



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final Safety and Licensing Committee

Wednesday, March 27, 2024

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Pledge of Allegiance
3. Roll call of membership
4. Approval of minutes from previous meeting
[24-0322](#) Safety & Licensing Committee Minutes from 03/20/2024.

Attachments: [S&L Minutes 03-20-24.pdf](#)
5. **Public Hearing/Appearances**

[24-0343](#) Demerit Point Violation Appearance - Pillow Talk-N-Wine

Attachments: [Demerit Point Notification Letter -PillowTalk2024.pdf](#)
6. **Action Items**

[24-0314](#) Recommended Denial of an Operator License for Isaiah Nettles.

Attachments: [Isaiah Nettles Operator License Application.pdf](#)
[Isaiah Nettles PD Letter.pdf](#)
[Isaiah Nettles Clerk Letter.pdf](#)

[24-0327](#) Recommended Denial of an Operator License for Miguel Hulke.

Attachments: [Miguel Hulke Operator License Application.pdf](#)
[Miguel Hulke PD Letter.pdf](#)
[Miguel Hulke Clerk Letter.pdf](#)

[24-0320](#) Municipal Code Revision Re: Open Flame Effect Display

Attachments: [2024_OFED-Chapter_6_Memo.pdf](#)
[Chapter_6_Fire_OFED_Revisions.pdf](#)
[AFD_Fee_Schedule.pdf](#)

[24-0342](#) Class "A" Beer License Change of Agent application for Kwik Trip Inc. d/b/a Tobacco Outlet Plus Grocery 556, New Agent, Jennifer J. Ross, located at 1342 W. Prospect Avenue

Attachments: [Tobacco Outlet Plus Grocery 556 Change of Agent.pdf](#)

7. Information Items

[24-0321](#) Police Department Annual Report

Attachments: [PD Annual Report.pdf](#)

[24-0328](#) Special Events:
- Appleton Downtown Inc, Mini Golf on the Town, Participating Downtown Businesses, April 13th 2024

[24-0323](#) Directors Report
1. City Clerk
 - Spring Election Reminders
2. Police Chief
3. Fire Chief

8. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

100 North Appleton Street
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www.appleton.org

Meeting Minutes - Final Safety and Licensing Committee

Wednesday, March 20, 2024

6:45 PM

Council Chambers, 6th Floor

Special Meeting

1. Call meeting to order

This meeting was called to order by Chair Croatt at 6:45 p.m.

2. Pledge of Allegiance

3. Roll call of membership

Present: 5 - Croatt, Schultz, Siebers, Van Zeeland and Wolff

4. Approval of minutes from previous meeting

[24-0230](#)

Safety & Licensing Committee Minutes from 02/28/2024.

Attachments: [S&L Minutes 02-28-24.pdf](#)

Siebers moved, seconded by Van Zeeland, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 5 - Croatt, Schultz, Siebers, Van Zeeland and Wolff

5. **Public Hearing/Appearances**

6. **Action Items**

[24-0319](#)

Municipal Code Revisions Re: Alarm Fees

Attachments: [Revised Alarm Fees Memo.pdf](#)
[Revised Alarm Fees Municipal Code.pdf](#)

Siebers moved, seconded by Schultz, that the Municipal Code Revisions be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Croatt, Schultz, Siebers, Van Zeeland and Wolff

Balance of the action items on the agenda.

Schultz moved, Van Zeeland seconded, to approve the balance of the agenda.
The motion carried by the following vote:

Aye: 5 - Croatt, Schultz, Siebers, Van Zeeland and Wolff

[24-0227](#)

Class "A" Beer/"Class A" Liquor License application for Thapa Petroleum LLC, d/b/a Appleton Clark, Ganesh Thapa, Agent, located at 1200 W Wisconsin Avenue, contingent upon approval from the Health and Fire Departments.

Attachments: [Thapa Petroleum LLC Redacted.pdf](#)

This Report Action Item was recommended for approval.

[24-0233](#)

Class "B" Beer/"Class B" Liquor License application for Sonys Bistro LLC d/b/a Meade Street Bistro, Synona Meyer, Agent, located at 2729 N. Meade Street, contingent upon approval from the Health, Public Works, and Police Departments.

Attachments: [Meade Street Bistro Application Redacted.pdf](#)

This Report Action Item was recommended for approval.

