
9.13 STREET VENDING LICENSES.

- (1) It shall be unlawful for any person upon any highway, street, alley, sidewalk, or public square, to vend, sell or offer for sale or procure the sale of any services, goods, wares, tokens, or foodstuffs, or any other article of any kind; by preparing or setting up a booth, vending cart, truck, stand, vehicle or equipment of any kind from which the vending activity directly occurs; preparing food, beverage or articles for sale; stopping a vehicle or person on foot; interacting with potential customers in or around the vending site; taking names for the purpose of making future sales; offering applications or other materials for future sales; making an Extended Delivery as defined in Sec. 9.13(1)(b)5.; or in any other manner participating in the vending operation or attempting to publicly sell or offer for sale any such articles or services upon any highway, street, alley, sidewalk, or public square; unless such person shall have first applied for and obtained the appropriate license(s) required by this Section, Secs. 9.135, or 9.136, or is exempt from license under another provision herein.

For purposes of this Sub. (1) and the licenses described in Sec. 9.13(3)(a), "vending" includes the activities described above and any other activity that furthers the vending operation at the vending site, whether or not the vending cart, truck or stand is open for business. "Street Vending" does not include the act of delivering the cart, truck, equipment, or necessary equipment and supplies to and from the vending site. However, unlicensed individuals shall not remain in or around a vending site for any length of time, whether open or closed for business, unless expressly permitted under another subsection herein or in Secs. 9.135 or 9.136, or unless they are customers waiting to be served. Specific criteria for licensing and persons permitted at the vending site within specialized vending areas are set forth elsewhere herein or Subs. 9.135 and 9.136. In case of a conflict between this Sub. (1) and the requirements for a specialized vending area, the requirements for the specialized vending area in question shall control.

No license issued under this Section, Secs. 9.135 or 9.136 shall be denied for reasons prohibited under Sec. 39.03(5).

- (a) Table A sets forth the license fees and additional information for each street vending license type authorized by this Section and Sec. 9.136. Sidewalk cafes license fees are in Sec. 9.135.
1. License Type and Fee. Each vending license type shall have the fee shown in Table A.
 2. License Duration. All license types in Table A are annual licenses unless otherwise noted. Annual licenses run from April 15 or the date issued, if later, and expire on April 14. Monthly licenses have a duration of 30 days from the date issued. Camp Randall High Density Vending licenses run for the duration set forth in Sec. 9.13(7)(e)1.
 3. Application Due Date. Each license type shall be applied for by the Application Due Date in Table A. Applications filed after the Application Due Date shall be subject to the late application fee in Table A, if applicable. The Application Due Date and late fees shall not apply to a first-time vendor seeking a license mid-season (where available), or an application for an Umbrella Basic license from a licensed vendor transitioning to an umbrella license mid-season, or other circumstances deemed appropriate by the Director.
 4. Payment Due Date. Once approved, each license type shall be purchased by the applicant no later than the Payment Due Date in Table A. Payment shall include the license fee and any late application fee. Applicants who pay for their license after the payment due date shall pay the late payment fee in Table A, addition to the license fee and any other fees owed for the license in question.

5. Payment Process. Payment instructions will be provided upon completion of the review process and notification of license approval. An approved license shall not be valid until payment is received.
6. Table of Street Vending License Types and Fees.

Table A Street Vending License Types and Fees.

MGO	License Type	License Fee	Application Due Date	Late Application Fee	Payment Due Date	Late Payment Fee
9.13(3)(a)1.	Basic Street Vending Annual	\$250.00	February 1	\$50.00	April 1	\$75.00
9.13(3)(a)2.	Basic Street Vending Monthly	\$150.00	February 1	N/A	April 1	\$75.00
9.13(3)(a)4.	Basic Street Vending Umbrella (Mall Food or Citywide Food)	\$600.00	February 1	\$150.00	April 1	\$75.00
9.13(7)(c)	Camp Randall High Density Food (duration: UW home game football season)	\$750.00	July 1	\$150.00	August 1	\$75.00
9.13(7)(c)	Camp Randall High Density Goods (duration: UW home game)	\$600.00	July 1	\$120.00	August 1	\$75.00

	football season)					
9.13(11)(h)	UW Game Day - site assignment (duration: UW home game football season)	N/A	July 1	N/A	N/A	N/A
9.136(1)(n)	Late Night Vending	\$650.00	April 1	\$125.00	License issuance	N/A
9.136(1)(e)1.b.	Mall Food Vending	\$1,250.00	February 1	\$250.00	April 1	\$75.00
9.136(1)(h)3.a.	Mall Food Vending - Prorated	\$750.00	Nov. 1 or later	N/A	License issuance	N/A
9.136(1)(e)1.a.	Mall Arts/Craft Annual	\$500.00	February 1	\$100.00	April 1	\$75.00
9.136(1)(h)2.c.	Mall Arts/Craft Reserved Site	\$150.00	February 1	N/A	April 1	\$75.00
9.136(1)(e)1.a.	Mall Arts/Craft Monthly	\$150.00	February 1	N/A	April 1	\$75.00
9.136(1)(e)5.	Merchant Vending	\$250.00	February 1	\$62.50	April 1	\$75.00
9.13(10)	Southeast Campus	\$400.00	February 1	\$50.00	April 1	\$75.00
9.13(12)	TOSVOD	\$50.00	February 1	N/A	April 1	\$75.00

(b) 1. Street Vending Near Parks, etc.

Vending, as defined herein, upon any highway, street, alley, sidewalk, public square or pleasure drive located upon or adjacent to any park, playground, recreation area, bathing beach or athletic field owned or operated by the City of Madison are subject to further regulations set forth in Sec. 8.17. No street vending license shall be issued for the locations defined above unless the applicant demonstrates compliance with the requirements of Sec. 8.17.

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2. Street Vending on Certain Streets Near Schools Prohibited. Street vending is prohibited upon any highway, street, alley, sidewalk, pleasure drive, or portion thereof if the street is designated "arterial" or "collector" on the "Street Functional Class Map" maintained by the City Traffic Engineer, has a posted speed limit greater than 25 miles per hour, and is located directly adjacent to, or directly across the street, alley, highway or pleasure drive from any school property, unless approval to vend in that location is granted to the vendor under Par. b. below.
 - a. For purposes of this paragraph, "school property" includes all property owned or operated by a public school as defined in Wis. Stat. § 115.01(1) or owned or operated by a private school as defined in Wis. Stat. § 115.001(3r).
 - b. Procedure for Approval to Vend Near Schools. A licensed vendor may apply to the Vending Oversight Committee (VOC) for permission to vend near a school where street vending is prohibited by this Section, by submitting a written application designed for this purpose to the Director (to the attention of the Vending Coordinator), who shall place the application on the agenda of the next available VOC meeting. Prior to hearing the application, the VOC shall require proof that the vendor has notified, in writing, the official in charge of the school in question, the alder of the district where the school is located, and the neighborhood association registered with the City (if any), of the vendor's intent to apply for such permission and the date, time and place of the VOC meeting where the application will be heard. The written notification must be sent via electronic email, faxed or postmarked at least seven (7) days before the date of the meeting and copies must be provide to the VOC. The vendor must appear in-person at the VOC meeting for the VOC to consider their application. The VOC shall approve or deny the application to vend near a school based upon objective criteria that takes into account the proposed location of vending equipment, the speed limit on the street in question, vehicular and pedestrian traffic flow and safety, proximity and effect on the surrounding residential neighborhood, and issues of student safety, and shall render a verbal decision at the meeting.
 3. Street Vending Prohibited on Bicycle Paths, Bicycle Ways and Recreational Trails. Street vending is prohibited on any bicycle path, bicycle way or other recreational trail owned, operated or maintained by the City of Madison, whether paved or unpaved or any other surface. This prohibition applies to the entire width of any right-of-way or other property lines designated for or associated with the bicycle path, bicycle way, or other recreational trail. This prohibition does not apply to vending sites in the Camp Randall High Density Vending Area approved in Sec. 9.13(7) and in accordance with any agreement(s) regarding the maintenance or use of the Southwest Commuter Bike Path to which the City is a party.
 4. Temporary Prohibition of Basic Street Vending for Conventions. The Common Council finds that it is in the interest of the City to encourage the integrity, comprehensiveness and success of certain conventions and events taking place at Dane County's Alliant Energy Center campus or other government-operated convention centers located in or adjacent to the City of Madison. Therefore, the Common Council may by resolution, after referral to the Vending Oversight Committee, declare up to fifteen (15) days during any calendar year during which street vending will be prohibited at particular locations throughout the City that have been identified as major entry ways to the City and/or adjacent to the Dane County Alliant Energy Center campus or other location(s) where a business convention or similar event is taking place. Any such resolution shall include the date(s) and time(s) of the prohibition, geographic boundaries and a map or diagram of the temporary prohibition

zone and a finding by the Common Council that the prohibition is necessary to ensure the success and integrity of the event. This procedure may not be used to prohibit vending in the State Street Mall/Capitol Concourse, High Density Vending, Southeast Campus Vending, UW Football Game Day Vending or Late Night Vending areas or to prohibit vending in an area where a Street Use Permit has already been approved under Sec. 10.056.

- a. Notice Procedure for Temporary Basic Street Vending Prohibition. The organization or individual requesting a temporary vending prohibition under this Section shall provide written notice of the date, time and place of the Vending Oversight Committee and Common Council meetings where such resolution will be considered to: The Street Vending Coordinator; Director of Planning and Community and Economic Development; the Superintendent of Parks; and all persons holding a Basic Street Vending License on file with the Department of Planning and Community and Economic Development. The written notice shall be provided not less than seven (7) business days prior to the meeting. To be effective such a resolution must be adopted not less than four (4) weeks prior to the start date of the temporary prohibition and published by the City Clerk in the same manner as is provided for the adoption of an ordinance. The publication notice shall include a diagram of the temporary prohibition zone.
- b. Violation. No person shall conduct any vending activities, as defined in Sec. 9.13(1), within a location and during a time when street vending has been temporarily prohibited under this Section.

5. Extended Delivery Prohibited.

- a. Definition. Extended Delivery is a type of street vending where food or beverage is delivered by vehicle, on foot, or using any other equipment or any other means, to more than five (5) customers at the same place and time, and the delivery is made to the customers on the public street, sidewalk, alley, square or other part of the highway right-of-way. It is not considered extended delivery if the customers take delivery of the food or beverage on private property or inside a building.
- b. Prohibition. No person shall engage in the activity of Extended Delivery anywhere in the City of Madison, and no street vending permit is available for Extended Delivery.

(c) Definitions.

Director of Department of Planning and Community and Economic Development or Director when used in Secs. 9.12, 9.13, 9.135 and 9.136 means the position in Sec. 3.12(3), or any City employee they designate to perform any duty or function of the City under Secs. 9.13, 9.135, or 9.136, most often the position known as the Street Vending Coordinator, or their designee.

Enclosed Cart is an enclosed trailer used for street vending that does not exceed 56 square feet, fits in a 10' by 12' footprint and meets all applicable requirements of this Sec. 9.136, and applicable regulations.

Food Cart is an enclosed trailer used for street vending of food and beverage that does not exceed 56 square feet, fits in a 10' by 12' footprint and meets all applicable requirements for a Mall/Concourse Food Vendor or Late Night Vendor in Sec. 9.136 or, when operating outside the Mall/Concourse, meets all other applicable requirements of this Section for the vending area in question.

Food Truck is a truck or trailer used for food and beverage vending that exceeds the size restrictions for a Food Cart and is more specifically defined and regulated in Sec. 9.13(13).

Food Vendor refers to a licensed Mall/Concourse Food Vendor as defined in Sec. 9.136(1)(e).

Non-cart Food Vending Equipment refers to vending apparatus other than an enclosed cart, used for food vending, and when used within the Mall/Concourse Vending Area, meeting the requirements of Sec. VII of the Regulations Governing Vending on the State Street Mall/Capitol Concourse.

Push Cart is a small non-motorized cart that can be moved by hand, of a size and construction that does not meet the definition of "vehicle" under Wis. Stat. § 340.01(74) and fits entirely within a footprint of 4 feet by 8 feet.

Specialized Vending Area means a geographic area of the City where street vending activities are more specifically regulated, and an assigned site and/or a special vending license in addition to a Basic Vending license is required. The specialized vending areas are set forth in Secs. 9.136 State Street Mall/Capitol Concourse, 9.13(7) High Density, 9.13(10) Southeast Campus, 9.13(11) Camp Randall, and 9.13(12) TOSVOD.

Specialized Vending License refers to the specific vending license required to vend in a Specialized Vending Area.

Vending Site means a space on a street or sidewalk designated by the City as a location for street vending by licensed vendor holding the required licenses for the site in question, with the site being created either by this Section, Secs. 9.135, 9.136, or regulations adopted thereto, or an official map designated thereto. Vending Site also refers to the area where a vendor holding a Basic license chooses to conduct street vending when vending in a part of the City that does not require an Assigned Site.

Vending Site, Assigned (Assigned Site) is a type of vending site that can only be used if the vendor is assigned to the site through procedures in this Section, Secs. 9.135 or 9.136.

See Secs. 9.135, 9.136, and other subsections herein, for additional definitions for specific vending types and vending areas.

- (d) All Basic Street Vendor licenses shall contain the following language on the face of the license:
"NOTE: Additional licenses are required to vend in these areas: State Street Mall/Capitol Concourse, Camp Randall high density area, Southeast Campus area, Late Night Vending, and certain streets over 25 mph adjacent to a school. Vending may be limited to certain sites in the UW Game Day Vending area. Vending in a City Park or on a street, sidewalk or pleasure drive adjacent to any park, playground, recreation area, beach or athletic field requires an additional license from the Parks Division under Sec. 8.17. Street vending is prohibited on a bike path, bicycle way or recreational trail. Street vending may be prohibited near convention centers, by Resolution. See Sec. 9.13."
 - (e) Any license issued and any vending site assignment made under this Section, Secs. 9.135 or 9.136, or regulations adopted thereto shall be nontransferable.
- (2) Special Event Umbrella License.
- (a) Requirement. The holder of a Street Use Permit shall purchase an umbrella Special Event Vending License to cover the street vending activities of all persons vending solely as a participant in a street use permitted event under Sec. 10.056, or a city-sponsored event. The Special Event Vending License is required for any event participant conducting activities for which

a license would be required by Secs. 9.13, 9.135, or 9.136, or an "E Permit" would be required by Sec. 9.54, except currently-licensed street vendors or Sec. 9.54 permit holders that the sponsor has allowed to remain in their assigned site within the event perimeter. The event sponsor need not include the following participants on the Special Event Vending License, licensed street vendors, sidewalk cafes and merchant vendors with assigned sites within the event perimeter (if not invalidated under Sec. 9.136(1)(k)1.b.), T and E permit holders under Sec. 9.54 with assigned sites within the perimeter (if not invalidated under Sec. 9.136(1)(k)1.b.) and authorized event participants using a table to distribute information but not making any sales whether or not that person holds a T permit. Participants covered by the Special Event Vending License are subject to any alternate vending rules established pursuant to Sec. 9.136(1)(k)1.c.

- (b) Application . Application for a Special Event Vending License shall be filed with the Parks Division on a form designed for that purpose. The application shall include information about the event and event sponsor, a list of all participants required by Sub. (a), proof that each participant holds of a State of Wisconsin seller's permit (if required) as evidenced by the seller's permit number or a statement from the State of Wisconsin Department of Revenue that a seller's permit will be issued, and proof that the event sponsor holds adequate liability insurance as required in Sec. 9.136(1)(m).
- (c) Licenses and Fees . Special Event Vending Licenses shall be issued in the name of the event sponsor, who shall be responsible for the conduct and supervision of all vending activities under the Special Event Vending License, whether or not said event sponsor is present at the vending location, however this does not preclude enforcement of ordinance violations against persons conducting the vending activities under such license. Activities conducted under the Special Event Vending License are subject to any special rules established under Sec. 9.136(1)(k). The license shall make reference to the approved Street Use Permit and shall set forth the start and end times and date(s) of the event, the location and perimeter of the event, including vending locations (if specified), and shall be valid only during the date(s) and at the location(s) specified. The Special Event Vending License fee is based on the number of vendors participating in the event who are required to be listed by Sub. (a), and covers all such street vending activities for the duration of the event. Fees for a Special Event Vending License approved by the Parks Division are payable to the City Treasurer as follows:

1—25 vendors	\$400
26—100 vendors	\$675
101—300 vendors	\$975
301 or more vendors	\$1,700
City-sponsored event	(No fee if entirely sponsored by the City)

- (3) Basic Street Vending License . A Basic Street Vending License entitles the licensee to conduct street vending activities (as defined in Sec. 9.13(1)) on streets and sidewalks in the City, consistent with Sec. 9.13(4) and other applicable requirements herein. Application for a Basic street vending license shall be filed with the Director by the application deadline in Table A, and shall include all information required by this Section and the Director. A Basic license shall be approved and issued if all applicable ordinance and regulation requirements have been met. Licenses shall be conspicuously displayed at the place where such sales are being made.

Other Vending License Types . In addition to the Basic licenses in this Sub. (3), special licenses and/or site assignments are required for vending in the following areas: Mall/Concourse Vending Area, under Sec. 9.136, Late Night Vending under Sec. 9.136(1)(n), High Density Vending Areas under Sec. 9.13(7), Southeast Campus Vending Area under Sec. 9.13(10), UW Football Game Day Vending Area under Sec.

9.13(11), and TOSVOD under Sec. 9.13(12). Basic Street Vendor License holders selling a ticket for admission to a sporting event, concert performance, or similar event ("ticket"), shall also annually obtain a photo identification badge for twenty-five dollars (\$25) through the Madison Police Department. The badge shall be prominently displayed on the vendor's person at all times while vending tickets and shall not be displayed without a valid Basic Street Vendor License. In order to lawfully vend tickets, an individual must hold both a valid Basic Street Vending License and a current identification badge.

(a) Basic Street Vendor License Fees and Durations.

1. Basic Street Vendor License (Annual). License fees and late fees for a Basic annual license are set forth in Table A. Annual licenses shall run from April 15 or the date issued (if issued after April 15) and shall expire on April 14th of the year following its issuance.
2. Basic Street Vendor License (Monthly). License fees for a monthly Basic license are set forth in Table A. Such license shall be issued for thirty (30) days and shall set forth the date of expiration.
3. Basic Street Vendor Community Service Rebate. Certain vendors may qualify for a community service credit toward future street vending license fees as follows:
 - a. For every five (5) hours a mobile grocery store as defined in Sec. 9.13(4)(s) is in operation within an NRT (Neighborhood Resource Team) target neighborhood during the calendar year, the vendor is eligible for a ten percent (10%) rebate of fees paid for Basic Street Vendor license(s) purchased for the mobile grocery for the vending season that began in that calendar year, up to a total of one hundred dollars (\$100) per Basic license or fifty percent (50%) of the total vending license fees, whichever is greater. The rebate(s) earned will be applied toward the next street vending license(s) purchased by that vendor.
 - b. Eligible Neighborhoods. An NRT target neighborhood, for purposes of this vending license rebate only, is a neighborhood within a geographical area identified as a focus area on a map maintained by the City for that purpose, and subject to the approval of the Mayor, except that downtown NRT target neighborhoods are not eligible.
 - c. Rebate Procedure. Eligible vendors may request the license fee rebate by recording the date(s) and hours of operation in an NRT target neighborhood on a form provided by the Director. A single form recording all hours for the calendar year, approved by an NGT (Neighborhood Guidance Team) leader of the applicable neighborhood and signed by the vendor, must be filed with the Director not later than December 1 of the calendar year for which the rebate is requested. The Director shall apply the rebate as a credit toward future street vending license(s) purchased by the same vendor. The rebate is not transferrable to other vendors. Subject to approval by the Finance Director, the license fee credit shall have no expiration. A vendor may request a refund rather than a credit if the vendor can demonstrate circumstances that satisfy the Director and the Mayor that they will not be operating as a street vendor in the next vending season and a refund is appropriate. The rebate and refund procedures, including the December 1 request deadline, are subject to approval of the Finance Director.
4. Umbrella Basic License (Food Vending Only). Six hundred dollars (\$600) for an annual license issued on April 15 or thereafter when applied for, and expiring on April 14 following its issuance. This license is available to:

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- a. A licensed Mall/Concourse Food Vendor to provide the basic licensing necessary for any supplemental vendors working in the Food Vendor's vending site, per Sec. 9.136(1)(e)1.c. The Food Vendor shall provide the Director, in writing, the name, date of birth and address of each worker to be listed on the Umbrella Basic License, and any workers added to or deleted to the license during the licensing period, within fourteen (14) days of the change.
 - b. A vendor holding an individual Basic Street Vending license who sells food only, under a Basic license for vending in locations where no other vending license type is required. Such vendors may obtain an Umbrella Basic License to provide the basic licensing for workers meeting the definition of a "supplemental food vendor" under Sec. 9.136(1)(e)1.c. The vendor shall provide the Director, in writing, the name, date of birth and address of each worker to be listed on the Umbrella Basic License, and any workers added to or deleted to the license during the licensing period, within fourteen (14) days of the change. New employees and helpers, as defined in Sec. 9.136(1)(e)1.c., may be employed according to the provisions of that section.
 - (b) Insurance. In addition, to hold a valid license, the vendor shall have in force the liability insurance required by Sec. 9.136(1)(m).
 - (c) Change of Address. A vendor to whom a street vending license has been issued under this subsection shall inform the Director of any change of address of the primary vendor named on the street vending license, in writing, if the address change occurs during the time period for which the vending license was issued.
 - (d) Food Vendor Community Service License Rebate. With the approval of the Mayor, the City may offer a license fee rebate to licensed food vendors who participate in City-sponsored neighborhood events in an NRT target neighborhood, as defined in Sec. 9.13(3)(a)3.b. Participating vendors may be eligible for a rebate of fees paid for street vending license(s) held by the food vendor based on their participation in one event or a series of events. Any rebate(s) earned will be applied toward future street vending license(s) purchased by that vendor, using the rebate procedure in Sec. 9.13(3)(a)3.c. Rebate criteria will be established by the Mayor and made available to participating vendors.
 - (4) General Restrictions on Vending. Any street vending conducted pursuant to Secs. 9.13, 9.135 and 9.136 shall be subject to the following, unless a different standard is established herein or in Secs. 9.135 or 9.136 for specialized vending areas:
 - (a) No vending equipment shall be permitted within a ten (10) foot radius of a fire hydrant nor within a five (5) foot radius of a standpipe.
 - (b) No vending or display shall be permitted within five (5) feet of the sides of bus shelters or bus stops nor in a manner that interferes with the use of the bus stop or with ingress or egress to the bus shelters.
 - (c) Unless otherwise authorized within Secs. 9.13, 9.135, 9.136, regulations established thereto, or Sec. 10.056, no vending equipment shall be permitted within ten (10) feet of a curbcut or a marked crosswalk, except that vending equipment of a licensed Mall/Concourse vendor shall be permitted, within two (2) feet of a marked crosswalk in a properly designated vending site or sidewalk cafe site, if consistent with public safety as determined by Traffic Engineering.
 - (d) All street vending equipment and displays shall be placed only upon paved surfaces, except for specifically assigned vending sites in the Camp Randall High Density Vending Area under Sec. 9.13(7), and in otherwise lawful locations for Basic Street Vending on Regent Street from West

Washington Avenue to Breese Terrace, and equipment adjacent to a mobile grocery store, as defined in Sec. 28.211, if the mobile grocery store is owned and operated by a non-profit entity and operating as a street vendor with a Basic Street Vendor license from a lawful parking space on the street. For purposes of this paragraph, a paved surface includes concrete, asphalt, cement, brick, pavers, or other impervious surface.

(e) Pedestrian Sidewalk Access.

1. All vending activities shall be conducted so as to maintain a minimum width of six (6) feet of unobstructed public pedestrian walkway adjacent to the vending site, unless another distance is expressly specified elsewhere in this Section, Secs. 9.135 or 9.136, including the sidewalk cafe placement rules in Sec. 9.135.
2. Except as otherwise permitted in Sec. 9.13, the Regulations adopted hereto, or Sec. 10.056, no vending equipment, including sidewalk cafe or merchant vending equipment, may be placed on any portion of a public sidewalk between the edge of the sidewalk closest to the property line if clearly defined or, if not so defined, the face of the abutting building or structure, and an imaginary line six (6) feet therefrom. "Sidewalk" has the meaning given in Wis. Stat. § 340.01(58). This Section shall not apply to sidewalk cafes under Sec. 9.136(1)(j)2.e. or any other section where another distance is expressly provided.

(f) Vending adjacent to certain parking areas.

1. Loading Zones. Except for a legally parked Food Truck, a Regular Sidewalk Cafe, and a Roadway Sidewalk Cafe Expansion, no street vending equipment or activities shall be approved or occur adjacent to any truck, freight or passenger loading zone in a manner that interferes with the loading activities.
2. No street vending equipment or vending activities of any kind, including Regular Sidewalk Cafes and Roadway Cafe Expansions, shall be approved in, directly adjacent to, or in a manner that otherwise interferes with an official parking space reserved for a motor vehicle used by people with disabilities or an access aisle to provide entry to and exit from vehicles by persons with physical disabilities.

(g) Except for a lawfully parked Food Truck, or an approved Roadway Cafe Expansion License under Sec. 9.135, no vending equipment shall be permitted:

1. Within two (2) feet of the adjacent street curb, except for a Sidewalk Cafe that has received approval to be placed less than two (2) feet from the curb under Secs. 9.135(5)(b) or 9.135(6)(b).
2. Within two and one-half (2½) feet of a parking meter or multi-space parking meter. Street vending from a vehicle parked at a parking meter during hours in which the meter is enforced is prohibited by Sec. 12.145(1)(d).

(h) No vendor shall use any of the amenities, such as benches, flower planters, trees, bus shelters, kiosks, light poles or any other utility poles for any street vending activities whatsoever, including display of merchandise, or attach any ropes or other vending equipment to any of the aforementioned.

(i) Vending equipment and displays, including signage, shall be directed away from the street. In addition, merchandise shall be displayed in a manner in which attention to it is not focused from the street and which does not require or encourage prospective buyers to enter or walk upon the street in order to examine it.

(j) Appearance of Vending Site and Equipment. Vendors must maintain their vending site areas and vending equipment in a clean and hazard-free condition.

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1. Vending Site Perimeter. For purposes of this requirement, the maximum size of the "vending site" shall be the actual dimensions of an assigned site, or a perimeter of not more than ten by twelve feet (10' x 12') around the vendor if vending in an area where an assigned site is not required, except the following are not subject to this vending site size restriction:
 - a. Mobile Grocery Stores. A mobile grocery store, as defined in Sec. 28.211, if owned and operated by a non-profit entity and operating as a street vendor with a Basic Street Vendor license. The vending site size shall be determined by the size of the mobile grocery store vehicle.
 - b. Ice Cream Trucks. A street vendor selling ice cream, ices, and/or frozen confections from a licensed motor vehicle, if meeting all licensing requirements of Public Health Madison and Dane County and holding a Basic Street Vending License. The vending site size shall be determined by the size of motor vehicle.
 - c. Food Trucks licensed under Sec. 9.13(13). The vending site size shall be determined by the size of the Food Truck.
 2. Equipment. All equipment present at the vending site shall be completely contained within the perimeter of the vending site and no equipment shall extend or be placed outside this perimeter, except for Food Trucks, except as may be allowed elsewhere by ordinance or the regulations, and except that a mobile grocery store, defined in Sec. 28.211 and owned and operated by a non-profit entity, when operating with a Basic Street Vendor license, may use stairs or similar equipment necessary to facilitate customers access to and from the mobile grocery store. Equipment placement is further restricted by other provisions in Sec. 9.13(4).

Unless otherwise specified for a specific type of vending or specialized vending area, a vendor vending from an enclosed cart or push cart may only use the vending cart, one (1) chair, and one (1) trash receptacle. Vendors vending from an enclosed cart or push cart are limited to the equipment listed above and may not use any additional freestanding equipment, however, umbrellas or awnings securely attached to the cart may be used. If using vending apparatus other than an enclosed cart, food cart, push cart, mobile grocery, ice cream truck, or Food Truck, one (1) freestanding pop-up style tent or similar structure of not more than 10 feet by 10 feet may be used but must maintain a minimum vertical clearance of seven (7) feet measured from ground level to the lowest point of the tent or other structure and a maximum height of eleven (11) feet at the highest point, and shall comply with the tent requirements in Sec. 9.135(5). No part of any equipment, whether attached or detached, shall protrude beyond the perimeter of the vending site (as defined herein).
 3. Equipment Appearance. All equipment used at the vending site shall be in a clean, sanitary, hazard-free condition and maintained in a presentable appearance and in good repair, without noticeable holes or other structural defects. Visible exterior surfaces of all equipment shall be maintained so as to prevent chipping, cracking or other deterioration of the paint or exterior surface.
- (k) A vendor shall be present within the vending site at all times during which items are displayed or sold, except that a vendor may leave their vending site unattended during lawful vending hours for a maximum of ninety (90) minutes.
 - (l) No vending equipment or merchandise may be stored on any street, sidewalk or alley or public square when the vendor is not present unless a different restriction is established pursuant to a

street use permit under Sec. 10.056, pursuant to regulations adopted under this Section, except as set forth in Sec. 9.13(4)(k) and except as set forth elsewhere in Sec. 9.13.

- (m) All vending equipment, including enclosed carts, tables, apparatus and merchandise shall be removed from the streets, sidewalks, terrace area or other vending location during times when vending is prohibited, unless a different restriction is established pursuant to a street use permit under Sec. 10.056, the regulations adopted under Sec. 9.136, and except as specified in Sec. 9.135 for Sidewalk Cafes, including those with a Roadway Cafe Expansion License. This provision shall not apply to a Food Truck that is closed for vending business and operating or legally parked on the street.
- (n) (Reserved for Future Use.)
- (o) No display shall violate any terms of any agreement(s) between the City of Madison and the Federal Transit Administration or other agency(ies) of the U.S. government for funding the reconstruction or maintenance of State Street and the Capitol Square.
- (p) It is unlawful for any vendor licensed under Secs. 9.13, 9.135 or 9.136 to permit any other person to vend at that vendor's vending site, unless that person is properly licensed or otherwise authorized under Secs. 9.13, 9.135 or 9.136 to vend from that vendor's site.
- (q) The Madison Police Department and the Director of Planning and Community and Economic Development shall have concurrent authority to remove or cause the removal of any vending equipment or merchandise found on the street, sidewalk, terrace or other vending location in violation of Secs. 9.13, 9.135, 9.136, the regulations established thereto, or Sec. 10.056. The removal of any food cart or Food Truck parked on the street shall be at the direction of a traffic officer of the Madison Police Department, or Parking Division Parking Enforcement staff authorized to direct the towing of vehicles. In addition to any forfeiture, the violator shall be liable for any removal, towing and storage charges incurred by either department.
- (r) Vending Hours Restricted in Residential Areas. Street vending shall be prohibited between the hours of 9:00 p.m. and 6:00 a.m. on any street or sidewalk located within any residentially zoned district listed in Sec. 28.021(1) and as indicated on official Zoning District Maps on file in the office of the City Zoning Administrator, except for Citywide sidewalk cafes which are subject to the hours in Sec. 9.135).
- (s) Non-Mall/Concourse Food Vending, Equipment Size, Safety Requirements.
 - 1. Applicability. This Sub. (4)(s) applies to all vendors selling food in areas other than the Mall/Concourse and High Density Vending areas, except ice cream truck vendors as described in Sec. 9.13(4)(j)1.b. and except where otherwise indicated. All vendors selling food are subject to inspection, regulation and licensing according to state and local health code requirements for food and drink service. When used in this Sub. (4)(s), "mobile grocery store" shall mean a mobile grocery store as defined in Sec. 28.211, owned and operated by a non-profit entity, operating with a Basic Street Vendor license.
 - 2. Equipment Size in Food Vending Sites.
 - a. All food carts, stands or other allowable food vending equipment, including those of Late Night food vendors licensed under Sec. 9.136(1)(n), shall be of a size that fits entirely within the dimensions of the "vending site" perimeter as required by Sec. 9.13(4)(j)1. Unless otherwise specified, each food vendor vending from an enclosed cart or push cart may only use the vending cart, one (1) chair, and one (1) trash receptacle.

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- b. All food vendors, including Food Trucks, shall provide a trash receptacle of at least ten (10) gallons within their vending site for customer use.
3. Equipment Placement and Appearance. See Sec. 9.13(4)(j) and other applicable provisions of Sec. 9.13(4).
4. Additional Regulations Applicable to City-wide Food Vendors. In addition to the other provisions of Sec. 9.13(4), the following parts of the Regulations Governing Vending on the State Street Mall/Capitol Concourse adopted through Sec. 9.136 shall apply to all street vendors selling food, City-wide, as indicated below, except these regulations do not apply to food vendors in High Density Vending areas (see Sec. 9.13(7) and Regulations therein) or to ice cream trucks as described in Sec. 9.13(4)(j)1.b.:
- a. City-wide Food Vendors (Other Than Food Trucks).
- Section VI, "Regulation of Vending Site Cleanliness and Safety."
 - Section VII, "Non-Cart Food Vendor Physical Specifications."
 - Section VIII. B. (Physical Specifications) 4 and 5 only.
 - Section VIII. C. (Electricity).
 - Section VIII. E. (Fire Extinguishers).
 - Section IX. A. (Restrictions on Mobility).
 - Section IX. B. (Removal of Carts and Equipment).
 - Section IX. C. (Restrictions on Food Preparation).
- b. Mobile Grocery Stores.
- Section VI, "Regulation of Vending Site Cleanliness and Safety."
 - Section VIII. C. (Electricity).
 - Section VIII. E. (Fire Extinguishers).
 - Section IX. B. (Removal of Carts and Equipment) Par. 3 only.
 - Section IX. C. (Restrictions on Food Preparation) Par. 1 only.
- c. Food Trucks. See Sec. 9.13(13)(d).
- (t) Changes to Assigned Vending Site Dimensions. The approved dimensions of any assigned site are not guaranteed to remain available. Public construction, street improvements or redesign may result in a vending site being moved, reduced in size or eliminated at any time. All vending site dimensions are subject to change if the City makes changes to the construction of the sidewalk and/or streetscape that affect the vending site, including but not limited to the addition or removal of planters, trees, benches, bike racks, bus shelters, sculptures, or any other public amenity.
- (u) (Reserved for Future Use.)
- (v) Noise Levels at Vending Site. Noise levels emanating from the vending site shall be kept to a minimum, shall not be directed toward the street or sidewalk, and shall be reasonable so as not to disturb the peace and quiet of those in the vicinity, including but not limited to residents, merchants, and customers. No sound amplification shall be permitted at a non-cart vending stand. Vendors utilizing an enclosed vending cart may use amplification inside an enclosed

vending cart only, and any music or other audio shall be kept to a volume such that it cannot be heard outside of the cart beyond the first customer in line at the window or service area.

No audio or video equipment, such as speakers and video display monitors, shall be permitted at a non-cart vending stand, nor affixed to or used outside an enclosed cart. This provision shall apply in addition to the general restrictions regarding noise and amplification found in Chapter 24 of the Madison General Ordinances. Vendors shall be subject to all applicable City ordinances regarding noise and amplification and this provision shall not be interpreted to expand or contradict those other ordinances. In the event of a conflict, the more strict regulation or ordinance shall apply.

(5) (Reserved for Future Use.)

(6) (Reserved for Future Use.)

(7) Regulations and Procedures for Vending in High Density Vending Areas.

(a) Purpose and Regulating Authority. It is the intent of the Common Council to control and regulate the use of streets and sidewalks to the end that the safe use of sidewalks by pedestrians is ensured and the health, safety and general welfare of the public is protected and maintained. Consistent with this policy, the purpose of these regulations is to assure the safe and orderly performance of selling on streets, sidewalks, alleys and public squares in "high density vending areas" as defined herein. The Vending Oversight Committee (VOC) is empowered to create additional regulations governing vending in High Density Vending Areas as defined herein, not inconsistent with the provisions of Sec. 9.13 or these Ordinances, and subject to Common Council approval. The VOC shall submit proposed regulations to the Common Council by formal resolution or report. Any such regulations shall be effective upon adoption of the sponsoring resolutions or report, and a copy of any adopted regulations shall be maintained on file at the offices of the City Clerk and the Department of Planning and Community and Economic Development.

(b) Definition of High Density Vending Area. High density vending areas are those areas which because of special circumstances, including but not limited to the location, the proximity of a business district or public buildings, the intensity and density of vending, the amount of pedestrian and/or vehicular traffic or the proximity to fairgrounds, parks, stadiums or other areas where special events are held require special regulations and restrictions to protect the health, safety and general welfare of the public and to maintain the good order of the City. The following locations are established as high density vending areas:

1. (Reserved for Future Use.)

2. Camp Randall High Density Vending Area includes the following: The 10-200 blocks of North Spooner Street and Lathrop Street (between University Avenue and Regent Street); the 10 block of South Breese Terrace and the 10-200 blocks of North Breese Terrace (between University Avenue and Monroe Street); the 100-200 blocks of North Randall Avenue (between Campus Drive and Monroe Street); the 1400-1700 blocks of Regent Street (between Spooner Street and Randall Avenue); the 1400-1600 blocks of Monroe Street (between Garfield Street and North Randall Avenue); the 1600 and 1700 blocks of Chadbourne Avenue, Hoyt Street and Summit Avenue (between North Spooner Street and North Breese Terrace); the 1500 block of Madison Street (between Regent Street and Oakland Avenue); the southern half of the 1500 block of Jefferson Street (from 1403 Jefferson Street south to Oakland Avenue); the 800 block of Oakland Avenue (between Regent Street and Madison Street); Crazylegs Lane from Regent Street to Monroe Street; and Little Street from Breese Terrace to Monroe Street.

