

**DRAFT CHANGES TO MALL/CONCOURSE REGULATIONS
FOR INITIAL DISCUSSION – MAY 2018 VOC MEETING**

1. Discuss moving the deadline to apply to participate in the Fall Food Cart review from September 1 to August 1.

Regulation Language to change:

III. ADDITIONAL PROCEDURES FOR FOOD VENDING SITE ASSIGNMENT

The following procedures shall be used for assigning the food vending sites:

- A. Application. An application meeting the general requirements in Section XI and containing the information and materials specified in subsection B. below shall be made to the Director of Planning and Development, or designee by ~~September~~ **August 1** for the Fall Food Vending Review and applications to fill any vacancies remaining after the Fall Food Vending Review shall be filed by March 31.

2. Discuss moving up the dates for holding the Fall Food Cart review by 1 month–

Food Cart Review dates in 2017 = 9/25/17-10/23/17

Proposed new dates for 2018 review = 8/27/18 – 9/23/18. Future years also August-Sept.

Regulation language to be changed:

- III. C. Fall Food Vending Review. All applicants for Mall/Concourse Food Vendor licenses, including returning Mall/Concourse food vendors, shall be required to participate in an annual Food Vending Review. The Food Vending Review shall be conducted every year over a four-week period, beginning on the Monday of the last week of ~~September~~ **August** and continuing for a total of 4 weeks. During these weeks, reviews may take place on Monday through Friday between 11:00 a.m. and 2:00 p.m., and on Saturday between 8:00 a.m. and ~~2:00~~ p.m. In the event of severe weather, specific review days may be rescheduled upon notice to all participants. Returning food vendors will be reviewed in their regular sites during their regular business hours. New applicants will be assigned a site by the Street Vending Coordinator for review on not less than two (2) designated Saturday(s) as determined by the Street Vending Coordinator.

3. Discuss changing Saturday food cart review end time from 2 pm. to noon or creating more flexible language for the hours of the food cart review. (see above.)

4. Discuss creating a deadline by which to *apply* for most vending licenses.

Currently, there is no deadline to apply for any vending license. This creates a big rush in the days leading up to and after April 15 each year.

Proposed deadline to apply = March 1. This would apply to the following license types: Mall/Concourse Food, Arts/Crafts, Sidewalk Café, Merchant Vendors, SE Campus, Citywide sidewalk cafes, and all annual Basic street vendors. This deadline would not apply to monthly basic licenses. Exceptions to the deadline: Annual Basic license for vendors who start their operations mid-year / after April 15; or first-time vendors who

are starting operations mid-year (except M/C Food Vendors who are subject to deadlines through the Food Cart review process.)

Application deadline - Language to change:

The procedures for license applications are found throughout MGO 9.13 (the ordinance.) If the VOC and sponsors recommend creating a deadline to apply for licenses, ordinance amendment language will be drafted in sections throughout 9.13 where each of the affected license types is handled.

5. Create a system of late fees for both *applying* for the license late and *paying* for an approved license late.

Ordinance and Regulation language to change:

Currently, MGO 9.13 and the Regulations are silent on when the vendor must purchase the license. A license is necessary to operate so the assumption is you cannot vend / cannot set up your café unless you have purchased the license. But the reality is that many vendors are not purchasing their license on time from year to year, but continue to vend anyhow. (The exception is Mall/Concourse Food Vendors who, by regulation, forfeit their site if they do not purchase all necessary licenses by April 15.)

If the concept for the above structure of late fees is approved to go forward, the City Attorney will draft language to MGO 9.13 and the regulations to create these new deadlines and the late fees for missing the deadlines.

Application procedures, including the online Accela permit system will have to be modified to incorporate these new steps.

END