



## Legislation Details (With Text)

**File #:** 21017      **Version:** 1      **Name:** Vending-paved surfaces  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/11/2011      **In control:** COMMON COUNCIL  
**On agenda:** 3/1/2011      **Final action:** 3/1/2011  
**Enactment date:** 3/8/2011      **Enactment #:** ORD-11-00036  
**Title:** Amending Secs. 9.13(4)(d) and (e) of the Madison General Ordinances to require street vending equipment to be placed on paved surfaces.  
**Sponsors:** Thuy Pham-Remmele, Michael E. Verveer  
**Indexes:**  
**Code sections:**  
**Attachments:**

| Date      | Ver. | Action By                        | Action                    | Result |
|-----------|------|----------------------------------|---------------------------|--------|
| 3/1/2011  | 1    | COMMON COUNCIL                   | Adopt                     | Pass   |
| 1/26/2011 | 1    | VENDING OVERSIGHT COMMITTEE      |                           |        |
| 1/18/2011 | 1    | COMMON COUNCIL                   | Referred                  |        |
| 1/11/2011 | 1    | Attorney's Office/Approval Group | Referred for Introduction |        |

### Fiscal Note

No noteworthy fiscal impact is anticipated.

### Title

Amending Secs. 9.13(4)(d) and (e) of the Madison General Ordinances to require street vending equipment to be placed on paved surfaces.

### Body

DRAFTER'S ANALYSIS: This ordinance amendment makes it a requirement for licensed street vendors city-wide to place their equipment only on a paved surface, except for assigned sites in the Camp Randall Vending Area, and on Regent Street from West Washington Avenue to Breese Terrace.

This amendment also moves the existing provision of Sec. 9.13(4)(d) into sub. (e) and changes the title of sub. (e) to "Pedestrian Sidewalk Access" to more accurately reflect its contents.

\*\*\*\*\*

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

1. Subdivision (d) of Subsection (4) entitled "General Restrictions on Vending" of Section 9.13 entitled "License for Selling on Public Streets" of the Madison General Ordinances is amended to read as follows:

"(d) ~~All vending activities shall be conducted so as to maintain a minimum width of six (6) feet of unobstructed public pedestrian walkway adjacent to the vending site. All street vending equipment and displays shall be placed only upon paved surfaces, except for specifically assigned vending sites in the Camp Randall High Density Vending Area under Sec. 9.13(7), and in otherwise lawful locations for Basic Street Vending on Regent Street from West Washington Avenue to Breese Terrace. For purposes of this paragraph, a paved surface includes concrete, asphalt, cement, brick, pavers, or other impervious surface.~~"

2. Subdivision (e) entitled "Equipment Placement" of Subsection (4) entitled "General Restrictions on Vending" of Section 9.13 entitled "License for Selling on Public Streets" of the Madison General Ordinances is amended to read as follows:

“(e) Equipment placement. Pedestrian Sidewalk Access.

1. All vending activities shall be conducted so as to maintain a minimum width of six (6) feet of unobstructed public pedestrian walkway adjacent to the vending site.

2. Except as indicated below, or otherwise permitted in Sec. 9.13 or Sec. 10.056 of the Madison General Ordinances or in regulations adopted pursuant to authority granted thereunder, no vending equipment, including sidewalk café or merchant vending equipment, may be placed on any portion of a public sidewalk between the edge of the sidewalk closest to the property line if clearly defined or, if not so defined, the face of the abutting building or structure, and an imaginary line six (6) feet therefrom. “Sidewalk” has the meaning given in Sec. 340.01(58) of the Wisconsin Statutes. This section shall not apply to sidewalk cafes under Sec. 9.13(6)(j)2.e.”