[24-0304](#)

Class "A" Beer & "Class A" Liquor License Change of Agent application for Aldi Inc Wisconsin d/b/a Aldi #86, New Agent, Chris Ryan Subert, located at 2702 N. Richmond Street

Attachments: [Aldi #86 Change of Agent.pdf](#)

This Report Action Item was recommended for approval.

[24-0305](#)

Class "A" Beer & "Class A" Liquor License Change of Agent application for Aldi Inc Wisconsin d/b/a Aldi #68, New Agent, Brittney Ann Wagner, located at 116 N Linwood Avenue

Attachments: [Aldi #68 Change of Agent.pdf](#)

This Report Action Item was recommended for approval.

[24-0311](#)

Class "B" Beer and "Class B" Liquor Premise Amendment application for Antojitos Mexicanos LLC d/b/a Antojitos Mexicanos, Fernando Almanza, Agent, located at 204 E College Ave, contingent upon approval from the Finance Department.

Attachments: [Antojitos Mexicanos LLC - Premise Amendment.pdf](#)

This Report Action Item was recommended for approval.

[24-0300](#)

Class "B" Beer Premise Amendment application for Appleton Axe LLC d/b/a Appleton Axe, Patrick Van Abel, Agent, located at 1400 W College Ave, contingent upon approval from the Community Development, Fire, Health and Inspections Departments.

Attachments: [Appleton Axe LLC - Premise Amendment.pdf](#)

This Report Action Item was recommended for approval.

[24-0247](#)

Cigarette, Tobacco, and Electronic Vaping Device Retail License application for Thapa Petroleum LLC d/b/a Appleton Clark, Ganesh Thapa, Agent, located at 1200 W Wisconsin Ave.

Attachments: [Thapa Petroleum LLC - CTV.pdf](#)

This Report Action Item was recommended for approval.

[24-0248](#)

Tobacco, and Electronic Vaping Device Retail License application for Top Dogz Vape Shop LLC d/b/a Top Dogz, Jennifer Peters, Agent, located at 1347 W Wisconsin Ave.

Attachments: [Top Dogz Vape Shop LLC - CTV.pdf](#)

This Report Action Item was recommended for approval.

[24-0266](#)

Cigarette, Tobacco, and Electronic Vaping Device Retail License application for Indianhead Oil Co LLC d/b/a Circle K #2746526, Brad Larson, Agent, located at 1935 E Calumet St.

Attachments: [Indianhead Oil Co. LLC - CTV.pdf](#)

This Report Action Item was recommended for approval.

[24-0288](#)

Electronic Vaping Device Retail License application for Good Nature EVAPOR LLC, Benjamin Grothe, Agent, located at 420 E. Northland Ave, Ste E.

Attachments: [Good Nature EVAPOR LLC - CTV.pdf](#)

This Report Action Item was recommended for approval.

7. Information Items

[24-0228](#)

Special Events:
- Appleton Charity Events, St Patty's Pub Crawl, Participating Downtown Appleton Businesses, March 16th 2024

[24-0229](#)

Directors Reports
1. City Clerk
2. Fire Chief
3. Police Chief

8. Adjournment

Van Zeeland moved, seconded by Siebers, that the meeting be adjourned at 6:47 p.m. Roll Call. Motion carried by the following vote:

Aye: 5 - Croatt, Schultz, Siebers, Van Zeeland and Wolff



LEGAL & ADMINISTRATIVE
SERVICES DEPARTMENT

Office of the City Clerk

Kami Lynch, Clerk

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

March 15, 2024

Pillow Talk-N-Wine
2310 W College Avenue Unit C
Appleton, WI 54911

Attention: Lisa Pitts

Dear Alcohol License Holder,

The purpose of this letter is to inform you of the status of the demerit points against your alcohol license for the premises known as Pillow Talk-N-Wine, located at 2310 W College Avenue Unit C, in the City of Appleton. Furthermore, you are hereby required to attend the Safety and Licensing Committee on Wednesday, March 27th at 5:30 p.m. to inform the Committee about your efforts to rectify the issues that caused the imposition of any demerit points.

Your establishment recently had a violation for being Open After Hours/Failure to Vacate on November 12, 2023 which resulted in convictions on February 28, 2024. This violation carries an assessment of 50 demerit points. At this time, the license for this establishment has a total of 50 demerit points assessed against it within the last 24 months.

