

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENWOOD IMPOSING A TEMPORARY SUSPENSION OF CERTAIN MUNICIPAL CODE PROVISIONS ON THE MAIN STREET UPTOWN SQUARE DURING THE THREE DAY SOUTH CAROLINA FESTIVAL OF DISCOVERY**

**WHEREAS**, since 2000 the City of Greenwood has partnered with various organizations to include the Uptown Greenwood Development Corporation to produce the South Carolina Festival of Discovery; and,

**WHEREAS**, the South Carolina Festival of Discovery includes street festival activities taking place along public property located in the Uptown Greenwood Special Tax District; and,

**WHEREAS**, vehicular traffic is detoured around Main Street through the Uptown Square from Thursday, July 7 at 6 PM to Sunday, July 10 at noon; and,

**WHEREAS**, Section 4-2 of the City of Greenwood Municipal Code does not allow for the possession or consumption of alcoholic beverages on any street, highway, park or public place; and,

**WHEREAS**, a majority of City Council, after review, is now prepared to enact a temporary one-time measure that attempts to reasonably, fairly and efficiently balance the interest of promoters, attendees, public safety, surrounding businesses, and the public at large and allow for the possession and consumption of beer and/or wine on the public sidewalks and streets on the Uptown Greenwood Square when purchased from properly licensed and permitted venues that adjoin Main Street; and,

**WHEREAS**, City Council will review data collected from this one-time approved event to assess the feasibility for granting this request for future events; and,

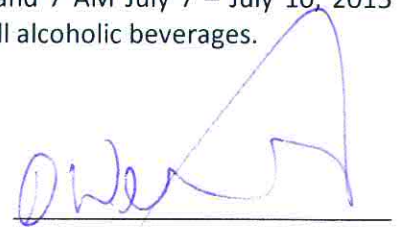
**WHEREAS**, this ordinance is not intended, and should not be interpreted, to set a precedent of suspending local laws and requirements for other purposes than the South Carolina Festival of Discovery because such laws and requirements are adopted and imposed for the purpose of protecting health, safety, and City residents' quality of life and therefore must be maintained.

**THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Greenwood, South Carolina, in meeting duly assembled the following:

1. A temporary event permit for Thursday, July 7, 2016 for the hours of 6 p.m. – 11 p.m., Friday, July 8, 2016 for the hours of 11 a.m. – midnight, and Saturday, July 9, 2016 for the hours of 11 a.m. – midnight may be granted during the South Carolina Festival of Discovery by the City Manager that includes the consumption and possession of beer and/or wine along a defined section of public property along Main Street (See Exhibit A).
2. The permit required by this ordinance shall be issued on a form deemed suitable by the City Manager. Conditions of the permit are as follows:
  - a. The possession and consumption of alcoholic beverages shall not begin before the designated event start times. There shall be no open containers of alcohol on site before the designated start times or after the designated end times. All participating restaurants must discontinue alcohol distribution outside at a minimum of 20 minutes prior to the end of the event. At no time other than those expressly permitted in section (1) above may any open container of alcohol be present, possessed, served, and/or consumed on public property within the defined section along Main Street (see Exhibit A).

- b. The event organization must fence off the event area to discourage and restrict participants from leaving the area with alcoholic beverages. Signs at least 11" x 17" informing participants that alcoholic beverage are prohibited on City streets and sidewalks beyond the boundary of the event permit area must be posted.
- c. Each participating restaurant shall provide a staff person at all times throughout the permitted hours whose sole responsibility is to ensure that the rules of this temporary permit are maintained.
- d. No BYOB ("bring your own beer") or coolers are allowed.
- e. Each participating restaurant shall ensure that pedestrian access along adjoining public sidewalks is maintained.
- f. In accordance with state law, the serving and consumption of alcoholic beverages is limited to beer and/or wine.
- g. There shall be no glass / plastic bottles or cans served during the event. The contents of any beer or wine served or sold in bottles or cans must be poured into plastic or paper cups. Alcoholic beverages shall be served in readily identifiable cups distinct from those used for non-alcoholic beverages.
- h. Any consumption of alcohol by employees, workers, volunteers, etc. selling the alcohol is strictly prohibited.
- i. It is a violation to sell liquor, beer or wine to an intoxicated person. Those arriving in an intoxicated condition, even if of legal age, must be denied alcohol.
- j. Each participating restaurant shall obtain Liability insurance coverage specifically identifying the City of Greenwood as an additional insured. Insurance requirements are \$1,000,000 individual occurrence and aggregate along with \$300,000 liquor liability.
- k. Each participating restaurant agrees to prohibit the sale or consumption of alcoholic beverages between the hours of 2 AM and 7 AM July 7 – July 10, 2015 inside of commercial establishments licensed to sell alcoholic beverages.

Done this 20th day of June 2016.



D. Welborn Adams, Mayor

Attest:



Steffanie C. Dorn, City Clerk

First Reading: May 16, 2016

Second Reading: June 20, 2016