

DRAFT for discussion at March VOC meeting: new 90-minute rule

VOC would like to give all vendors up to 90 minutes to leave their stuff unattended. Here is a list of all of the regs and ords that touch on this topic:

**Mall/Concourse Regs:**

IX. MISCELLANEOUS REGULATIONS

B. Removal of Carts and Vending Equipment

1. All vending equipment (i.e., carts, tables, apparatus, etc.) shall be removed from the State Street Mall/Capitol Concourse during the hours in which vending is not permitted, as specified in sec. 9.13(6)(l)1. of the Madison General Ordinances. No vending equipment shall be left unattended at any time for longer than fifteen minutes except that:
  - a. Craft vendors may leave equipment unattended at the vending site prior to set up for no more than ~~thirty (30)~~ ninety (90) minutes;
  - b. Food vendors with carts may leave the vending cart unattended ~~in excess of fifteen (15)~~ for a maximum of ninety (90) minutes provided that the cart is securely closed.
  - c. Non-cart food vendors may leave the vending equipment unattended for a maximum of ninety (90) minutes provided that..... (????)
2. Any time vending equipment or carts are left unattended as provided herein, a "CLOSED" sign shall be prominently displayed and shall also indicate the time of departure and the time of return.

**List of other ordinances and regulations that deal with leaving equipment unattended:**

**9.13(6) - Mall/concourse ord:**

9.13(6)(L)1.d. “..all vending equipment shall be completely removed during hours when vending is not permitted...” *I would recommend that the new 90-minute rule should not be used to allow vendors to set up early or leave equipment past the closing time.*

9.13(6)(j)1.d. Merchant vending – attendant or sales person must be present within the vending site when merchandise is displayed –outdoors or immediately available inside. *I would recommend this rule not be changed.*

### **High Density Vending:**

Regs: nothing in the HDV regs that prohibits leaving equipment unattended.

9.13(7)(h)3. Vending Hours – all vending equipment must be removed during times when vending is prohibited.... *I would recommend that the 90-minute rule not be used to allow vendors to set up early or leave equipment out past the “closing” time.*

### **9.13(4): General Vending Rules – applicable to all vendors, including Basic, SE Campus, Late Night, etc...:**

9.13(4)(k) A vendor shall be present within the vending site at all times during which items are displayed or sold.

*(this section would have to be changed to give citywide/basic street vendors 90 minutes to leave their vending equipment unattended).*

9.13(4)(L) No vending equipment or merchandise may be stored on any street, sidewalk or alley or public square when the vendor is not present unless a different restriction is established pursuant to a street use permit issued under § 10.056 of these ordinances or pursuant to regulations adopted under this chapter.

9.13(4)(m) all equipment must be removed during times when vending is prohibited.... *(this is a related ordinance – I would recommend that a vendor cannot use the 90 minute rule to set up early or to leave their equipment past the closing time.)*