Please be advised that if any establishment holding an alcohol license accumulates 150-199 demerit points within a 24-month period, the license is subject to suspension for not less than 10 days nor more than 90 days. If any alcohol licensee accumulates 200 or more demerit points within a 36-month period, the license is subject to revocation. A copy of the ordinance was provided to you at the time you received your license.

The City of Appleton Police Department offers free training to help ensure your establishment is operating in a manner that is safe and legal. If you are interested in taking advantage of this free training, please contact Lt. Benjamin Goodin at the Appleton Police Department.

If you have any questions related to this matter, please contact me at 920-832-6443.

Respectfully,

Kami Lynch, City Clerk

Application for Operator's/Bartender's License

CASH OR CHECK ONLY!



New Applicant

Renewal License #: _____

FEES ARE NON-REFUNDABLE

- Operator License - \$67.00
- Operator License plus a provisional - \$82.00

Date Received: FEB 15 2024

Receipt #: 6325-02

Note: Please allow approximately 3 weeks for application processing.

SECTION 1 - APPLICANT INFORMATION

Legal Name (First name, MI, Last name) <u>Isaiah T Nettles</u>		Maiden or Previous	
Street Address <u>1756 North Gillett Street</u>		City <u>Appleton</u>	State <u>WI</u>
Zip <u>54912</u>		Driver's License Number/State Identification Number	
State License Issued In: <u>WI</u>		Date of Birth:	Gender: <u>M</u>
Phone #:		Email Address:	

Name and Address of Establishment you will be selling alcohol:
Glauz Nickel Pizza 2120 W. College Ave

SECTION 2 - NEW APPLICANT ONLY: You are required to list each and every violation and/or offense for which you have been convicted in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES NO
If Yes; which Municipality and what year? _____

Have you EVER been convicted of a felony? YES NO
If Yes; when, where and what type of violation? (Please be specific) WI Manufacture/Delivery Methamphetamine, possession of Methamphetamine, 3rd degree Sexual Assault

Have you EVER been convicted of a misdemeanor or ordinance violation? YES NO
If Yes; when, where and what type of violation? (Example: speeding, OWI) WI Battery, disorderly conduct, tailgating, possession of THC, possession of drug paraphernalia

SECTION 3 - RENEWAL APPLICANT ONLY: List any pending charges, citations, tickets, and all convictions since last license application in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES NO
If Yes; where? _____

Have you been convicted of a felony since last license application? YES NO
If Yes; when, where and what type of violation? (Please be specific) _____

Have you been convicted of a misdemeanor or ordinance violation since last license application? YES NO
If Yes; when, where and what type of violation? (Example: speeding, OWI) _____

SECTION 4 - NEW APPLICANT ONLY

Must provide proof of completion of a Responsible Beverage Server Course.

SECTION 5 - PENALTY NOTICE

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.
Signature: Isaiah Nettles

FOR OFFICE USE ONLY

Current License in Other Municipality?	Class Completion Date: <u>2, 14, 24</u>	Date Sent to Appleton Police Department: <u>FEB 15 2024</u>
Date Approved: _____	Issue Date: _____	Expiration Date: _____
License Number: _____		



LEARN 2 SERVE™

CERTIFICATE OF COMPLETION

This certifies that

Isaiah Nettles

is awarded this certificate for

Wisconsin Responsible Beverage Server Training




Completion Date
02/14/2024



Expiration Date
02/13/2026



Certificate #
WI-00621864


Official Signature

This certificate is non-transferable and represents the successful completion of an approved

Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats.

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | www.360training.com



"...meeting community needs...enhancing quality of life."

TO: Safety and Licensing Committee
Common Council

FROM: Lt. Ben Goodin

DATE: 2/20/2024

RE: Police Department's Recommendation for Denial of Isaiah Nettles's Bartender License Application

Committee Members:

The police department is requesting that the Safety and Licensing Committee recommend to the Common Council to deny Isaiah Nettles's application for a Bartender license.

Pursuant to Wis. Stat. §111.335(2)(b) and (3)(a), it is not employment discrimination for a licensing agency to deny an applicant based on an arrest or conviction record where the circumstances of the conviction substantially relate to the circumstances of the particular licensed activity.

