



## Legislation Details (With Text)

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<b>Title:</b>	Authorizing the establishment of Carts in Parks, a food vending pilot program in Madison Parks for the summer and fall of 2021, to aid City Licensed food carts' economic recovery from the COVID-19 pandemic.				
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Date	Ver.	Action By	Action		Result
6/9/2021	1	BOARD OF PARK COMMISSIONERS	Approve		Pass

**Title**  
Authorizing the establishment of Carts in Parks, a food vending pilot program in Madison Parks for the summer and fall of 2021, to aid City Licensed food carts' economic recovery from the COVID-19 pandemic.

### Body

WHEREAS, Vending of food and goods in City of Madison parks is regulated by section 8.17 of the Madison General Ordinances. Vending in Parks requires a Parks vending permit and payment of associated permit fees. The Board of Park Commissioners has authority, under section 8.17(2)(b)2., MGO to adjust parks vending permit fees from time to time; and

WHEREAS, the COVID-19 Pandemic has been ongoing since March 2020, resulting in "Safer at Home Orders" and a series of emergency orders from Public Health Madison & Dane County (PHMDC) that have deemed parks essential outdoor spaces that are better options for gatherings when allowed; and

WHEREAS; the severe consequences of COVID-19 have caused City of Madison licensed food cart and truck operators to lose, on average, 69% of their revenue during the COVID-19 pandemic; and serious economic hardships for businesses are expected to continue as local, state, and federal governments work to, among other things, distribute COVID-19 vaccines; and

WHEREAS, PHMDC has lifted its orders as of June 2, 2021, and there is optimism that the community is beginning to recover from the pandemic; and

WHEREAS, Parks Division and Economic Development Division (EDD) staff have been approached by a number of food vending businesses to explore creative ways to utilize park spaces to attempt to recover and

provide opportunities to the community in COVID-safe ways; and

NOW, THEREFORE, BE IT RESOLVED, that, the Board of Park Commissioners authorizes staff from the Parks Division and Economic Development Division to conduct a pilot Carts in Parks vending program to place food vendors at locations in City parks until the end of the shelter/parks reservation schedule in 2021, and approves the following temporary changes to the Parks Vending licensing process:

**1. Program administration:**

- Economic Development Division staff will create a sign-up/application process and assign Parks and shifts to vendors.
- Parks Community Events staff will issue “Carts in Parks” vending permits.
- Parks and EDD staff can work together to ensure communication is being sent to all vendors or to individual vendors as needed.
- Park Rangers can observe and report or address issues as they arise.
- Street Vending staff can record enforcement observations as part of their vending enforcement rounds and work with Parks staff for any enforcement that is required or address issues directly with the vendor.

**2. Eligibility:** The Carts in Parks pilot program will be open to food vendors holding the appropriate health license for a Mobile Food Vendor and a Basic Street Vending License from the City. This ensures the vendor holds all required public health licenses, and has valid insurance on file with the City.

**3. Fee Waiver:** To aid in the economic recovery for eligible vendors, Parks Vending permit fees will be waived for participants in the Carts in Parks pilot program.

**4. Location:** up to 20 parks will be eligible for the pilot program, with attention to parks in Neighborhood Resource Team identified neighborhoods and at locations across the City. Designated vending sites will be assigned to selected vendors for this program.

**5. Invalidation:** Vendors participating in this program may have their licenses temporarily invalidated to accommodate a permitted parks event. The event organizer will be notified that a food cart has been assigned a vending site and the organizer can determine if they would like the food cart to continue vending at the scheduled time or request invalidation of the vending site. The operator will be notified of this invalidation and offered an alternate Parks vending site if one is available. In the case of a Parks sponsored event, the vending would be organized through this pilot.

**6.** The Parks Superintendent will provide a monthly report to Board of Parks Commissioners on the number and location of Parks Vending Permits issued under the Carts in Parks program. The report will include any issues/concerns related to the vendors approved under this temporary authorization.

BE IT FURTHER RESOLVED, that the Carts in Parks pilot program and approval of any Park Vending permit under this authorization are temporary and subject to continued compliance with all applicable federal, state and local laws and Public Health Madison and Dane County Orders, requirements, and guidelines, with Parks Community Events staff retaining their future authority over the approval of any Parks Vending permits; and

BE IT FURTHER RESOLVED, that data collected during this pilot program will inform future changes to the Parks Vending Ordinance, MGO 8.17; and

BE IT FINALLY RESOLVED the temporary changes in this resolution will take effect upon adoption of this resolution by the Board of Park Commissioners and remain in effect until the end of the 2021 shelter/parks reservation season. At that time, this temporary delegation of approval authority for issuing Parks Vending permits in the Madison park system will no longer be in effect.