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- (c) High Density Vending License Required. No person shall sell or offer for sale any services, goods, foodstuffs or any other article of any kind in a high density vending area as established in this Section unless a high density vending license for the specified high density vending area, in addition to all other licenses or permits required by law or ordinance, has been obtained. All goods or services sold at the high density vending site must be capable of immediate delivery at the vending site at the time of sale. The sale of goods or services that are not immediately delivered on the site is prohibited. Each high density vending area license shall be issued subject to the applicable restrictions in the Madison General Ordinances and any regulations relating to high density vending promulgated by the Vending Oversight Committee (VOC) and approved by the Common Council. The licensee shall display the High Density Vending License conspicuously within the high density vending site.
- (d) Vendor. To be eligible for a license to vend in a high density vending area a vendor may be one, two or three individuals regularly involved in the sale of the food, merchandise or service. The vendor listed on the application and license and any other person conducting vending at the vending site must hold a valid Basic Street Vendor License under Sec. 9.13(3). A vendor may also use other individuals solely to assist as helpers at the vending site provided that these individuals may not engage in any vending activities. Activities such as operating vending vehicles, loading and unloading, food or drink preparation, arranging or stocking merchandise, may be considered acceptable assistance activities. No unlicensed assistant shall sell, offer for sale, accept money, engage in prolonged commercial interactions or other transactions with customers or engage in any other direct vending activities.
- (e) Application for High Density Vending Licenses and Fees. Application for a High Density Vending License shall be filed with the Director by the deadline set in Table A and shall contain the name of the individual responsible for all activities at the vending site, any other information required by the Director and the Regulations Governing Vending in the High Density Vending Area. Only one (1) High Density Vending License may be issued to a vendor as defined in Sec. 9.13(7)(d) for each High Density Vending Area during any single vending period. The following types of High Density Vending licenses are available:
1. Camp Randall Football Season License. A football season license shall be effective only in the Camp Randall High Density Vending Area and only on the days on which official University of Wisconsin football games are held at the stadium. The license fee, late application fee and late payment fee for both food and goods/services vendors are set forth in Table A. Such license shall set forth the exact days on which such business may be carried on.
 2. (Reserved for Future Use.)
 3. A vendor to whom a High Density Vending License has been issued under this subsection shall inform the Director of any change of address of the primary vendor named on the license, in writing, if the address change occurs during the time period for which the license was issued.
- (f) Liability Insurance. To hold a valid high density vending area license, the vendor must have in force adequate liability insurance as defined in Sec. 9.136(1)(m).
- (g) Vending Sites. The Vending Oversight Committee (VOC), after considering the recommendations of the Department of Planning and Community and Economic Development, the Department of Transportation and the Police Department, shall determine by regulation subject to approval by the Common Council the number, size, location, and method of site assignment for vending sites in High Density Vending Areas. Each vending site may be occupied by only one vendor at a time and no vendor may occupy more than one vending site at any given time. The mere possession of

a valid high density vending license shall not in and of itself entitle the vendor to the use of a high density vending site on a specific day or a minimum number of days during the vending year.

(h) Miscellaneous Regulations.

1. Vehicles Prohibited. No vendor shall drive or permit another to drive a motor vehicle upon any sidewalk area for the purpose of depositing vending carts or other equipment thereon. This prohibition does not apply to permanent or temporarily established driveways.
2. Vendor Parking Regulated. No vendor or any person assisting a vendor shall park, stop or leave standing within the perimeter of the high density vending area any vehicle for a period longer than the applicable time limit established in Chapter 12.
3. Vending Hours. No vending shall occur except between the hours of 8:00 a.m. and midnight. All vending equipment including carts, tables, apparatus and merchandise shall be removed from the entire vending site during times when vending is prohibited.
4. Relocation of Vendors. The Director has the authority to relocate designated vending sites elsewhere in the high density vending area or to eliminate them in the interest of public safety during construction or when temporary bus stops or routes are added on streets in high density vending areas and, as necessary, so as to avoid interference with activities and equipment which are part of a special event for which a street use permit has been issued pursuant to Sec. 10.056. Additionally, the Superintendent of Parks, with approval of the Director of Planning and Community and Economic Development, may relocate vending sites and create additional, temporary sites in these vending areas when deemed in the best interests of the City. Any vendor operating in such temporary sites must hold all licenses required for vending in the relocated or temporary site and, if applicable, pay any additional daily license fee established by the City. Nothing in this paragraph shall limit the authority of the Police to temporarily relocate or remove a vending site in the case of an emergency.
5. Special Restrictions on Vending in the Camp Randall High Density Vending Area. In light of the special physical characteristics and unique needs arising in the Camp Randall High Density Vending Area, the following special restrictions shall apply:
 - a. Vending equipment and displays may be directed toward the street provided that there is a distance of at least five (5) feet between the nearest edge of the vending site and the adjacent street curb.
 - b. Vending sites established pursuant to Sec. 9.13(7)(g) may be located in unpaved portions of the street right-of-way as appropriate.
 - c. The requirement to obtain a High Density Vending Area License shall not apply to ambulatory vendors engaged solely in the resale of tickets for the stadium event of the same day provided the vendor possess a valid Basic vending license and photo identification badge issued pursuant to Sec. 9.13(3).
 - d. Camp Randall High Density sites U (former Kiwanis lease area) and V (former Shriners lease area) may include city-owned land that is not the street or sidewalk, as indicated on the official map attached to the Regulations Governing Vending in the High Density Vending Area.
6. Changes to Vending Site Dimensions. The approved dimensions of a High Density Vending site are not guaranteed to remain available. Public construction, street improvements or redesign may result in a vending site being moved, reduced in size or eliminated at any time. All vending site dimensions are subject to change if the City makes changes to the

construction of the sidewalk and/or streetscape that affect the vending site, including but not limited to the addition or removal of planters, trees, benches, bike racks, bus shelters, sculptures, or any other public amenity.

(8) Procedure for Revocation, Suspension or Nonrenewal of Vending License.

- (a) General Procedure. In addition to any other penalty provided under this Chapter, any category or type of street vending license issued hereunder or under Secs. 9.135 or 9.136 may be revoked, suspended or not renewed for a stated period of time or otherwise limited by the imposition of conditions or restrictions by the Common Council, after notice and hearing as provided herein, for any of the following: any violation of Secs. 9.13, 9.135, 9.136, or regulations adopted thereto; any violation of Sec. 10.056; serious or repeated violations of Chapter 7; serious or repeated violations of Chapter 12 restrictions on parking, stopping or standing; any violations of any other Madison General Ordinance or state statute where the circumstances of the offense are substantially related to vending activities.
1. The Director of Planning and Community and Economic Development, upon their own initiative, or with the recommendation of the Superintendent of Parks, Director of Public Health Madison and Dane County, the Traffic Engineer or the Chief of Police, may commence proceedings under Sec. 9.13(8)(a) at any time. In addition, if a licensee has committed three (3) or more violations described above within twelve (12) months, as charged in citations or civil complaints, the Director of Planning and Community and Economic Development shall commence proceedings under this subsection. Any such proceedings shall be brought in a hearing before the Vending Oversight Committee (VOC).
 2. The licensee shall be notified in writing of the charges, the right to a hearing, and the date, place and time for the hearing at least ten (10) calendar days prior to the hearing. At the hearing the Director of Planning and Community and Economic Development shall present evidence of the alleged violation(s). The parties shall have the opportunity to question witnesses, may call witnesses on their behalf, and may be represented by counsel. All testimony shall be recorded. At the conclusion of the hearing the VOC shall make findings and recommendations and shall direct the Director of Planning and Community and Economic Development to report its findings and recommendations to the Common Council and to the alleged violator within five (5) working days.
 3. The Common Council shall convene to consider the report and recommendations of the Committee within thirty (30) calendar days of the Committee recommendation, or at the earliest possible time after thirty (30) days that a quorum can be attained. If the Director of Planning and Community and Economic Development or alleged violator wishes to present any additional evidence they may do so and the Common Council may upon its own motion consider additional evidence as necessary to fairly decide the issue.
 4. After due consideration of the fact finding report, the recommendations of the VOC and any additional evidence presented, the Common Council may by majority vote suspend the license holder's license for a period of time not to exceed six (6) months or revoke or not renew the license for a period not to exceed one year or place conditions or restrictions on the license for the remainder of the vending year in accordance with sub. (c) below. The violator shall be notified within five (5) working days of the findings and determination of the Common Council.
 5. The decision of the Common Council shall be a final determination and shall be subject to review in court as may be provided by law. Any person aggrieved by the decision may seek review thereof within thirty (30) days after the date of the final determination.
- (b) Special Procedure for Certain Complaints Relating to Mall Food and Arts/Crafts Vendor License.

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1. Whenever a complaint is made that a license holder is in violation of the provisions of this Chapter or of regulations adopted hereunder relating to the requirements that all food or goods offered for sale or sold by a Mall/Concourse Food Vendor or Arts/Crafts Vendor be personally prepared or handcrafted, the complaint shall be in writing stating the specific provision violated and signed by the person making it. A complaint made upon the initiative of the Director of Planning and Community and Economic Development or the Vending Oversight Committee (VOC) shall be signed by the Director of Planning and Community and Economic Development or the chair of the Committee, respectively. The Director of Planning and Community and Economic Development will immediately send a copy of the complaint to the alleged violator.
 2. Thereafter, the Director of Planning and Community and Economic Development and one member of the VOC who is not the Chair shall promptly investigate the allegations made in the complaint. This investigation may include inspection of the alleged violator's work place and method of operation, review of written evidence in the form of invoices and other business records, interview of witnesses and other relevant areas of inquiry. The investigation and a written report of the fact-finding shall be completed within ten (10) business days. If the report determines that there is probable cause to believe that a violation has been committed relating to the requirements that all food be personally prepared and all goods be handcrafted, the process set forth in Sec. (8)(a)1. through 5. above shall be instituted. If the fact-finding concludes that the allegations are unsubstantiated, the report shall be submitted to the VOC at its next regular meeting. The VOC may, by majority vote, accept the report or request that further investigation be conducted.
- (c) Placement of Restrictions or Conditions . In lieu of revocation or suspension, the Common Council may by majority vote place reasonable conditions or restrictions on the license for the remainder of the vending year or license duration in order to effectuate the provisions of this chapter and ensure compliance by the license holder. No condition imposed may be contrary to or inconsistent with any ordinance, regulation or statute regulating vending activities. Permitted restrictions or conditions may only include the following: quantity and size of display tables and other equipment; days or hours of operation; monitoring of vending site by licensee; number of attendants or sales persons at site. If any licensee shall fail or neglect to comply with the conditions or restrictions imposed by the Common Council their license may be suspended or revoked in accordance with this Section.
- (d) Vending While License is Suspended or Revoked Prohibited . No person or business whose vending license issued under Secs. 9.13, 9.135 or 9.136 has been suspended or revoked under Sub. (8) shall participate in street vending as described in Sec. 9.13(1), or conduct any other activity for which the license in question is required, while that license is suspended or revoked. Any such violation shall be punishable by forfeiture under Sec. 9.13(9) and this penalty shall be in addition to any other penalty or consequence available under these Ordinances.
- (9) Enforcement; Penalties . Any person or licensee violating any provision of Sec. 9.13 or the regulations adopted hereto shall be subject to a forfeiture of not less than thirty dollars (\$30) nor more than three hundred dollars (\$300) for each separate violation of the ordinance or regulation.
- Enforcement action under this subsection shall not bar proceedings under Sec. 9.13(8), "Procedure for Revocation, Suspension or Nonrenewal of Vending License," nor shall proceedings under Sec. 9.13(8) bar the City from prosecuting for violations of Sec. 9.13 or any other law or ordinance.
- (10) Southeast Campus Vending Area . The Southeast Campus Vending Area is established due to circumstances present within this geographic location, including but not limited to the proximity of business, university, and residential uses, buildings situated primarily with zero setbacks, high volume