Pursuant to Wis. Stat. §125.04(5)(a)1., no license or permit related to alcohol beverages may be issued to an individual with an arrest or conviction record where the circumstances of the record(s) substantially relate to the circumstances of the particular licensed activity.

Pursuant to Wis. Stat. §125.04(5)(b), no license or permit related to alcohol beverages may be issued to a "habitual law offender" where the circumstances of the habitual law offenses substantially relate to the circumstances of the particular licensed activity.

Also pursuant to Wis. Stat. §111.335(4)(c), if the licensing agency refuses to license an individual based upon arrest or conviction record, the applicant is allowed an opportunity to show "evidence of rehabilitation and fitness to engage in the licensed activity," *unless the conviction(s) are for "exempt offenses."* Wis. Stat. §111.335(4)(d) provides the following options that the applicant may produce to conclusively demonstrate their rehabilitation and fitness from a given conviction:

A copy of the local, state, or federal release document; and either

(1) a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or

(2) other evidence that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime along with

evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

Additionally, the licensing agency must consider any of the following evidence if presented by the individual:

- (1) Evidence of the nature and seriousness of any offense of which he or she was convicted.
- (2) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (3) The age of the individual at the time the offense was committed.
- (4) The length of time that has elapsed since the offense was committed.
- (5) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (6) All other relevant evidence of rehabilitation and present fitness presented.

STATEMENT ON SUBSTANTIAL RELATIONSHIP

Because Mr. Nettles was convicted of 3rd Degree Sexual Assault, a criminal felony offense, in Outagamie County case # 2020CF000878 and Battery, a criminal misdemeanor offense, in Outagamie County case number 2011CF000184, and because these convictions are "exempt offenses" under Wis. Stat. §111.335(1m)(b), there is no requirement for the licensing agency to state the substantial relationship between the circumstances of the offense(s) and the licensed activity in writing, or to allow the individual an opportunity to show rehabilitation and fitness to engage in the licensed activity. Based upon these records alone, Mr. Nettles does not meet the statutory eligibility criteria to be granted an operator/bartender license.

As part of any denial of licensing, the police department must determine if crimes are substantially related to selling alcoholic beverages. Aside from the exempt offenses listed above, Mr. Nettles was also convicted of:

Possession of Methamphetamine [Modifiers: Repeater] in Outagamie County case # 2021CF000270. This is a criminal, felony offense.

Two counts of Manufacture/Deliver Amphetamine (<=3g) in Outagamie County case # 2017CF000822. This is a criminal, felony offense.

Possession of Methamphetamine in Winnebago County case # 2017CF000070. This is a criminal, felony offense.

Possess Drug Paraphernalia [Modifiers: Repeater] in Brown County case # 2016CM001626. This is a criminal, misdemeanor offense.

Resisting or Obstructing an Officer [Modifiers: Repeater] in Outagamie case # 2012CM001250. This is a criminal, misdemeanor offense.

Possession of THC and Drug Paraphernalia in Outagamie County case # 2011CM000177. This

is a criminal, misdemeanor offense.

Possess Drug Paraphernalia in Outagamie County case # 2010CM001353. This is a criminal, misdemeanor offense.

These convictions are substantially related to the sale of alcoholic beverages. His drug usage history has escalated from Misdemeanor Possession of Paraphernalia to THC Possession, Methamphetamine Possession, two counts of Dealing Methamphetamine, followed by another Methamphetamine Possession. The associated conviction history qualifies him as a habitual law offender.

The service of alcohol includes coming into contact with individuals in a very vulnerable state. A licensed operator bartender will likely find themselves in the position of needing to determine when someone is too intoxicated to be served more alcohol. While the convictions noted above do not involve the use of alcohol, they involve the unlawful use and distribution of other intoxicating substances. These offenses relate to one's ability and willingness to follow rules related to distribution of intoxicated substances, and the judgement and desire to do so in only a safe manner. Safe and lawful sale / distribution of an intoxicating substance is primary demand of those licensed for alcohol sales; nothing could be more substantially related. Based upon the above record and reasoning disqualifying Mr. Nettles from license eligibility, it is recommended that his application be denied.

