

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED
REFERRED

October 20, 2009
Adopt Under Rules
Suspension

Amending Section 9.13(1)(b) of the Madison General Ordinances to prohibit street vending adjacent to or across the street from school property.

Drafted by: Michael May

Date: October 15, 2009

SPONSORS: Ald. Skidmore

DRAFTER'S ANALYSIS: This ordinance prohibits street vending on public highways, sidewalks and city property located next to or across the street from public and private schools. (The legal definitions of "highway" and "sidewalk" include the terrace located between the sidewalk and the street.) This amendment also reorganizes the section of 9.13 that makes reference to vending adjacent to city parks.

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

Subdivision (b) of Subsection (1) of Section 9.13 entitled "License for Selling on Public Streets" of the Madison General Ordinances is amended to read as follows:

- “(b) 1. Street Vending Near Parks, etc. Sales Vending, as defined herein, upon any highway, street, alley, sidewalk, public square or pleasure drive located upon or adjacent to any park, playground, recreation area, bathing beach or athletic field owned or operated by the City of Madison are subject to further regulations set forth in Section 8.17 of the Madison General Ordinances. No street vending license shall be issued for the locations defined above unless the applicant demonstrates compliance with the requirements of Section 8.17 of the Madison General Ordinances.
- 2. Street Vending Near Schools Prohibited. Vending, as defined herein, is prohibited upon any highway, street, alley, sidewalk, public square or pleasure drive or other city right-of-way located directly adjacent to, or directly across the street, alley, highway or pleasure drive from any school property. For purposes of this paragraph, "school property" includes all property owned or operated by a public school as defined in Wis. Stat. §115.01(1) or owned or operated by a private school as defined in Wis. Stat. §115.001(3r)."

Approved as to form: