

City of Madison Vending Oversight Committee Meeting

Street Vending Staff Report

April - July 2024

Unless otherwise noted, the below statistics are current as of 7/31/24

Art & Craft:

Licenses Issued – 78

Applications In process – 5

Some of these have not paid fees or responded to our communication. Records are currently on hold and will be closed at the end of the season if they do not complete the application and license issuance process.

Enforcement:

- Ongoing observation and verbal warnings for several vendors who have helpers that are conducting in prolonged interaction with the public without licensing.
- Ongoing observation of vendors selling items un-approvable due to MGO requirements that products be handmade and by the vendor(s) present.

Comments:

- Increasing comments from Vendors about unamplified buskers disrupting environment. Staff are continuing to monitor and address if the musician is out of compliance or in a vending site.
- Continuing to work with events like Maxwell St. Days and Taste of Madison to include City licensed art & craft vendors.
- New applicants – 24 New Applicants in 2024 / 12 New applicants since April VOC Meeting.
- Continuing to meet with prospective Art and Craft vendors to review products and guide them through the application process.

Merchant Vending:

Licenses Issued – 5

Applications In process – 0

Enforcement:

- Art Gecko: Verbal warning for putting out their displays without applying for their license.

Comments: Princess India: Refused to pay late application fees for this year and expressed accessibility issues when directed to apply online. In previous years, they had family assist in the application, but expressed dissatisfaction with online-only application options. They did not complete their Merchant Vending License this year.

Sidewalk Cafes & Roadway Café:

Licenses Issued – 77

Sidewalk Café ONLY applications - 60

Sidewalk & Roadway Café applications – 17

Applications in process – 6

Enforcement:

The following are final warnings that have been issued as of 7/30/24, more warnings are being drafted to be sent in coming days and repeat violations receiving citations within same timeline.

Outdoor Overnight Storage Final Warnings: 10

- Ancora Coffee
 - Umbrellas left outside overnight & equipment not condensed and secured.

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- Canteen
 - Several weeks to get proper secure equipment and several more to instruct on how to properly secure their equipment properly.
- Genna's Lounge
 - Umbrellas left outside overnight, blown over in the wind and roadway café space left a mess.
 - Umbrellas have logos.
- Maduro
 - Typically, consistent but would miss equipment and leave unsecure from day-to-day.
- Ohio Tavern
 - Ongoing efforts to attain compliance. Several instances observed where umbrellas are left outside and equipment unsecure.
- Senor Machetes
 - Most equipment is secure satisfactorily, but often leave entire stacks of chairs unsecure.
- The Rigby
 - Several instances where equipment is left unsecure, staff observed setting up equipment several hours before business is open for business, ashtrays left outside, stacks of chairs blown over.
- Tipsy Cow
 - Several instances of barrier bases left accessible, no sign of security equipment for weeks. Many more weeks of follow-up to attain compliance.
- Whiskey Jacks
 - Equipment locked to tree, garbage can left outside overnight and filled to the brim spilling out to the sidewalk, barrier bases left outside overnight.
- Woof's
 - Severely inconsistent with lock-up procedure.

Unlicensed Operation Final Warnings: 6

The following locations had been operating without an active license despite an invoice being sent:

- Woof's
- 107 State
- Johnson Public House
- Ohio Tavern
- Senor Machetes
- Stateline Distillery

Maintenance Agreements:

- The Delicouser, 931 E. Main St. completed the sidewalk café license process. Staff are working to complete the Maintenance Agreement for both The Delicouser and Old Sugar Distillery for the patios build in the right of way. The Encroachment Agreements will be voided in place of the Maintenance Agreement to not double charge for annual fees.

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- Staff will be working with Sassy Scoops to properly license their outdoor seating and enact a Maintenance Agreement for any improvements.

Comments:

- Education of safe and secure storage requirements for sidewalk cafes in the Mall Concourse has proven challenging. A significant amount of staff time has been spent on this new program. However, many cafes have been brought into compliance in the last 4 months. Staff are still working on outreach and education with others.
- We continue to refine our communication and documents.

Food Cart Vending:

Mall Concourse Licenses Issued – 34

Mall Concourse Applications Submitted/in process – 0

Enforcement:

Final Written Warnings:

Tow-Vehicle Final Warnings: 7

- Surco Peruvian Food
- Bulgogi Korean Taco
- Hibachi Hut
- Jason's Caribbean Fusion
- The Roost
- Natural Juice
- Bombay Fast Cafe

Assuming a site not assigned to the vendor: 1

- Taquitos Marimar: Assuming Mall Concourse site assignment assigned to Dairy Godmother and falsely claiming they had express permission from Street Vending Program Supervisor and Dairy Godmother for any time they wanted to use the site.

Citations: 1

- HML LLC dba Pagoda Smoothie for setting up in front of Historical Museum when expressly prohibited and Meghan was out of town.