Very Respectfully:

Lt. Ben Goodin
Appleton Police Department



LEGAL SERVICES DEPARTMENT

Office of the City Clerk

Kami Lynch, Clerk

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

Fax: 920/832-5823

February 26th, 2024

CERTIFIED MAIL

Isaiah Nettles
1736 N Gillett St
Appleton, WI 54912

This letter is to notify you that we are in receipt of your application for an Operator's License. Upon review of your application, the Police Department has recommended that your application for an Operator's License be denied due to your history of civil and/or criminal convictions.

You have the right to appear before the Safety and Licensing Committee to contest this recommendation. To do so, **please contact the City Clerk's Office within 30 days** of receipt of this letter in order to be placed on the Agenda of the Safety and Licensing Committee. Failure to contact the City Clerk's Office within 30 days will result in your license being denied.

Regular meetings of the Safety and Licensing Committee take place on the second and fourth Wednesday of each month at 5:30 p.m. in the Council Chambers, 6th floor of City Hall, 100 N Appleton St., Appleton, Wisconsin.

Again, should you choose not to appeal this recommendation, your application will be considered denied and an Operator's License will not be issued.

If you have specific questions relating to this matter, please contact Lt. Ben Goodin APD, at 920-832-5500.

Sincerely,

Kami Lynch
City Clerk

Application for Operator's/Bartender's License

CASH OR CHECK ONLY!



New Applicant
 Renewal License #: _____

FEES ARE NON-REFUNDABLE

- Operator License - \$72.00
- Operator License plus a provisional - \$87.00

Date Received: 2/12/24

Receipt #: 6304-01

Note: Please allow approximately 3 weeks for application processing.

SECTION 1 - APPLICANT INFORMATION

Legal Name (First name, MI, Last name) <u>Miguel E. Hulke</u>			Maiden or Previous	
Street Address <u>525 1/2 W. College Ave Apt 2</u>		City <u>Appleton</u>	State <u>WI</u>	Zip <u>54911</u>
Driver's License Number/State/Identification Number			Driver's License State <u>WI</u>	
Date of Birth	Gender <u>M</u>	Phone # (Required)	Email Address:	

Name and Address of Establishment you will be selling alcohol - *(verify establishment is within City of Appleton limits)*
Sangrias Mexican Restaurant, 215 S. Memorial Dr. Appleton

SECTION 2 - NEW APPLICANT ONLY: You are required to list each and every violation and/or offense for which you have been convicted in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES NO
 If Yes; which Municipality and what year? _____

Have you EVER been convicted of a felony? YES NO
 If Yes; when, where and what type of violation? (Please be specific) 06 2019 DWI

Have you EVER been convicted of a misdemeanor or ordinance violation? YES NO
 If Yes; when, where and what type of violation? (Example: speeding, OWI) _____

SECTION 3 - RENEWAL APPLICANT ONLY: List any pending charges, citations, tickets, and all convictions since last license application in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES NO
 If Yes; where? _____

Have you been convicted of a felony since last license application? YES NO
 If Yes; when, where and what type of violation? (Please be specific) _____

Have you been convicted of a misdemeanor or ordinance violation since last license application? YES NO
 If Yes; when, where and what type of violation? (Example: speeding, OWI) _____

SECTION 4 - NEW APPLICANT ONLY

Must provide proof of completion of a Responsible Beverage Server Course.

SECTION 5- PENALTY NOTICE

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.
 Signature: [Signature] Date: 02/12/24

FOR OFFICE USE ONLY

Current License in Other Municipality?	Class Completion Date: <u>2/10/24</u>	Date Sent to Appleton Police Department: <u>FEB/12/2024</u>	
Date Approved:	Issue Date:	Expiration Date:	License Number:



"...meeting community needs...enhancing quality of life."

TO: Safety and Licensing Committee
Common Council

FROM: Lt. Ben Goodin

DATE: 2/20/2024

RE: Police Department's Recommendation for Denial of Miguel Hulke's Bartender License Application

Committee Members:

The police department is requesting that the Safety and Licensing Committee recommend to the Common Council to deny Miguel Hulke's application for a bartender license based upon his criminal and / or arrest record, his unpardoned felony conviction(s), and his status as a "habitual law offender."

