



## Legislation Details (With Text)

|                        |  |                      |                             |              |   |
|------------------------|--|----------------------|-----------------------------|--------------|---|
| <b>File #:</b>         | 77536  | <b>Version:</b>      | 1                           | <b>Name:</b> | Special Event Resolution granting Special Vending Approvals |
| <b>Type:</b>           | Resolution   | <b>Status:</b>       | Passed                      |              |   |
| <b>File created:</b>   | 4/26/2023  | <b>In control:</b>   | VENDING OVERSIGHT COMMITTEE |              |   |
| <b>On agenda:</b>      | 5/16/2023  | <b>Final action:</b> | 6/6/2023                    |              |   |
| <b>Enactment date:</b> | 6/12/2023  | <b>Enactment #:</b>  | RES-23-00430                |              |   |
| <b>Title:</b>          | An additional resolution granting Special Vending Approvals under MGO 9.13(6)(k) for a 2023 Special Event as detailed on the accompanying special event resolution table. Also attached is the Special Event resolution table that was approved previously for 2023 Special Events at the April 18, 2023 Common Council meeting. |                      |                             |              |   |
| <b>Sponsors:</b>       | Michael E. Verveer   |                      |                             |              |   |
| <b>Indexes:</b>        |  |                      |                             |              |   |
| <b>Code sections:</b>  |  |                      |                             |              |   |
| <b>Attachments:</b>    | 1. 2023 SE Resolution pt.2 - table.pdf, 2. 2023 SE Resolution pt.1 adopted @ 4.18.23 CC.pdf, 3. 2023 Special Event Resolution.pdf  |                      |                             |              |   |

| Date      | Ver. | Action By                   | Action                        | Result |
|-----------|------|-----------------------------|-------------------------------|--------|
| 6/6/2023  | 1    | COMMON COUNCIL              | Adopt                         | Pass   |
| 5/31/2023 | 1    | VENDING OVERSIGHT COMMITTEE | RECOMMEND TO COUNCIL TO ADOPT |        |
| 5/16/2023 | 1    | COMMON COUNCIL              | Refer                         | Pass   |
| 5/3/2023  | 1    | STREET USE STAFF COMMISSION |                               |        |
| 4/26/2023 | 1    | STREET USE STAFF COMMISSION | Referred for Introduction     | Pass   |

### Fiscal Note

The proposed resolution authorizes an additional Special Vending Approval for a 2023 special event that occurs anywhere in the City where an ordinance restricts vending to certain types of food or articles, or only from assigned sites. This resolution is in addition to RES-23-00322 (Legistar #76259) passed on April 18, 2023 that authorized 22 special vending approvals for 2023. This resolution allows for three exceptions to vending ordinances restrictions.

- Suspension of rules - event sponsor requests suspension of the “homemade/handcrafted” vending rules in the Mall/Concourse area.
- Selection of vendors - authorizes event sponsors to select vendors for the event and requires they obtain a Special Event Vending License.
- Invalidation of vending licenses - licensees with assigned sites inside the event perimeter cannot operate from the assigned site during the event, unless specifically exempted.

This resolution contains 1 special event requesting special vending approvals for 2023 (see attached 2023 Special Event Resolution pt. 2 - table).

Under MGO 9.13(2)(c), Special Event Vending Licenses are issued for event vendors in the name of the event sponsor. Approval of this resolution will result in \$400 in City revenue from Special Event Vending Licenses and is included in the Parks Division 2023 operating budget.

#### Title

An additional resolution granting Special Vending Approvals under MGO 9.13(6)(k) for a 2023 Special Event as detailed on the accompanying special event resolution table. Also attached is the Special Event resolution table that was approved previously for 2023 Special Events at the April 18, 2023 Common Council meeting.

#### Body

WHEREAS, Section 9.13(6) of the Madison General Ordinances ("MGO") and the regulations adopted therein control street vending on the State Street Mall/Capitol Concourse licenses and T, E, and M permits issued under MGO 9.54 within the perimeter of a special event for up to ten times per year in any one location; and

WHEREAS, Section 9.13(6)(k)1.b, MGO authorizes the Common Council to allow the sponsor of a special event to select alternate vendors, salespersons, and vending sites within the perimeter and for the duration of a special event; and

WHEREAS, Section 9.13(6)(k)1.c., MGO allows the Common Council to suspend specifically enumerated vending ordinances and regulations and establish alternate rules during special events; and

WHEREAS, some or all of the sponsors of the events shown in the attached table request suspension of MGO Sec. 9.13(6)(b) regarding handcrafted, homemade goods and personally prepared foods; and

WHEREAS, some or all of the event sponsors wish to select additional vendors, salespersons and vending sites to sell products during the special events; and

WHEREAS, some event sponsors request invalidation of vending licenses and permits issued under sec. 9.54, MGO within the perimeter of their event, and agree to comply with the procedures set forth in sec. 9.13(6)(k)1.c. to provide written notice of proposed rules, regulations, fees, and areas affected and not less than one (1) week notice of the Common Council meeting when this Resolution will be considered for adoption to the Street Vending Coordinator, all vendors and MGO 9.54 licensees within the perimeter of the event; and

WHEREAS, each event will only take place if the sponsor has obtained a Street Use Permit for the setup and conduct of the events which may include conditions regarding location of vendors, vending equipment, and use of electricity;

NOW, THEREFORE, BE IT RESOLVED that the Common Council finds that the special vending approvals requested in the attached table are necessary to maintain the integrity, comprehensiveness and success of each of the events; and

BE IT FURTHER RESOLVED that the Common Council finds that special conditions exist that warrant the exclusive vending rights for those events that have requested invalidation of other licenses; and

BE IT FURTHER RESOLVED, that the special vending approvals as requested for each of the events as shown in the attached table; including invalidation of vending licenses (if requested), selection of vendors, and suspension of the rules that require handcrafted goods and personally prepared food are APPROVED; and for those events requesting suspension of rules, the Common Council establishes alternate rules for vending as detailed on the accompanying special event resolution table; and

BE IT FINALLY RESOLVED that the approvals granted herein are subject to the event sponsor obtaining a Street Use Permit and any required Special Event Vending License for the event.