Pub, located at 1001 Washington Street, Columbia, South Carolina. They are respectfully requesting a street closing on April 22, 2006.

The requested closing would be the 1000 block of Washington where Kelly's Deli and Pub is located. They are requesting that it be closed from 9:00am Saturday, April 22, 2006 until Sunday, April 23, 2006 at 2:00am. The purpose of this street closing is so that Kelly's can have room for a few bands to set up and perform for their patrons outside.

We sincerely appreciate your assistance with this matter and we look forward to speaking with you soon. Please feel free to contact my office at your convenience if you have any questions.

Sincerely,


Amye L. Rushin

3/8/06
Left message
reminding Amye of letters.
She will get over asap.
Um

RECEIVED
MAR 09 2006
LEGAL
DEPARTMENT

RECEIVED
MAR 01 2006
CITY OF COLUMBIA
CITY CLERK



**CITY OF COLUMBIA
DEPARTMENT OF HOMELAND SECURITY
INTEROFFICE MEMORANDUM**

**TO: Charles P. Austin, Sr.
City Manager**

Date: March 9, 2006

**From: Harold L. Reaves
Deputy Director**

Subject: Kelly's Deli and Pub Street Closing Request

I have reviewed the listed request along with a letter of support from Deirdre Mardon of the Congaree Vista Guild and recommend your approval with the below stipulations.

Kelly's Deli and Pub. Close Washington Street between Assembly and Park Streets on Saturday, April 22, 2006 beginning at 9:00am Saturday until 2:00am Sunday, April 23, 2006. The following stipulations apply:

- **Kelly's Pub must hire off duty Columbia Police Officers to provide traffic and crowd control.**
- **Kelly's Pub must apply for a resolution to consume and sell alcohol.**
- **Kelly's Pub must provide lighted barricades for the event.**