of pedestrian traffic, varying sidewalk space, and the volume of vehicle traffic, making this area appropriate to limit street vending to assigned sites only with regulations in addition to the city-wide vending requirements elsewhere in this Section.

- (a) Vending Area. The Southeast Campus Vending Area shall be established within a perimeter specified on an official vending area map, approved by the Vending Oversight Committee and maintained in the Office of Business Resources. The Vending Oversight Committee (VOC) shall approve the perimeter of the area by approving the official map. Any subsequent changes to the perimeter shall be upon the recommendation of the VOC to the Common Council as an amendment of this Ordinance.
- (b) Limited Hours. Vending in the Southeast Campus Vending area shall be from 9:00 a.m. to 8:00 p.m. Vending at any other time in this area is prohibited.
- (c) Type of Vending Permitted in Southeast Campus Vending Area, Equipment. Vending in this area shall be limited to food vending and vending of any non-food items. Equipment permitted within the vending site shall be limited to the following: for food vendors, one food cart, table or stand as allowed for the size of the assigned site, one trash receptacle required by Sec. 9.13(4)(u), and one portable chair may be used. For non-food vendors, one cart, stand or table and one portable chair may be used. All other equipment or loose items are prohibited.
- (d) Vending From Assigned Sites Only, Site Size, Locations. Vending in this area shall be from assigned sites only and is prohibited in any other location. The Director shall recommend and the Vending Oversight Committee (VOC) shall establish the number and location of vending sites in the Southeast Campus Vending Area consistent with Sec. 9.13(4) on an official map that shall be maintained by and available at the Office of Business Resources. The VOC may approve subsequent changes to the number and location of vending sites. Any changes to the vending sites shall take effect ten (10) business days after the VOC meeting at which the change was approved. The vending site size shall be the default of 10 x 12 feet under Sec. 9.13(4)(t), or 4 x 8 feet, and the size shall be specified on the official map. Some sites may be restricted to use by push-cart food vendors only. "Push-cart" shall have the meaning given in Sec. 9.136(1)(n)6.a. (Late Night Vending). All vending activities must take place within the dimensions of the assigned site. All applicable provisions of Sec. 9.13(4) not in conflict with this Section shall apply to vending in this area.
- (e) No Electrical Sites. There will be no electrical sites, all carts/equipment must be self-powered.
- (f) Vending Licenses Required. An annual Southeast Campus Vending Area license, and a Basic Street Vendor license (or Umbrella Basic License if eligible) shall be required to vend in this area. The license fees, application and payment deadlines, and license duration are set forth in Table A. Additionally, every person working or performing vending activities at an assigned site in this area must hold a valid basic street vendor license, or be listed on an Umbrella Basic license under Sec. 9.13(3). No person shall vend (as defined in Sec. 9.13(1)) in the Southeast Campus Vending area without the licenses required hereunder.
- (g) Application, Site Assignment Procedure.
 - 1. Application. Application for a site assignment and a Southeast Campus Vending License shall be made with the Office of Business Resources, using an application process designed for that purpose. Applications must be filed by the Application Due Date in Table A to be eligible for site assignment for the upcoming vending season (April 15-April 14). The vendor must accept the site in writing within ten (10) calendar days of receiving notification of the site assignment, or will forfeit the site assignment, and shall purchase the license by the due date in Table A. Failure to use an assigned vending site by June 1st will result in

forfeiture of the site assignment. Only one (1) Southeast Campus site will be assigned per vendor, and site assignments are not transferrable.

2. Site Assignment (Seniority System). Site assignment shall be determined by seniority. Seniority shall be calculated by counting the number of consecutive, uninterrupted years the applicant has purchased a basic street vendor license (of any duration) under Sec. 9.13(3)(a)1. or 2., counting backwards from the present and subtracting any demerit points. However, a vendor may take one (1) vending season as a sabbatical (not purchase a license that season) without losing seniority, but that year will not be counted toward the vendor's total number of years of seniority. If a vendor takes two (2) sabbaticals in a three (3) year period, the vendor will lose all years of seniority and be placed at the bottom of the seniority list upon their next application for a site. For individual applicants, the name on the Southeast Campus application and the basic street vendor license used for seniority must be the same. If the applicant is a business organization, the basic street vendor license used for seniority must be in the name of an officer, member, partner, or the sole proprietor of the business. If more than one applicant has held a basic street vendor license for the same number of years, the date, and if necessary, time of day the license was issued, will determine seniority. If the date and/or time is not available, seniority will be determined by a coin toss conducted by the Director. Applicants shall list three (3) site preferences on the application. The vendor with the most seniority (minus any demerit points) will be assigned their first preferred site, the next vendor assigned to their first available preferred site, and so on; until all applicants have been assigned a late night site or until the sites are full. If applicants remain after all sites are filled, a waiting list will be created, using the same seniority system. Late applicants and vendors who forfeit their Southeast Campus assignment will be placed at the bottom of the waiting list. Any site that becomes available after initial site assignments have been made shall be offered to the highest-ranking vendor on the waiting list.
3. Demerit Points. One (1) year of seniority will be subtracted for each demerit point described below:
 - a. One (1) demerit point will be assessed for any violation of Secs. 9.13, 9.135, 9.136 and the Regulations adopted thereto, or any other violation listed in Sec. 9.13(8)(a) (except for serious health code violations described below). A violation counts as a demerit point if charged in a citation or civil or criminal complaint with a date of violation in the previous vending season.
 - b. Serious Health Code Violations. Five (5) demerit points will be assessed if the applicant's food and drink permit has been suspended or revoked for seven (7) or more consecutive days during the previous vending season, or if the applicant's vending cart or mobile base kitchen has been ordered by Public Health Madison and Dane County to suspend or cease all operations for seven (7) or more consecutive days during the previous vending season.
 - c. For purposes of Sec. 9.136(1)(n)5.a. and b., violations issued to the person named on the basic street vending license, the holder of the mobile cart license(s), if applicable, and the person or business listed as the applicant for the Southeast Campus vending site will all be counted.
 - d. If an applicant's vending license has ever been suspended or revoked under Sec. 9.13(8), the number of days the license has been suspended or revoked shall be subtracted from the total number of days counted for seniority. Suspensions or revocations against the person named on the basic street

vending license and the person or business applying for the late night vending license shall be counted.

- (h) Relocation of Vendors. The Director of Planning and Community and Economic Development and the Chief of Police, or designees, have the authority to temporarily relocate vending sites elsewhere within the Southeast Campus Vending Area, or to eliminate them in the interest of public safety during construction or emergencies or for other reasons expressly provided elsewhere in these ordinances. The Superintendent of Parks, with approval of the Director of Planning and Community and Economic Development, may relocate vending sites and create additional, temporary sites in this vending area and offer such sites to licensed vendors for a daily license fee, when deemed in the best interests of the City. Any vendors operating in such sites must hold all licenses required for Southeast Campus vending and, if applicable, pay any additional daily license fee established by the Superintendent of Parks. Nothing in this Section shall be construed to limit the authority of the police to temporarily relocate or eliminate a vending site in the case of an emergency.
- (11) UW Football Game Day Vending Area. The purpose of the UW Football Game Day vending area is to establish assigned sites for Basic Street Vending on Regent Street and other streets near Camp Randall Stadium on days when there is a UW home football game. This area is outside the perimeter of the Camp Randall High Density Area but close enough to the stadium to require assigned vending sites due to the very high volume of vehicle and pedestrian traffic on UW home football game days.
 - (a) Vending Area. The UW Football Game Day Vending Area shall be established within a perimeter specified on an official vending area map, approved by the Vending Oversight Committee (VOC) and maintained in the Office of Business Resources. The VOC shall approve perimeter of the area by approving the official map at meeting of the VOC. Any subsequent changes to the perimeter shall be voted on by the VOC at a properly-noticed meeting.
 - (b) Dates and Times. The UW Football Game Day Vending Area is only in effect from 12:00 a.m. to 11:59 p.m. on days when the University of Wisconsin Football team has a home game at Camp Randall Stadium. The time restrictions applicable to city-wide vending in residential areas in Sec. 9.13(4)(r) apply to all street vending in this area, including on game days.
 - (c) Vending License Required. Every person working or performing vending activities at an assigned site in this area must hold a valid basic street vendor license under Sec. 9.13(3). No additional vending license is required. No person shall vend (as defined in Sec. 9.13(1)) in the UW Football Game Day Vending Area without the licenses required hereunder.
 - (d) Vending From Assigned Sites Only, Site Size, Locations. All street vending in this area shall be from assigned sites only and is prohibited in any other location within the vending area, with the exception of vendors holding a valid basic street vending license and conducting entirely mobile vending of non-food items only, without the placement of any equipment, merchandise or other supplies on the ground. Such licensed street vendors may vend merchandise in this area with or without an assigned site, in compliance with all other applicable requirements of Sec. 9.13. The Director shall recommend and the VOC shall establish and make changes to the number and location of assigned vending sites on the official map adopted under Sub. (a) above. Once established by the VOC, a site may be limited to food or non-food only by the Director. The default vending site size for this area shall be four feet by eight feet (4' x 8') for non-food and ten feet by twelve feet (10' x 12') for food, unless another size is specified on the official map. All vending activities must take place within the dimensions of the assigned site. All applicable provisions of Sec. 9.13(4) not in conflict with this Section shall apply to vending in this area.
 - (e) Type of Vending Permitted in Regent Street UW Football Game Day Vending Area. Any items that may be sold with a basic street vending license may be sold in this vending area, subject

to applicable health codes and other laws, and subject to the Director's designation of the site as a food-only or non-food only, under Sec. 9.13(11)(d) above.

