

RESOLUTION R-2012-008

Authorizing the filing of a civil action in the Court of Common Pleas against Metro Live, 1800 Blanding Street, seeking (i) a mandatory injunction requiring compliance with City Code Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, (ii) a declaration that the infraction of said Division is a public nuisance and for an order requiring abatement of the public nuisance, and/or (iii) for any other remedy permitted by law

ORIGINAL
STAMPED IN RED

WHEREAS, Metro Live, located at 1800 Blanding Street, Columbia, South Carolina, applied for a City of Columbia business license as a restaurant/lounge; and,

WHEREAS, the City of Columbia Hospitality Task Force has observed the smoking of tobacco products on the premises of Metro Live; and,

WHEREAS, Metro Live has been issued citations by the City of Columbia Hospitality Task Force on four separate occasions with each citation resulting in a conviction; and,

WHEREAS, it is necessary for the City of Columbia to enforce City Code Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products through the institution of a civil action in the Court of Common Pleas; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council this 7th day of February, 2012, that the City Attorney's Office is authorized to institute a civil action in the Court of Common Pleas against Metro Live, 1800 Blanding Street, Columbia, South Carolina, seeking one or more of the following: (i) a mandatory injunction requiring compliance with City Code Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, (ii) a declaration that the infraction of said Division is a public nuisance and for an order requiring abatement of the public nuisance, and/or (iii) for any other remedy permitted by law.

Requested by:


Business License Division



Mayor

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:

City Clerk

Introduced: 2/7/2012

Final Reading: 2/7/2012

Last Revised: 1/25/2012
12010106