



Legislation Details (With Text)

File #: 42244 **Version:** 1 **Name:** Allowing a Street Use Permit to be issued to a BID
Type: Ordinance **Status:** Passed
File created: 3/22/2016 **In control:** STREET USE STAFF COMMISSION (ended 1/14/2025)
On agenda: 5/17/2016 **Final action:** 5/17/2016
Enactment date: 5/26/2016 **Enactment #:** ORD-16-00055

Title: Amending Sections 10.056(5)(b)4. and 10.056(7)(a) of the Madison General Ordinances to allow a Street Use Permit to be issued to a Business Improvement District for a long-term event occurring within the District.

Sponsors: Michael E. Verveer

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/17/2016	1	COMMON COUNCIL	Adopt	Pass
4/27/2016	1	STREET USE STAFF COMMISSION (ended 1/14/2025)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/29/2016	1	COMMON COUNCIL	Refer	Pass
3/22/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

This ordinance allows a Street Use Permit to be issued to a Business Improvement District (BID) for a long-term event occurring in the District. The ordinance sets the application fee for a BID event at \$300. The BID is the only applicant for the permit, thus resulting in annual revenue of \$300.

Title

Amending Sections 10.056(5)(b)4. and 10.056(7)(a) of the Madison General Ordinances to allow a Street Use Permit to be issued to a Business Improvement District for a long-term event occurring within the District.

Body

DRAFTER'S ANALYSIS: Under the current ordinance, Street Use permits are intended for short-term events or a "serial" event of not more than 1 day per week and not more than 15 total days per year. This amendment would allow an exception for an event sponsored by a Business Improvement District (BID), taking place on sidewalks only (no street closure or traffic detours), so that the BID can organize events in specified areas within the BID district for more than 15 days per year. The exception would be available only to a BID and only within the BID district, for the purposes of providing entertainment or other programming open to the public. A condition of such permit will be that the BID must enter into a contract with the City setting forth the details for the entertainment, programming, payment of costs, etc. The review process and all other requirements of Sec. 10.056 for Street Use permits would apply. This ordinance also clarifies an existing exemption to the 15-day limit for the Wednesday Farmers Market. Finally, this ordinance sets the application fee for a BID event at \$300, the same as a Serial Event.

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

1. Paragraph 4. entitled "Duration of Permit" of Subdivision (b) entitled "Permit Review" of Subsection (5) entitled "Application Process and Permit Requirements" of Section 10.056 entitled "Street Use Permit" of the Madison General Ordinances is amended to read as follows:

“4. Duration of Permit.

- a. General. Each permit shall be valid for the dates and times stated therein. A separate permit shall be required for each separate event or street closure requested. Permits may be issued for a single day, multiple consecutive days, or single-day identical street closures for more than one occasion over the course of twelve (12) months or less (“Serial Events”). A Serial Event shall also be limited to not more than one (1) day per week and not more than fifteen (15) total days per year, except for the Wednesday Dane County Farmers’ Market on the 200 block of Martin Luther King Jr. Boulevard.
- b. Business Improvement District Programming. The time limits in sub. a. above do not apply to a permit issued to a Business Improvement District, as defined in Wis. Stat. § 66.1109, if all of the following circumstances are met:
 - i. The application is for an event within the Business Improvement District for programmed entertainment and activities open to the public, and the activities comply with all applicable laws;
 - ii. The event area is limited to the sidewalk or sidewalk areas, terraces, and pedestrian ways and does not include any portion of the roadway or area that is open to motor vehicle traffic;
 - iii. No buses or other vehicle traffic will be re-routed; and
 - iv. It shall be a condition of any permit issued under this section that the applicant enter into a contract with the City of Madison setting forth, at a minimum, conditions of the permit, details for allowable programming, payment for the programming and responsibility for costs of any city services associated with the event. City funding for such programming, if any, shall be approved by the Common Council and authorization to enter into the contract shall be according to applicable City contracting policies.”

2. Subdivision (a) entitled “Application Fee” of Subsection (7) entitled “Fees” of Section 10.056 entitled “Street Use Permit” of the Madison General Ordinances is amended to read as follows:

“(a) Application Fee. The application fee for a one-day event reviewable under Sec. 10.056(5)(b)5. (i.e. block party) is fifty dollars (\$50), the application fee for all other one-day events is one hundred dollars (\$100). If the application is for an event that requires street closure for two (2) or more consecutive days, the fee shall be two hundred dollars (\$200). If the application is for a Serial Event (~~as defined in~~ under Sec. 10.056(5)(b)4. a. or a BID event under Sec. 10.056(4)(a)4.b.), the application fee shall be three hundred dollars (\$300). An additional twenty-five dollars (\$25) for each block or portion thereof in which any special vending approval under Sec. 9.13(6)(k)1. is requested shall be added to the application fee. All application fees shall be submitted with the application and are non-refundable. The application fee includes the administrative costs of processing the application. For events in the 700-800 blocks of State Street and residential neighborhood events of not more than two (2) blocks, the fee shall also include minimal use of City equipment and services. However, additional fees for actual costs of services and equipment provided may be incurred for any event, under Par. (c) below. All applications under this paragraph except for events reviewed under Sec. 10.056(5)(b)5. are subject to a two hundred and fifty dollar (\$250) additional late fee if the application is submitted after the deadlines in Sec. 10.056(4)(b).”