



## Legislation Text

File #: 25248, Version: 1

### Fiscal Note

No appropriation is required.

### Title

Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" and "Regulations Governing Vending in High Density Vending Areas" to allow generator use and update electrical rules for vendors using electricity.

### 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;

WHEREAS, Under sec. 9.13(7) of the Madison General Ordinances, the VOC is also empowered to promulgate regulations not inconsistent with Sec. 9.13, governing the sale of goods and food in High Density Vending Areas;

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

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

WHEREAS, at its meetings on October 26, 2011 and January 25, 2012, the VOC promulgated amendments to the Regulations to allow the use of generators and updating the electrical requirements;

WHEREAS, technical updates to the electrical requirements have been suggested by City Building Inspection, to be consistent with the National Electrical Code;

WHEREAS, said amendments are set forth in this Resolution using underlines and strike-outs to show changes; and

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" and the "Regulations Governing Vending in High Density Vending Areas" recommended by the Vending Oversight Committee:

**1. Amending Sec. VIII. C. of the Regulations Governing Vending on the State Street Mall/Capitol Concourse, as follows:**

C. Electricity. Section 9.13(6)(l)2. establishes by ordinance rules for use of electricity for Mall/Concourse vendors. In addition, the following regulations shall apply:

1. Electrical power will be allowed only in vending sites specifically designated for electricity.
2. There shall be only one electrical connection permitted from the cart to the electricity source at the assigned pole and that connection must run through the cart's circuit breaker. Vendors shall use only their assigned outlet.
3. When using a city-owned electrical receptacle (outlet) on the Mall/Concourse, vendors shall only use those outlets specified in sec. 9.13(6)(l)2.
4. The following power cord specifications are required:  
Electrically safe plug cord combination, UL approved for outside use on a 20-amp circuit and shall be twelve (12) gauge wire minimum. It shall be approved for damp locations and hard usage, such as types SO, SJ, SC. The Attachment Plugs shall be approved for damp locations and hard usage. The end of the cord and the cord conductor termination shall be covered or encapsulated to prevent the entry of water.
5. Unless the vendor only uses a generator for power supply, vendors using the City's AC electrical source shall provide a disconnecting means ~~shall be provided~~ consistent with the following:

~~The necessary equipment consisting of a circuit breaker or switch and fuses, and~~

their accessories, located near the point of entrance of supply conductors. The equipment shall be UL approved for 120 volts or more and interrupt at 15 amps. A circuit breaker installed in accordance with the National Electrical Code (NEC) not exceeding 15 amps on line between the appliance and the power source (City electric receptacle).

6. At all times during which a food vending cart is open, the hot water unit, the refrigeration unit and any unit in use as a hot food holding unit must be operational, remain "on" and be connected to its approved power source. Should any one or all of these units become nonoperational, the cart must be promptly closed until such time as the unit(s) are returned to proper operating condition.
7. Generators. In lieu of an AC electrical source, a Mall/Concourse vendor may use one generator operating at 60 decibels or lower.
8. All electrical equipment and wiring in a vending cart, regardless of whether powered by AC or a generator, shall be comply with the NEC (National Electrical Code) and rated at 120 volts or more. In the event of a conflict between the regulations in this section and the NEC, the NEC shall control.

**2. Amending the Regulations Governing Vending in the Camp Randall High Density Vending Area, Sec. II.B.2. as follows:**

2. Sites O through S may be used for the sale of goods and services as in sites A through N, and also may be used for the preparation and sale of food and beverages; however the operation of open grills and cooking, heating, or refrigerated apparatus is restricted to sites O, P, Q, R and S. Generators may be used at these sites if operating at 60 decibels or lower.