



Legislation Details (With Text)

File #: 33696 **Version:** 1 **Name:** Late Night Vending corrections
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File created: 4/7/2014 **In control:** COMMON COUNCIL
On agenda: 4/29/2014 **Final action:** 4/29/2014
Enactment date: 5/8/2014 **Enactment #:** ORD-14-00092
Title: Amending Section 9.13(6)(n)4. of the Madison General Ordinances to correct typographical omissions.
Sponsors: Scott J. Resnick, Michael E. Verveer

Indexes:

Code sections:

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Date	Ver.	Action By	Action	Result
4/29/2014	1	COMMON COUNCIL	Adopt	Pass
4/8/2014	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
4/7/2014	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No expenditure is required.

Title

Amending Section 9.13(6)(n)4. of the Madison General Ordinances to correct typographical omissions.

Body

DRAFTER'S ANALYSIS: This ordinance corrects three typographical omissions from ORD-14-00062 (ID# 33241).

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

Paragraph 4. entitled "Application, Site Assignment" of Subdivision (n) entitled "Late Night Vending Areas in the Mall/Concourse" 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:

"4. Application, Site Assignment. Vendors holding a basic street vendor license may apply for a Late Night Vending License at the Office of Business Resources, using an application form created by the Vending Coordinator, as follows:

- a. Applications for an LNV zone or an assigned site (~~Library Mall or Frances Street only~~) must be filed no later than April 1 to be eligible for zone or site assignment for the upcoming vending season (April 15-April 14). The vendor must accept the zone or site in writing and purchase a Late Night Vending License within ten (10) calendar days of receiving notification of the assignment, or will forfeit the assignment. Failure to use an assigned LNV zone or site by June 1st will result in forfeiture of the assignment. Only one (1) Late Night zone or site will be assigned per vendor, per season, and such assignments are not transferrable.
- b. Late Night Site Assignment Procedure. All ~~other~~ applicants shall be ranked according to a seniority system. Seniority shall be calculated by counting the number of vending seasons that the vendor has purchased an LNV license (of any duration) issued under Secs. 9.13(3)(a) 1. or 2., counting backwards from the present, and subtracting any

demerit points (see Sec. 9.13(6)(n)5.). However, a vendor may take one (1) vending season as a sabbatical (not purchase a license that season) without losing seniority, but that year will not be counted toward the vendor's total number of years of seniority. If a vendor goes two (2) consecutive vending seasons without purchasing a LNV license, the vendor will lose all years of seniority and be placed at the bottom of the seniority list upon their next application for a site. For individual applicants, the name on the current LNV application and the LNV license used for seniority must be the same. If more than one applicant was issued an LNV license on the same date, the time of day that the license is created will determine seniority. If the time is not available, seniority will be determined by a coin toss conducted by the Vending Coordinator or designee.

Applicants shall list three (3) zone and/or site preferences on the application. The vendor with the most seniority (minus any demerit points) will be assigned his/her first preferred zone or site, the next vendor assigned to his/her first available preferred zone or site, and so on; until all applicants have been assigned a zone or site or until all are full. If applicants remain after all LNV areas are filled, a waiting list will be created, using the same seniority system. Late applicants and vendors who forfeit their Late Night assignment will be placed at the bottom of the waiting list. Any zone or site that becomes available during the vending season after initial assignments have been made shall be offered to the highest-ranking vendor on the waiting list.”