- (f) Equipment. All equipment must fit into the footprint of the assigned vending site and must comply with all applicable provisions of Sec. 9.13(4) not in conflict with this Section.
- (g) No Electrical Sites. There will be no electrical sites, all equipment must be self-powered.
- (h) Application, Site Assignment Procedure.
 - 1. Application. Applications for a site assignment in the UW Football Game Day Vending Area shall be filed with the City using the process designed for that purpose. To be guaranteed an assigned site for the first home football game, applications shall be filed by the last Friday in July. Applications will be accepted after this date and throughout the UW Football season if spaces remain available. Site assignments are valid for the duration of the UW football season. Once approved, the vendor must accept the assigned site in writing and obtain a current Basic Street Vendor license within ten (10) calendar days of receiving notification of the site assignment, or will forfeit the site assignment. Only one (1) UW Football Game Day Vending Area site will be assigned per vendor, and site assignments are not transferrable.
 - 2. Site Assignment (Seniority System). Site assignment shall be determined by consecutive years of seniority. Seniority shall be calculated by counting the number of consecutive, uninterrupted years the applicant has purchased a basic street vendor license (of any duration) under Sec. 9.13(3)(a)1. or 2., counting backwards from the present and subtracting any demerit points. However, a vendor may take one (1) vending season as a sabbatical (not purchase a license that season) without losing seniority, but that year will not be counted toward the vendor's total number of years of seniority. If a vendor takes two (2) sabbaticals in a three (3) year period, the vendor will lose all years of seniority and be placed at the bottom of the seniority list upon their next application for a site. For individual applicants, the name on the application and the basic street vendor license used for seniority must be the same. If the applicant is a business organization, the basic street vendor license used for seniority must be in the name of an officer, member, partner, or the sole proprietor of the business. If more than one applicant has held a basic street vendor license for the same number of years, the date, and if necessary, time of day the license was issued, will determine seniority. If the date and/or time is not available, seniority will be determined by a coin toss conducted by the Director. Applicants shall list three (3) site preferences on the application. The vendor with the most seniority (minus any demerit points) will be assigned their first preferred site, the next vendor assigned to their first available preferred site, and so on; until all applicants have been assigned a site or until the sites are full. If applicants remain after all sites are filled, a waiting list will be created, using the same seniority system. Late applicants and vendors who forfeit their UW Football Game Day Vending Area assignment will be placed at the bottom of the waiting list. Any site that becomes available after initial site assignments have been made shall be offered to the highest-ranking vendor on the waiting list.
 - 3. Demerit Points. One (1) year of seniority will be subtracted for each demerit point described below:
 - a. One (1) demerit point will be assessed for any violation of Sec. 9.13, the Regulations adopted thereto, or any other violation listed in Sec. 9.13(8)(a) (except for serious health code violations described below). A violation counts as a demerit point if charged in a citation or civil or criminal complaint with a date of violation in the previous vending season.

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- b. Serious Health Code Violations. Five (5) demerit points will be assessed if the applicant's food and drink permit has been suspended or revoked for seven (7) or more consecutive days during the previous vending season, or if the applicant's vending cart or mobile base kitchen has been ordered by Public Health Madison and Dane County to suspend or cease all operations for seven (7) or more consecutive days during the previous vending season.
 - c. For purposes of Sec. 9.136(1)(n)5.a. and b., violations issued to the person named on the basic street vending license, the holder of the mobile cart license(s), if applicable, and the person or business listed as the applicant for the UW Football Game Day site will all be counted.
 - d. If an applicant's vending license has ever been suspended or revoked under Sec. 9.13(8), the number of days the license was suspended or revoked shall be subtracted from the total number of days counted for seniority. Suspensions or revocations against the person named on the basic street vending license and the person or business applying for the UW Football Game Day site shall be counted.
 - (i) Relocation of Vendors. The Director of Planning and Community and Economic Development and the Chief of Police, or designees, have the authority to temporarily relocate vending sites elsewhere within the UW Football Game Day Vending Area, or to eliminate them in the interest of public safety during construction or emergencies or for other reasons expressly provided elsewhere in these ordinances. Additionally, the Superintendent of Parks, with approval of the Director of Planning and Community and Economic Development, may relocate vending sites and create additional, temporary sites in this vending area when deemed in the best interests of the City. Any vendor operating in such temporary food sites must hold all licenses required for vending in the relocated or temporary site and, if applicable, pay any additional daily license fee established by the City. Nothing in this Section shall be construed to limit the authority of the police to temporarily relocate or eliminate a vending site in the case of an emergency.
- (12) Top of State Vending Overlay District Area. The Top of State Vending Overlay District ("TOSVOD") is established due to circumstances present within this geographic location within the State Street Mall/Capitol Concourse Vending Area. Those circumstances include the proximity of business, museums, the State Capitol, and residential uses; varying sidewalk space with some buildings with zero setbacks in close proximity to large open spaces on North Carroll and West Mifflin Streets; high volume of pedestrian traffic; the volume of transit, delivery and vehicle traffic; all making this area appropriate for additional street vending opportunities beyond those currently permitted in the Mall/Concourse vending area, including those that encourage retail business incubators, micro-business, and entrepreneur opportunities with an emphasis on products that translate to brick and mortar retail.
- (a) Definitions.
- Mall/Concourse Regulations shall mean the Regulations Governing Vending in the State Street Mall/Capitol Concourse Vending Area.
- Satellite Cafe shall mean a Sidewalk Cafe located in the TOSVOD as described in Sub. (d)7. herein.
- Sidewalk Cafe when used in this Sec. 9.13(12) shall mean a Regular Sidewalk Cafe on the Mall/Concourse as defined in Sec. 9.135(2).

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- (b) Vending Area. The Top of State Vending Overlay District is established as an overlay area within the Mall/Concourse Vending Area, with its perimeter specified on an official map approved by the Vending Oversight Committee and maintained in the Office of Business Resources. The Vending Oversight Committee (VOC) shall approve the perimeter of the area by approving the official map and may approve changes to the perimeter using the same process.
- (c) Vending Sites. Vending sites in this area will be as follows:
1. A variety of TOSVOD sites with the exact number and location will be determined by the Director and set forth on the official TOSVOD map created under Sub. (b) and maintained on file at the Office of Business Resources. Vending site size shall be 10×12 feet as required by Sec. 9.13(4)(t). In determining the number and location of sites the Director shall comply with all applicable provisions of Sec. 9.13(4). All vending activities must take place within the dimensions of the assigned site.
 2. Satellite Sidewalk Cafe sites.
 3. Existing Mall/Concourse food vending sites.
- (d) Vending Permitted in Top of State Vending Overlay District. Vending in this area shall be limited to the following enumerated items:
1. Mall/Concourse Food Vending. Any designated Mall/Concourse food vending sites within the TOSVOD shall remain in effect and vending from these sites is regulated by Sec. 9.136(1) and the regulations adopted therein.
 2. Mobile Merchant Vending. Businesses holding a current Merchant Vending License under Sec. 9.136(1)(h)1.d. may vend merchandise from their business and the other items permitted for licensed TOSVOD vendors, in a TOSVOD site.
 3. Food. Licensed TOSVOD vendors may sell farmers market products and value-added food products from a TOSVOD site.
 4. Handcrafted Goods. Licensed TOSVOD vendors and licensed Arts and Crafts Vendors may sell handcrafted goods as defined in Sec. 9.136(1)(e)3. from a TOSVOD site.
 5. Upcycled Goods. Goods that are created by re-using discarded objects or material in such a way as to create a product of higher value than the original parts may be sold by a licensed TOSVOD vendor in a TOSVOD site.
 6. Other Goods. Licensed TOSVOD vendors may sell other goods, not listed above, that may lawfully be sold with a Basic street vending license and which the Director determines:
 - a. Are sold with the intent that the vendor could eventually become a brick and mortar retailer, and
 - b. Are not merchandise that derives from a consultant-driven business that prohibits brick and mortar stores as a part of its businesses model.
 7. Satellite Sidewalk Cafes.
 - a. Eligibility. A restaurant holding a food and drink license located within or directly adjacent to the TOSVOD perimeter is eligible for a satellite sidewalk cafe in the TOSVOD as set forth herein.
 - b. Location, Equipment. Size and placement of a Satellite Cafe shall be on a case-by-case basis at the discretion of the Director taking into account the location of other sites in the TOSVOD, the placement criteria below and applicable provisions of Sec. 9.13(4). Such cafes shall be subject to the furniture, enclosure

and equipment requirements for sidewalk cafes in Sec. 9.135, except that the Director may approve modified enclosures when existing features of the streetscape provide a sufficient barrier to serve as a portion of the enclosure for the cafe space that will comply with ADA requirements and other safety concerns, upon consultation with the Mall Maintenance crew and the Police Department. In addition, each Satellite Cafe shall include, within the confines of the cafe enclosure, or on the enclosure, signage not to exceed 10 x 12 inches in area, to identify the restaurant holding the license.

