Legislation Text

File #: 76259, **Version:** 1

Fiscal Note
The proposed resolution authorizes Special Vending Approvals for 2023 special events that occur anywhere in the City where an ordinance restricts vending to certain types of food or articles, or only from assigned sites. 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.

There are 22 special events requesting special vending approvals for 2023 (see attached 2023 Special Event Resolution - 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 $8,800 in City revenue from Special Event Vending Licenses and is included in the Parks Division 2023 operating budget.

In general, city licensed vendors pay an annual fee for their licenses, which come with the caveat that their license may be invalidated up to 10 times per year per location. The invalidation of licenses due to the special events does not impact revenue. No additional appropriation is required.

Title
A RESOLUTION granting Special Vending Approvals under MGO 9.136(k) for 2023 Special Events as detailed on the accompanying special event resolution table.
Body
WHEREAS, Section 9.136 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 9.136(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 9.136(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. 9.136(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. 9.136 (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.