

**LEGISTAR # 39140 – Version 1**

DRAFTER'S ANALYSIS: The ordinance changes the sidewalk café license fee structure. Currently, the annual license fee is determined by the number of chairs that can be seated in the café. Under this ordinance, the fee would be calculated using the square foot measurement of the approved café space. The license fee for a brand new sidewalk cafe in the State Street Mall/Capitol Concourse Vending area would be \$13 per square foot, effective with this ordinance amendment. Existing Sidewalk cafes within the Mall/Concourse area would increase to \$5 per square foot for the 2016 and 2017 vending seasons (April 15-April 14) and increase to \$13 per square foot in the 2018 season. License fees for sidewalk cafes outside of the Mall/Concourse area ("Citywide" cafes) would convert to \$3 per square foot immediately, which is roughly the equivalent fee as is paid now under the existing method.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (c) entitled "License Fees" of Subsection (5) entitled "Citywide (Non-Mall/Concourse) Sidewalk Cafe Licenses" of Section 9.13 entitled "License for Selling on Public Streets" of the Madison General Ordinances is amended to read as follows:

"(c) License Fees. The fee for a Citywide Sidewalk Café vendor license shall be the same as for a Sidewalk Café on the Mall/Concourse, under 9.13(6)(h), and the information required to be displayed on the license shall also be the same. The annual license fee for a Citywide Sidewalk Café vendor license shall be three dollars (\$3.00) per square foot of the café's approved dimensions, as measured by the Vending Coordinator. The information required to be displayed on the license shall be the same as for a Sidewalk Café on the Mall/Concourse, under 9.13(6)(h) Annual licenses shall be issued on the fifteenth (15th) day of April each year or thereafter when applied for and shall expire on the fourteenth (14th) day of April of the year following its issuance. The license fee shall be paid to the City Treasurer."
2. Subsubparagraph iv. entitled "Sidewalk Cafes" of Subparagraph a. entitled "Annual License" of Paragraph 3. of Subdivision (h) entitled "Mall/Concourse Vending Licenses and Fees" of Subsection (6) entitled "Regulations and Procedures for Vending on the State Street Mall/Capitol Concourse" of Section 9.13 entitled "License for Selling on Public Streets" of the Madison General Ordinances is amended to read as follows:

"iv. Sidewalk Cafes: Except as indicated in v. below, the sidewalk café license fee shall be determined by the size of the café, based on the number of chairs shown on the approved sidewalk café application: using a fee-per-square foot of the café's approved dimensions, as measured by the Vending Coordinator. The fee for any new sidewalk café licensed for the first time after this provision takes effect shall be thirteen dollars (\$13.00) per square foot. For the 2016 and 2017 vending seasons, the annual fee for previously-licensed sidewalk cafes shall be five dollars (\$5.00) per square foot. Beginning with the 2018 vending season, the annual fee for all sidewalk cafes licensed under this section shall be thirteen dollars (\$13.00) per square foot.

  - 9 or fewer chairs: \$400/year
  - 10 to 15 chairs: \$550/year
  - 16 to 20 chairs: \$650/year
  - 21 or more chairs: \$750/year"