- c. Placement Criteria. The paved portion of the adjacent sidewalk must be at least nine (9) feet wide, the entire sidewalk area proposed for cafe placement must be paved with concrete, asphalt, cement, brick, pavers or other impervious surface, and placement of the cafe must allow at least seven (7) feet of unobstructed public pedestrian walkway on the adjacent public sidewalk. A Satellite Cafe shall not be placed in a location where, in the opinion of the Director, the grade or slope is prohibitive, if the location does not offer a sufficiently level surface for food and drink service, or if cafe placement would present a safety hazard due to any other elements of the topography or layout of the sidewalk, regardless of the width or available square footage of the right-of-way within the TOSVOD.
 - d. Satellite Cafe Fee. The license fee for a Satellite Cafe for an establishment that does not already hold a sidewalk cafe license shall be the same as a regular Mall/Concourse Sidewalk Cafe under Sec. 9.135(4). Establishments that hold a current license for a regular Mall/Concourse sidewalk cafe are eligible for a Satellite Cafe license without an additional license fee.
 - e. Eligibility, size, placement and total number of Satellite Cafes within the TOSVOD shall be at the discretion of the Director, subject to the express requirements herein.
 - f. No Alcohol Service. There shall be no service or consumption of alcohol beverages in a satellite sidewalk cafe.
8. Other Mall/Concourse Vending. Because the TOSVOD overlays the Mall/Concourse Vending Area, any vending permissible in the Mall/Concourse Vending Area may occur within the TOSVOD with the appropriate license(s) and in compliance with all ordinances and regulations governing such vending.
- (e) Hours. The hours for vending in the TOSVOD shall be from 9:00 a.m. to 8:00 p.m., Sunday through Friday, and 3:00 pm. to 8:00 p.m. on Saturdays, with the following exceptions:
- 1. Licensed Mall/Concourse Food Vendors with a food vending site within the TOSVOD may vend during hours permitted for that license.
 - 2. On dates and times during which a Street Use Permit has been issued for an event in this area, the Street Use Permit shall supersede the TOSVOD vending activities whether or not invalidation of vending licenses have been granted for the event.
 - 3. Vending in the TOSVOD shall be subject to the Snowfall Procedures for Food, Arts/Crafts and Late Night Vendors in Sec. 9.136(1)(l)6.
- (f) Equipment. Equipment permitted within this area shall be limited to:
- 1. TOSVOD Sites. Equipment permitted to be used in an Arts and Crafts Vending site under Sec. 9.136(1)(f) and the Regulations Governing Vending on the State Street Mall/Capitol

Concourse Vending Area may be used in a TOSVOD site. Vendors using a TOSVOD site for food under Sub. (d)3. herein shall also provide a trash receptacle within their vending site perimeter.

2. Mall/Concourse Food Vending Sites. All equipment permitted for licensed Mall/Concourse Food Vendors may be used in a Mall/Concourse food vending site within the TOSVOD, and all equipment that is required for such vendors shall be used as required elsewhere in this Section, Secs. 9.13, 9.136, or the Mall/Concourse Regulations.
 3. Satellite Sidewalk Cafes. Equipment permitted for a Regular Sidewalk Cafe on the Mall/Concourse under Sec. 9.135(5) and (6) and Sub. (12)(d)7. herein shall be permitted in a Satellite Sidewalk Cafe, subject to adequate space at the discretion of the Director.
 4. Electricity. None of the TOSVOD sites will have electrical access and all vending operations must be self-powered.
- (g) Vending Licenses Required. An annual TOSVOD license, and a Basic Street Vendor license, shall be required to vend from a TOSVOD site. TOSVOD license fees and late payment fees are set forth in Table A. A TOSVOD license will be valid from April 15 to April 14 and must be purchased prior to using the reservation process in Sub. (h)2. Additionally, every person working or performing vending activities at an assigned site in this area must hold a valid Basic Street Vendor license under Sec. 9.13(3). Merchant Vendors defined in Sec. 9.136(1)(h)1.b. holding a valid merchant vending license and vendors holding a valid Mall/Concourse Arts and Crafts vending license under Sec. 9.136(1)(e)1.a. are exempt from paying the TOSVOD license fee in this paragraph and will be issued TOSVOD licenses upon meeting application requirements established by the Director. A separate sidewalk cafe license shall be required for Satellite Sidewalk cafes under Sub. (d)7.d. herein. No person shall vend, as that term is defined in Sec. 9.13(1), in the Top of State Vending Overlay District without the license(s) required hereunder.
- (h) Application, Site Assignment Procedure.
1. Application. Vendors may apply for a Basic Street Vendor license and a TOSVOD license through an application process established by the Office of Business Resources, by the Application Due Date in Table A. The Director shall establish an application process for those holding a current Sidewalk Cafe, Merchant Vending or Arts/Crafts license wishing to vend in the TOSVOD.
 2. Site Assignment Calendar for TOSVOD Sites. Reservations for TOSVOD site assignments will be made on a first-come, first-served basis, at the discretion of the Director. The Director shall exercise discretion to curate an appropriate mix of vendors and goods consistent with the purpose of this area. The Director shall establish a calendar system that allows eligible vendors to view and request certain sites and dates and the Director to assign sites on a month-by-month basis. Holding a TOSVOD license does not guarantee a site assignment on all desired dates and times. Vendors may view the sign-up calendar prior to purchasing a license. Vendors may not sign up for more than six (6) consecutive (excluding Saturdays) days at the same site unless approved in advance by the Director. If applicants remain after all sites are filled, or there are late applications for a monthly assignment cycle, the Director shall create, maintain and administer a waiting list and assign sites to those on the waiting list if any sites become available.
 3. Application for Satellite Cafe. Businesses eligible for a Satellite Cafe shall apply with the Director using the existing Sidewalk Cafe application procedures set forth in Sec. 9.135. If all requirements are met, a separate Satellite Cafe license shall be issued that includes all of the information required for a Sidewalk cafe license in Sec. 9.135(3).

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- (i) Relocation of Vendors. In addition to the authority set forth elsewhere in this Section, the Director and the Chief of Police, or designees, have the authority to temporarily relocate or eliminate vending sites within the Top of State Vending Overlay District Area in the interest of public safety during construction or emergencies or for other reasons expressly provided elsewhere in these ordinances. Nothing in this Section shall be construed to limit the authority of the police to temporarily relocate or eliminate vending equipment, activities or sites in an emergency.
- (13) Food Trucks. Street vending of food and beverages may occur from a truck or trailer meeting all requirements below, with a Basic Street vending license, anywhere in the City other than the specialized vending areas, subject to the following requirements:
- (a) A Food Truck is a motor vehicle or trailer that includes a mobile food preparation area that meets the requirements elsewhere in this Section and Sec. 9.136 for food vending but exceeds the size restrictions for Mall/Concourse Food vending carts and other street vending equipment. To be eligible to vend as a Food Truck, the vehicle shall meet the following size restrictions:
1. A maximum of 8'6" in width, 13'6" in height, and not more than 28 feet in total length, including any attachments for generators or other vending supplies.
 2. If a truck, it must be a single unit such as a step van, box van or light duty box truck, not a semi-trailer or tractor-trailer combination.
 3. If using a trailer, it must be detached from the tow vehicle while open for business.
- (b) The vehicle is currently registered as required by Wis. Stat. ch. 341.
- (c) Food Trucks that comply with all of the requirements of this Section are exempt from restrictions on the size of vending equipment, vending site perimeters and footprints found elsewhere in this Section.
- (d) All necessary, applicable licenses required by state and local health codes for mobile food and drink service have been issued for the food and beverage services occurring from the Food Truck.
- (e) Except for the size exemption in Sub. (c), and except where expressly exempt elsewhere in this Section, Food Trucks shall be subject to Sec. 9.13(4) and all other applicable requirements for Basic street vending in this Section.
- (f) The food preparation area of the truck shall comply with the following sections of the Regulations Governing Vending on the State Street Mall/Capitol Concourse:
- Sec. VI. "Regulation of Vending Site Cleanliness and Safety."
 - Sec. VIII. C. (Electricity) Pars. 6, 7 and 8 only, and 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.
 - Sec. VIII. E. (Fire Extinguishers).
 - Sec. IX. B. (Removal of Carts and Equipment) Par. 3 only.
 - Sec. IX. C. (Restrictions on Food Preparation) Pars. 1 and 2 only.
 - Food Trucks shall provide a trash receptacle of at least ten (10) gallons accessible to their customers while open for business.
 - The service window for customers shall be oriented toward the sidewalk and away from the roadway. No customer interactions shall take place with the customer standing on any portion of the roadway.

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- (g) All applicable motor vehicle and traffic laws, rules of the road, including all applicable local parking ordinances shall be obeyed at all times.
 - (h) All parts of the vehicle shall be maintained in good repair and in a safe and sanitary condition.
 - (i) Power Source and Idling. Power for the vending operations shall be generated from a source that is not the vehicle engine, not a City of Madison electrical source, and the power source shall emit not more than 60 decibels. Sec. 12.1291, Motor Vehicle Idling, shall apply to Food Trucks.
 - (j) Signage. Any signage and accessories affixed to the vehicle shall comply with state law requirements for such motor vehicle. The Food Truck must include a sign prominently displayed that identifies the business name and lists all food and beverages menu items, but no signage shall be erected on the vehicle in such a way that it projects in any direction beyond the body of the vehicle, and no free-standing signs shall be placed in or upon the City or highway right-of-way.
 - (k) Food Trucks holding a Basic license and operating in compliance with the requirements of this Section are eligible for free-standing vending on private property as allowed by Chapter 28, Zoning Code.

(Rpld. and Rec. by ORD-22-00015 , 4-7-22)