

# Free-Standing Vending Requirements

## MGO 28.151

**Free-Standing Vending** - The activity of selling or offering for sale of any foodstuffs by placing a cart or equipment on private property; preparing food, beverage or articles for sale; or in any other manner participating in the vending operation or attempting to publicly sell or offer for sale any foodstuffs from private property.

- (a) In all districts, free-standing vending is prohibited if located on zoning lots that contain residential uses.
- (b) In residential districts, including the DR1 and DR2 districts, free-standing vending requires conditional use approval.
- (c) In non-residential districts, free-standing vending is a permitted use if it located more than 200 feet from the property line of a lot with a residential use and is a conditional use if located 200 feet or less from the property line of a lot with a residential use.
- (d) Hours of operations shall be between the hours of 7:30 a.m. and 11:30 p.m., including set up and take down. No part of the operator's free-standing vending equipment or operation may remain on the property outside the hours of operation.
- (e) No free-standing vending operation may be located within twenty-five (25) feet of a restaurant or restaurant-tavern, unless the food and beverage business is located on the same property as the proposed vending and the business has approved the vending.
- (f) Operators of free-standing vending operations shall provide the Zoning Administrator with a letter of permission from the owner of the property giving permission to conduct free-standing vending operations on the property.
- (g) Operators of free-standing vending operations must obtain an approved site plan from the City showing the location of the vending operation on the property in relation to existing parking lots, streets, driveways, and public rights of way.
- (h) Operators of free-standing vending operations shall obtain and maintain all applicable food and/or beverage licenses for their operation as determined to be required by Public Health-Madison and Dane County.
- (i) Any person vending pursuant to this ordinance either as an operator or employee of the operator shall maintain license(s) as required by M.G.O. Sec. 9.13(1) and (3)(j). When vending on private property pursuant to this ordinance, operators of free-standing vending operations shall follow the requirements in M.G.O. Sec. 9.13(4)(a), (b), (j), (p), (s), and (v).