

RESOLUTION NO.: R-2008-067

Authorizing the Five Points Association to Conduct Street and Sidewalk Sales for the "St. Pat's in Five Points Festival"

WHEREAS, the Five Points Association is sponsoring the "St. Pat's in Five Points Festival" to raise funds for charity, beautification and revitalization of the Five Points area on Friday, March 13, 2009 and Saturday, March 14, 2009, with rain contingencies to include Saturday night and Sunday, March 15, 2009; and,

WHEREAS, the Association has requested permission to conduct sidewalk sales as part of the celebration; and,

WHEREAS, it has been determined that such an event would be in the best public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this 17th day of December, 2008, that between the hours of 6:00 p.m. and 10:00 p.m. on Friday, March 13, 2009 and 9:00 a.m. and 6:00 p.m. on Saturday, March 14, 2009 (and in the event of rain, from 1:00 p.m. to 6:00 p.m. Sunday, March 15, 2009), merchants in Five Points are authorized to operate sale booths for items normally sold in their course of business on the sidewalks immediately in front of their places of business with the Five Points area bounded by Gervais, Blossom, Heidt, and Lauren Streets; and,

BE IT FURTHER RESOLVED that street sales of arts and crafts items (to be defined as items which are in whole or in part handmade and not items purchased for resale) and food and beverage items and game booths be permitted and that the Association be authorized to

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determine and allocate available space to vendors and to charge reasonable fees to cover its costs in promoting and operating the festival. The Association may limit the number of vendors based on the space available. The Five Points Association sponsored beer sales are authorized between 6:00 p.m. and 9:30 p.m. on Friday, March 13, 2009 and 9:00 a.m. and 5:30 p.m. on Saturday, March 14, 2009. The Five Points Association sponsored food sales will stop at 10:00 p.m. on Friday, March 13, 2009 and at 6:00 p.m. on Saturday, March 14, 2009. In the event of rain on Saturday, March 14, 2009, beer sales shall be extended through 9:30 p.m. and food sales shall be extended through 10:00 p.m. The Association shall prescribe the required application form and appropriate deadline for receiving application; and,

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location and the Association shall approve or disapprove all amplified entertainment activities; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within the area designated on the attached map. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skateboards, and horses, except police horses, are prohibited. Pets shall be prohibited. Coolers, glass bottles, breakable glasses and/or breakable cups, and backpacks shall be prohibited in the festival area as designated on the attached map; and,

BE IT FURTHER RESOLVED that during the designated time the area shown on the attached map is designated 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,

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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, the area designated on the attached map 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 as set forth in Sec. 14-99 shall not apply, however, possession and consumption of alcoholic beverages shall be permitted only in containers provided by the Five Points Association within the area designated.

BE IT FURTHER RESOLVED that should it rain on Saturday, March 14, 2009, the Festival's hours of operation will be extended until 10:00 p.m. Furthermore, depending on the amount of rain during the event Saturday March 14, 2009, and in the sole judgment of the Five Points Association, its Board of Directors and the St. Pat's in Five Points Committee, the event will also be extended to include Sunday, March 15, 2009, between the hours of 1:00 p.m. and 6:00 p.m.; and,

BE IT FURTHER RESOLVED that in the event of rain the event is extended to include Sunday, March 15, 2009, beer sales shall be authorized between the hours of 1:00 p.m. and 5:30 p.m. and food sales shall be authorized between the hours of 1:00 p.m. and 6:00 p.m. on Sunday, March 15, 2009; and,

PROVIDED, FURTHER, the street and sidewalk sale shall be allowed during either of these dates and hours of operation as listed above.

PROVIDED, FURTHER, that in the event that it does not rain, the streets as depicted

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on the attached map shall be closed to through traffic, and parking by non-residents shall be prohibited, between the hours of 5:00 p.m. Friday, March 13, 2009 and 11:00 p.m. Saturday, March 14, 2009. In the event of rain, the streets shall be closed through 3:00 a.m. Sunday, March 15, 2009.

PROVIDED, FURTHER, in the event that it does rain on Saturday, March 14, 2009, the streets as depicted on the attached map shall be closed to through traffic, and parking by non-residents shall be prohibited, Sunday, March 15, 2009, between the hours of 12:01 a.m. and 8:00 p.m.