Comments:

- Staff have received several complaints and observed several instances of tow vehicles parked in the Mall Concourse when vending is taking place. This is an ongoing issue that worsens with pedestrian traffic and heightened activity in the area.
- After several in-person warnings the following businesses would attempt to circumvent the directive by parking instead in the alleyway just off State Street Mall.
 - Bulgogi Korean Taco
 - Bombay Fast
 - Hibachi Hut
 - Surco

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- We have had some issues on Saturdays with vehicles parked illegally, making it impossible for vendors to load in. I have reached out to Parking Enforcement, the Dane County Farmers Market. and other City staff for assistance to ensure vendors have access to their sites.

Southeast Campus License Issued – 6

Southeast Campus Applications Submitted/in process – 0

Enforcement: No written warnings or citations issued.

Comments: Sites U12, U10, U11 on University Ave. Occupied by Lumos Dei, Nani Red, and Walking Jerk respectively have not been utilized despite having paid for them.

State Street Night Vending License Issued – 4

State Street Night Vending Applications Submitted/in process – 3

Enforcement: None

Comment: Conflicting reports from licensed State Street Night vendors claiming, "I am always out but nobody else is". This has been reported by more than one vendor. Things have slowed down with students gone. Staff will work with other agencies to educate students.

We currently have a waiting list and will be working on filling this soon.

Citywide Vending

Umbrella Street Vending Licenses ONLY (no high-density vending licenses issued) – 39

Umbrella Street Vending ONLY Application Submitted/in process – 2

Street Vending License (food only and not high-density vending) – 39

Street Vending License Application Submitted/in process – 8

Enforcement:

- Aldo Leopold Elementary School has been a hot spot for Vending activity, including after 9p. Monitor has issued a final warning to new vendor Tacos El Arriero for vending past 9pm after complaints from residents nearby and continuing to do so after monitor conducted a site visit explaining they were not permitted to do so.
- Morales Family Restaurant – Originally discovered vending at West High School with no health department licenses. Monitor ran into PHMDC while they were visiting a different truck at West Highschool and asked them to follow up with Morales. Since then, Morales has received all their Health Licenses, and Monitor has reached out several times for them to complete their SVL with no response or submittal. Monitor discovered that they were also frequenting the Aldo Leopold Elementary School later in the season. Monitor made a site visit, gave information on how to apply, and instructed them not to vend until they have an active SVL – Staff will follow-up with resources to bridge the language barrier.
- Frequent rounds being conducted outside of the downtown area to reported vending hotspots where unlicensed vendors have been known to gather. Several goods and foods vendors have been approached, offered information on how to apply for license, and asked to move on.

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Comments:

- Monitor has prepared several “how-to apply” packets on hand with included contact information to streamline compliance for those discovered vending in violation or without a license throughout the City of Madison. This is in addition to the digital information shared with vendors that are inquiring about steps to operate.
- Staff continue to communicate with Park Rangers and MPD for additional information and assistance for vending violations observed.
- Staff have received complaints of vendors vending past 9p on Regent St. and across the city. Staff are continuing to refine the education and guidance for both the community and food vendors.
- Staff have observed several vendors vending on private property without any and/or the correct licensing to operate. Staff have been working with Public Health Madison-Dane County and other agencies to address the issues.
- Staff have worked with Garver Feedmill and other businesses to bring good carts/trucks to their spaces.

Basic Street Vending License (not food):

Street Vendor License issued – 3

Comments:

Staff have had complaints of good vending citywide. Staff continue to observe the area and work with MPD for assistance.

TOSVOD – Top of State Vending Overlay District

TOSVOD License Issued – 0

TOSVOD License in Process – 1

Game Day Vending:

Camp Randall Game Day Vending Area – 0

Camp Randall Game Day High Density Food – 7 In Process

Camp Randall Game Day High Density Goods - 0

Game Day Ticket Sellers – 2

Comments: There is a lot of interest in Game Day vending, and we are working to educate new and prospective vendors on the requirements to vend in this location due to limitations of space and notable pedestrian concentration. Many who have applied do not meet the requirements. We will most likely have a waiting list for food vendors this season.

Banners:

Number of individual organizations that have received a Banners Permit – 27

Number of individual Banners Permits in process or issued – 55

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TEM Permits:

Number of Tabling Permits issued – 462

Number of Tabling Permits at fees due – 33

Comments:

Jehovah's Witness has expanded their membership and tabling efforts coming out of COVID, we frequently receive between 1 and 10 new T permits from this organization each week.

Ongoing Business:

- Food Cart Review:
 - Food Cart Review Applications are open and due 8/1/24.
 - Need a member of the VOC to be a reviewer.
 - Applications received as of 7/31/24
 - 22 food vendor applications
 - 968 reviewer applications
- Construction issues and follow-up:
 - State Historical Museum construction is slated install the fencing in August. This is 4 months later than initially expected. Staff have been assigning art & craft vendors to the area where site assignments had been removed for the pending construction. Staff continue to track the changes in timeline and progress of this project.
 - Wilson St. at South Pinckney St. construction has been extremely disruptive to the businesses along S. Pinckney St. Staff has been attending meetings and communicating with the project managers and the businesses as it relates to disruptions to services. Additionally, it was requested that TE staff look at the condition of the parking lane. Staff have determined to resurface the 100 block of S. Pinckney this season to limit future disruptions. Lucille, Merchant and Settle Down will have to temporarily remove their equipment for this project.