



Legislation Text

File #: 25250, Version: 1

**Fiscal Note**

No appropriation is required.

**Title**

Amending Section 9.13(6)(l)2. of the Madison General Ordinances to allow Mall/Concourse vendors to use generators and modifying the rules for AC electrical use.

**Body**

DRAFTER'S ANALYSIS: This ordinance amendment is a companion to resolution ID# 25248 which amends the Regulations Governing Vending on the State Street Mall/Capitol Concourse and High Density Vending Areas, to allow the use of a generator not exceeding 60 decibels and clarifying other electrical rules for vendors. Currently, generators are not allowed for vendors on Library Mall (700-800 blocks of State Street.) This ordinance and the companion resolution would allow generators for Library Mall and other mall/concourse vendors, as long as the generator does not exceed 60 decibels. This is primarily for food vendors to power their cooking equipment although craft vendors could also use a generator if needed. This amendment also clarifies that if a vendor is not using the City's AC electrical power, the vendor need not use a 15 amp circuit breaker. This ordinance further clarifies that all electrical equipment and wiring in a vending cart, regardless of whether powered by AC or a generator, must comply with the NEC (National Electrical Code). Finally, this ordinance eliminates outdated procedures for the Vending Oversight Committee to approve electrical rules established by the Traffic Engineering Division. This ordinance and Resolution ID # 25248 should be considered together and final action taken at the same time.

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

Paragraph 2.entitled "Use of Electricity" of Subdivision (l) entitled "Miscellaneous Vending Restrictions" of Subsection (6) entitled "Regulations and Procedures for Vending on the State Street Mall/Capitol Concourse" of Section 9.13 entitled "License For Selling on Public Streets" of the Madison General Ordinances is amended to read as follows:

"2. Use of Electricity. Use of AC electricity may occur on the Mall/Concourse only upon compliance with this ordinance, the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" and ~~the any~~ rules and regulations of the Traffic Engineering Division including the fee schedule. ~~Except in emergency situations, the Traffic Engineer's rules or regulations effecting use of electricity applicable to vendors, including any changes in fee structure applicable to vendors, on the Mall/Concourse shall be referred to the Vending Oversight Committee (VOG) before taking effect and shall be approved by the Common Council after consideration of the recommendations of the VOG.~~

The following restrictions shall apply to electrical use by vendors on the Mall/Concourse, in addition to ~~the any~~ rules and regulations of the Traffic Engineering Division:

- a. Vendors shall only be eligible to use the city's 110 volt outlets.
- b. ~~The use of generators to run equipment at vending sites located in the 700 and 800 blocks of the State Street Mall is strictly prohibited, except as a back-up energy source for a vendor at an assigned electrical site, on a short-term basis when necessary in case of an emergency or sudden loss of power.~~ Vendors using the City's AC electrical outlets shall have a circuit breaker installed in accordance with the National Electrical Code (NEC) not exceeding 15 amps on line between the appliance and the power source (City electric receptacle).
- c. ~~Vendors using AC electricity shall have a circuit breaker not exceeding 15 amps on line between the appliance and the power source (City electric receptacle).~~ Generators. Mall/Concourse vendors may use one generator in lieu of an AC electrical source. Generators must operate at 60 decibels or lower.

- d. All electrical equipment and wiring in a vending cart, regardless of whether powered by AC or a generator, shall comply with the NEC (National Electrical Code). Vendors shall follow Any other regulations for electrical use promulgated in the "Regulations Governing Vending on the State Street Mall/Capitol Concourse.
- e. Vendors using the City's AC electrical outlets shall pay the fee established by the Traffic Engineering Division or otherwise established by the City for such electrical use."