Legislation Text

File #: 93979, **Version:** 1

Fiscal Note

The proposed resolution authorizes Special Vending Approvals for 2026 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. There are 5 special events requesting special vending approvals with this resolution. For previously approved 2026 Special Vending Approvals, refer to RES-26-00228 (Legistar #92362), adopted on April 24, 2026.

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 & TEM permits - licensees with assigned sites and TEM permit holders inside the event perimeter cannot operate from the assigned site during the event, unless specifically exempted.

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 $1,600 in City revenue from Special Event Vending Licenses and is included in the 2026 Adopted Parks Division Operating Budget. Other actions authorized in this resolution do not result in a fiscal impact. No additional appropriation is required.

Title

Granting additional Special Vending Approvals under MGO 9.136(1)(k) for additional 2026 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 regulate street vending on the State Street Mall/Capitol Concourse, which includes food carts, arts and crafts vendors, sidewalk cafes and merchant vendors (“Street vending”); and Section 9.54 creates permits and sites for the use of tables, expressive vending and mobile vending for certain protected first amendment activities (“TEM permits”); and

WHEREAS, Section 9.136(1)(k) creates procedures to temporarily change the rules for street vending and TEM permits during special events, with permission of the Common Council; and

WHEREAS, Section 9.136(1)(k)1.a. allows street vending licenses and TEM permits to be invalidated within the perimeter of a special event for up to ten (10) times per year in any one location; and

WHEREAS, Section 9.136(1)(k)1.b. authorizes the Common Council to allow the sponsor of a special event to select alternate vendors, salespersons, and vending sites within the event perimeter for the duration of a special event; and

WHEREAS, Section 9.136(1)(k)1.c. allows the Common Council to suspend specifically enumerated vending ordinances and regulations and establish alternate rules during special events, which allows the event organizer to sell food and merchandise otherwise not allowed in the mall/concourse vending area; and

WHEREAS, some or all of the sponsors of the events shown in the attached table request suspension of MGO Sec. 9.136(1)(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 street vending licensees and TEM permit holder within the perimeter of their event, or relocation of those sites, as indicated on the attached table; and

WHEREAS the event sponsors shall comply with the procedures in sec. 9.136(1)(k)2.c. to provide written notice of proposed rules, regulations, fees for their event and areas affected; and at least one (1) week advance written notice of the Common Council meeting when this Resolution will be considered for adoption to the Street Vending Coordinator, and all licensed street vendors and TEM permit holders within the perimeter of their 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.