PROVIDED, HOWEVER, that sidewalks shall not be obstructed for pedestrian traffic in violation of Sec. 22-72, 1998 Code of Ordinances of the City of Columbia, South Carolina, and that no solicitation or transactions be made in violation of Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina, and that no vendor locations be allowed on any street not closed by the Mayor and Council during the period of celebration.

Requested by:

The Five Points Association



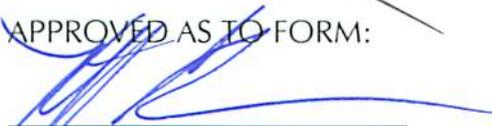
Mayor

APPROVED BY:



City Manager

APPROVED AS TO FORM:



City Attorney

ATTEST:


City Clerk

Introduced: 12/17/2008
Final Reading: 12/17/2008

Matter No.: 08122060
Attorney: KES/sla
Date In: 12/11/2008
File No.: P-2008-067
Date Out: 12/11/08

DATE: December 4, 2008 NAME OF REQUESTOR: Merritt McHaffie/Five Points Association

CONTACT INFORMATION (PHONE/FAX/E-MAIL/MAILING ADDRESS):
803-748-7373 / 803-748-1119
merritt@fivepointscolumbia.com
PO Box 5283 Columbia SC 29250

EVENT NAME/PURPOSE: (i.e., St. Patrick's/Charity Fund raiser) St. Pat's in Five Points/ Charity Fund raiser and 5 Points marketing event

DATE(S) OF EVENT: March 13 and 14, 2009

LOCATION OF EVENT: (i.e., Ampitheater area of Finlay Park; 1200 block of Main Street)
Five Points area

STREET(S) TO BE CLOSED: (i.e., 1200 block of Main Street between Gervais and Washington Streets and the 1100 and 1200 blocks of Lady Street between Sumter and Assembly Streets)
Five Points area bounded by Gervais, Blossom, Heidt and Lauren's Streets

HOURS FOR STREET(S) TO BE CLOSED: (Allow time for set up/clean up, i.e., 5:00 p.m. - 12:00 a.m.)
6:00pm - 10:00pm Friday March 13th, 2009 - Santee Avenue
9:00am - 6:00pm Saturday March 14th, 2009 and in the event of rain, Sunday March 15th from 1:00pm - 6:00pm

HOURS OF EVENT: (i.e., 6:00 p.m. - 11:00 p.m.)
9:00am - 6:00pm

HOURS OF SERVICE OF BEER/WINE: (Should end at least ONE-HALF HOUR PRIOR TO END OF EVENT, i.e., 6:00 p.m. - 10:30 p.m.)
6:00pm - 9:30pm on Friday - Food sales will stop at 10:00pm Friday and 6:00pm on Saturday.
9:00am - 5:30pm on Saturday - event of rain Saturday beer sales extended through 9:30pm and food sales through 10:00pm
Event of rain extended to include Sunday from 1:00pm - 6:00pm

Please submit requests by mail, e-mail or fax at least **sixty (60) days in advance of the event** to allow for preparation and review of the Resolution and scheduling on Council's agenda. Requests may be sent by e-mail (slardis@columbiasc.net), fax (737-4250) or mail, POB 147, Columbia, SC 29217. A draft Resolution will be prepared and forwarded for your review as well as the Police Department Special Events office and to Parks and Recreation if the event is to be held in a City park.

PLEASE NOTE: **This form should only be used for public events where alcoholic beverage are to be sold and consumed on City property** (i.e., Five After Five, St. Patrick's Festival, Concerts in Finlay Park, etc.).

This form **should not** be used to request use of City property for **private** events (birthday, retirement, anniversary parties, etc.) nor for sidewalk sales. Requests for private events at City parks should be made through the Parks and Recreation Department. Requests for sidewalk sales should be made to the City Manager.

Police Department Special Events - Sgt. Bryan Goff; 545-3535; bggoff@columbiasc.net
Parks and Recreation - Pearl Osborne; 545-3100; peosborne@columbiasc.net

