



Legislation Details (With Text)

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Title: Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to change the duration of the Fall Food Vending Review and to revise the method for tabulating final scores.
Sponsors: Michael E. Verveer, Scott J. Resnick

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/2/2013	1	COMMON COUNCIL	Adopt	Pass
4/24/2013	1	VENDING OVERSIGHT COMMITTEE		
4/16/2013	1	COMMON COUNCIL	Refer	Pass
4/9/2013	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No appropriation is required.

Title

Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to change the duration of the Fall Food Vending Review and to revise the method for tabulating final scores.

Body

WHEREAS, Under Sec. 9.13(6) of the Madison General Ordinances, the Vending Oversight Committee (VOC) is empowered to promulgate regulations not inconsistent with Sec. 9.13, governing the sale of goods and personally prepared food on the State Street Mall and Capitol Concourse; and

WHEREAS, pursuant to Sec. 9.13 the Common Council must approve the regulations promulgated by the VOC; and

WHEREAS, the regulations are published in documents entitled "Regulations Governing Vending on the State Street Mall/Capitol Concourse;" and

WHEREAS, at a meeting on February 27, 2013 the VOC promulgated amendments to these Regulations to increase the duration of the annual Food Vending Review and to revise the method for tabulating final scores; and

WHEREAS, said amendments are set forth in this Resolution using underlines to show new text and strikeouts to show deleted text;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council approve the following amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" recommended by the Vending Oversight Committee:

Amending Section III., "ADDITIONAL PROCEDURES FOR FOOD VENDING SITE ASSIGNMENT," Paragraph C., of the Regulations Governing Vending on the State Street Mall/Capitol Concourse as follows:

III. ADDITIONAL PROCEDURES FOR FOOD VENDING SITE ASSIGNMENT

C. Fall Food Vending Review. All applicants for Mall/Concourse Food Vendor licenses, including ~~and~~ returning Mall/Concourse food vendors, shall be required to participate in an annual Food

Vending Review. The Food Vending Review shall be conducted every year during the last week of September and the first week of October. ~~during the last week of September, Monday through Saturday, weather permitting. During these weeks, reviews may take place on Monday through Friday between 11:00 a.m. and 2:00 p.m., and on Saturday between 8:00 a.m. and 12:00 p.m.~~ In the event of severe weather, specific review days may be rescheduled upon notice to all participants. Returning food vendors will be reviewed in their regular sites during their regular business hours. ~~while open for business.~~ ~~Returning food vendors who are only open for business on Saturdays will be reviewed on Saturday in their regular sites.~~ New applicants will be assigned a site ~~sites~~ by the Street Vending Coordinator for a review on a designated Saturday. ~~New Applicants review Monday through Saturday, but may not be open for business to the regular public during this time.~~

Amending Section IV., "FOOD VENDING REVIEW JUDGING GUIDELINES AND SITE ASSIGNMENT CRITERIA", Paragraph E., of the Regulations Governing Vending on the State Street Mall/Capitol Concourse as follows:

IV. FOOD VENDING REVIEW JUDGING GUIDELINES AND SITE ASSIGNMENT CRITERIA.

E. Final Score Tabulation. Each review panelist must evaluate at least 80% of the applicant vendors on the score sheet (Appendix A) in order for the scores on their score sheet to be considered in the Final Score Tabulation. ~~From those score sheets, Tthe Director of the Department of Planning and Development, or designee, shall compute the average score for each applicant vendor. In computing the average score, the designee shall not include the highest and lowest score for each applicant vendor, based upon the score sheets (Appendix A) on which eighty percent (80 %) or more of participating vendors have been evaluated will be counted for purposes of the review.~~ The designee shall add to the average score one (1) point for each year of an applicant's seniority, with a maximum of seven (7) points. The designee shall then subtract one (1) point for each and any health or vending violation, citation or civil complaint ("demerit") issued to the applicant within the twelve-month period beginning July 1 of the previous year and ending June 30 of the year the Review is held, to arrive at a final score. The designee shall establish a rank-ordered list for use in the final site assignment process based upon first, second and third-choice site preferences listed by the applicant on the Application for Mall/Concourse Food Vendor form. Applicants receiving a final score of seventy (70) or more points, including seniority and demerit points, will be eligible to be assigned a site.