Pursuant to Wis. Stat. §111.335(2)(b) and (3)(a), it is not employment discrimination for a licensing agency to deny an applicant based on an arrest or conviction record where the circumstances of the conviction substantially relate to the circumstances of the particular licensed activity.

Pursuant to Wis. Stat. §125.04(5)(a)1., no license or permit related to alcohol beverages may be issued to an individual with an arrest or conviction record where the circumstances of the record(s) substantially relate to the circumstances of the particular licensed activity.

Pursuant to Wis. Stat. §125.04(5)(b), no license or permit related to alcohol beverages may be issued to a "habitual law offender" where the circumstances of the habitual law offenses substantially relate to the circumstances of the particular licensed activity.

Also pursuant to Wis. Stat. §111.335(4)(c), if the licensing agency refuses to license an individual based upon arrest or conviction record, the applicant is allowed an opportunity to show "evidence of rehabilitation and fitness to engage in the licensed activity," *unless the conviction(s) are for "exempt offenses."* Wis. Stat. §111.335(4)(d) provides the following options that the applicant may produce to conclusively demonstrate their rehabilitation and fitness from a given conviction:

- A copy of the local, state, or federal release document; and either
- (1) a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or

(2) other evidence that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

Additionally, the licensing agency must consider any of the following evidence if presented by the individual:

- (1) Evidence of the nature and seriousness of any offense of which he or she was convicted.
- (2) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (3) The age of the individual at the time the offense was committed.
- (4) The length of time that has elapsed since the offense was committed.
- (5) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (6) All other relevant evidence of rehabilitation and present fitness presented.

STATEMENT ON SUBSTANTIAL RELATIONSHIP

As part of any denial of licensing, the police department must determine if crimes are substantially related to the sale of alcohol. Mr. Hulke has been convicted of the following:

Operating While Intoxicated (5th or 6th) in Outagamie County case # 2019CF000451. This is a felony offense.

Operating While Intoxicated (4th within 5 years) in Outagamie County case # 2013CF000502. This is a felony offense.

Operating While Intoxicated (3rd) in Winnebago County case # 2011CT000865. This is a misdemeanor, criminal offense.

Operating While Intoxicated (2nd) in Outagamie County case # 2011CT000236. This is a misdemeanor, criminal offense.

Operating While Intoxicated in Outagamie County case # 2009TR004031. This is a non-criminal, civil offense.

The convictions for Operating While Intoxicated are substantially related to the sale of alcohol for several reasons. Mr. Hulke has shown a pattern of poor decision-making by getting arrested for Operating While Intoxicated four times in a five-year span; then a fifth time six years later. The convictions for OWI 4th and OWI 5th are felonies. Drunk driving is a serious offense and a major problem not only in Wisconsin but across the entire country. Mr. Hulke has not shown the ability to make sound decisions by understanding when he has had too much to drink and is unsafe to operate a motor vehicle. A person serving alcohol to members of the public must be aware of when a patron has had enough to drink and should not be served any longer.

As a person who wants to be responsible to serve alcohol, Mr. Hulke has not shown the ability to make good decisions related to his own sobriety. The service of alcohol includes coming into contact with individuals in a very vulnerable state, people for whom a bartender may be called upon to refuse service due to their level of intoxication. The circumstances of Mr. Hulke's criminal and felony convictions substantially relate to the ability and willingness to meet this legal obligation associated with the licensed service of alcohol.

Based upon the information provided, at this time Mr. Hulke does not meet statutory eligibility requirements to be granted an Operator/Bartender license. It is therefore recommended that his application be denied.

Very Respectfully:

Lt. Ben Goodin
Appleton Police Department



LEGAL SERVICES DEPARTMENT

Office of the City Clerk

Kami Lynch, Clerk

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

Fax: 920/832-5823

February 26th, 2024

CERTIFIED MAIL

Miguel Hulke
525 ½ W College Ave Apt 2
Appleton, WI 54911

This letter is to notify you that we are in receipt of your application for an Operator's License. Upon review of your application, the Police Department has recommended that your application for an Operator's License be denied due to your history of civil and/or criminal convictions.

You have the right to appear before the Safety and Licensing Committee to contest this recommendation. To do so, **please contact the City Clerk's Office within 30 days** of receipt of this letter in order to be placed on the Agenda of the Safety and Licensing Committee. Failure to contact the City Clerk's Office within 30 days will result in your license being denied.

