

**Title**

To SUSPEND the handcrafted goods and personally prepared food vending restrictions on August 11, 18, 25 and September 1, 2010 during the Jazz @ 5 concert series and authorizing Jazz @ 5 Inc., as sponsor of the special event, to select vendors, vending sites and performers within the 100 block of State St. for the duration of the special event.

**Body**

WHEREAS, Section 9.13 (6) of the Madison General Ordinances and the regulations adopted therein control street vending on the State Street Mall/Capitol Concourse area; and

WHEREAS, Section 9.13 (6)(k)1. allows the Common Council to suspend specifically enumerated vending ordinances or regulations and establish alternate rules and procedures during a special event; and

WHEREAS, the JAZZ @ 5 Concert Series is such a special event; and

WHEREAS, the sponsor of the event, Jazz @ 5 Inc., wishes to suspend MGO Sec. 9.13(6)(b) regarding handcrafted, homemade goods and personally prepared foods; and

WHEREAS, no vending licenses or sidewalk cafe licenses will be invalidated; and

WHEREAS, in order to make room for the event, the sponsor wishes to relocate any Mall/Concourse food cart vendors with assigned sites within the perimeter of the event to a location on the State Street Mall/Concourse Area outside the perimeter of the event, pursuant to the authority in Sec. 9.13(6)(k)5; and

WHEREAS, the event sponsor wishes to select additional vendors, salespersons and vending sites to sell products during the special event; and

WHEREAS, Jazz @ 5 Inc. agrees to limit any vendors selected by its event to selling food and beverages and promotional materials specifically related to the event; such as T-shirts, posters, souvenirs or other related items; and

WHEREAS, the event sponsor shall obtain a Special Event Vending License for all selected vendors, as required by sec. 9.13(2) and(3); and

WHEREAS, Jazz @ 5 Inc. agrees to obtain a Street Use Permit for the setup and conduct of this event from 3:00p.m.to 8:00p.m. August 11, 18, 25 and September 1, 2010 on the 100 block of State Street and agrees to comply with the conditions of the permit, including but not limited to any conditions placed on the permit by the Street Use Staff Commission and

WHEREAS, the sponsors agree to comply with all recommendations of the Street Use Staff Commission and Vending Coordinator concerning the location of vending sites and use of electricity;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby SUSPENDS the vending restrictions relating to handcrafted goods, personally prepared food set forth

in 9.13(6)(b) of the Madison General Ordinances for the 100 block of State St. on the above-mentioned dates and times

BE IT FURTHER RESOLVED that the Common Council establish an alternate rule for vending to allow the event sponsor the right to select additional vendors, salespersons and vending sites for the 100 block of State St. on the above-mentioned dates and times; subject to the conditions of the Street Use Permit for placement of vending sites and equipment.

BE IT FINALLY RESOLVED that the Common Council establish alternate rules limiting any such vendors or sales persons to vending only foods, beverages and promotional goods or materials related to the event; such as T-shirts, posters, souvenirs or other related items, for the 100 block of State St. on the above-mentioned dates and times.