

DRAFT

SNOWFALL & SITE SWEEPING PROCEDURES FOR AUGUST 2013 VOC MEETING:

1. Amend the Mall/Concourse Regs to create new Section XIII. E. regarding sweeping your own sidewalk:

E. If a Sidewalk Café licensee or Merchant Vendor chooses to set up their café or merchant vending equipment before 9:30 a.m., the license holder must sweep and remove all debris and litter from the entire sidewalk area that corresponds to the street frontage of their place of business.

FYI: this will apply automatically to "city wide" sidewalk cafes because 9.13(5)(f) incorporates the section of the Regs where this new rule will be placed.

2. Amend the Vending Ordinance to Create new 9.13(6)(L)6. regarding snowfall procedures:

6. Snowfall Procedures for Food, Arts/Crafts, and Late Night Vendors.

i. Snow Removal. If a Food or Arts and Crafts Vendor's assigned site has accumulated snow when the vendor arrives, and the vendor wishes to vend, the vendor must clear the snow from the site before placing the cart or other vending equipment in the site, and may not use another site nor otherwise alter the position of the cart from its approved position within the vendor's assigned site. Vendors with sites on the Capitol Concourse or Municipal Building Vending Area shall push the snow toward , but not into, the road, and Vendors with sites in the 700 and 800 blocks of State Street shall push the snow toward the middle of the mall. Vendors shall keep a four foot (4') perimeter around the vending cart or equipment clear from accumulating snow at all times. This procedure also applies to Late Night Vendors in the 700 block of State Street.

ii. Snow Emergencies. Late Night Vendors in the 700 block of State Street, Mall/Concourse Food Vendors and Arts and Crafts Vendors shall not vend on any day when the City has declared a snow emergency under MGO 12.045(1).

iii. Street Vending Snow Day. The Superintendent of Parks or designee may declare a "street vending snow day" when a full snow emergency under MGO 12.045 has not been declared but additional time is needed for city staff to safely remove snow and ice from the streets and sidewalks. When a Street Vending Snow Day has been declared, Mall/Concourse Food Vending equipment cannot be placed before 11:00 a.m. and must be removed by 1:30 p.m., notwithstanding anything to the contrary in this ordinance or the Regulations adopted thereto. The Parks Division will announce the snow day no later than 8:00 a.m. of the affected day by emailing a list of vendors provided by the Street Vending Coordinator and using a call-in telephone number established for this purpose.

3. The following sections of MGO 9.13 and the Mall/Concourse Regs mention vending hours that could conflict with the snow day reduced hours. I think it is legally sufficient to say "notwithstanding anything to the contrary" in new 9.13(6)(L)6.iii. above. No need to amend the 3 sections of 9.13 below, but I suggest we amend the regs. in the following 3 places:

- 9.13(6)(h)3c. i and ii., II.F.1.b.i and iii. Sub i. = moving into unoccupied craft site by 11 = OK. Sub. iii =moving into unoccupied Saturday craft site 7:30=add exception.
- 9.13(6)(l)1. and 1.a., V.F. – moving into unoccupied site, 10:30 (add "except on a snow day")
- 9.13(6)(n)1., IX. A. 1. – restrictions on mobility – prohibits trucks b/w 11 and 2:30 – could add - except on a snow day)