Regular meetings of the Safety and Licensing Committee take place on the second and fourth Wednesday of each month at 5:30 p.m. in the Council Chambers, 6th floor of City Hall, 100 N Appleton St., Appleton, Wisconsin.

Again, should you choose not to appeal this recommendation, your application will be considered denied and an Operator's License will not be issued.

If you have specific questions relating to this matter, please contact Lt. Ben Goodin APD, at 920-832-5500.

Sincerely,

Kami Lynch
City Clerk



CITY OF APPLETON

MEMORANDUM

Date: March 19, 2024
To: Safety & Licensing Committee
From: Jeremy Hansen, Fire Chief
Subject: Appleton Municipal Code, Chapter 6 Revision

A change is needed to the fee structure and section 6-43 (b) (12) of the Appleton Municipal Code. Section 6-43 (b) (12) covers fireworks and pyrotechnic displays. The needed change is to add 'open flame effects' to this section. This change recognizes the differences between full fireworks/pyrotechnics displays and an open flame effect display. With this modification, a recommended fee of \$400 is proposed for the permit.

For open flame effect displays, the review process is very similar to that of pyrotechnics or fireworks displays. The review includes a detailed plan for the show, including performer information, fuel types, fire watch, fire resistance of costumes, and a detailed layout. The performer is also required to provide certificates of insurance. As each display is different, each must undergo the same level of scrutiny to ensure a safe show is provided. These reviews typically take four hours to complete and require access to NFPA codes for reference. The major difference between a firework/pyrotechnic display and an open flame effect display is that the fire department does not provide staff for an open flame effect display. For firework/pyrotechnic displays, the fire department provides inspectors from setup through the firing of the show, whereas for open flame effect displays, the onus falls to the operator to provide the fire watch.

FIRE PREVENTION AND PROTECTION

Chapter 6

Fire Prevention and Protection

ARTICLE I. IN GENERAL

Intent of chapter6-1
Fire equipment6-2
Enforcement by Fire Chief.....6-3
Police assistance.....6-4
Right of entry6-5
Removal of fire hazards6-6
Vacation of buildings6-7
Investigation of fires6-8
Inspections generally.....6-9
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Editor’s Note: Chapter 6, Fire Prevention and Protection, was repealed and recreated by Ord 23-09, adopted by the Common Council on January 7, 2009 and becoming effective January 13, 2009.

Editor’s Note: Chapter 6, Fire Prevention and Protection, was repealed and recreated by Ord 25-18, adopted by the Common Council on February 21, 2018 and becoming effective February 27, 2018.

State law reference(s)--Fires and fire protection, W.S.A. §§101.09, 101.14 et seq.

FIRE PREVENTION AND PROTECTION

ARTICLE I. IN GENERAL

Sec. 6-1. Intent of chapter.

It is the intent of this chapter to prescribe regulations consistent with the nationally recognized standard practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, from conditions hazardous to life and property in the use or occupancy of buildings or premises, and the adequacy of exit systems. (Code 1965, §19.01; Ord 1-91, §1(19.01), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-2. Fire equipment.

(a) No person shall molest, tamper with, damage or otherwise disturb any apparatus, equipment or appurtenance belonging to or under the supervision and control of the Fire Department without authority from the Chief or his/her authorized representative.

(b) No person shall remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of this code, except for the purpose of extinguishing fires, training purposes, recharging or making necessary repairs or when permitted by the Fire Department. Whenever a fire appliance is removed as permitted herein, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. No person shall use or operate any hydrant or other valves installed on any water system intended for use by the Fire Chief for fire suppression purpose, and which is accessible to any public highway, alley or private way open to or generally used by the public, unless such person first secures permission from the Fire Department. This section does not apply to the use of a hydrant or other valves by a person employed by and authorized to make such use by the Water Department which supplies water to such hydrants or other valves.

(c) No person shall place or keep any post, fence, vehicle, growth, trash, storage or other material near any fire hydrant, Fire Department connection or fire protection system control valve that would prevent such equipment or hydrant from being immediately discernible or in any other manner deter or hinder the Fire Department from gaining immediate access to the equipment or hydrant. A minimum three- (3-) foot clear space shall be maintained around the circumference of the fire hydrants except as otherwise required or approved by the Fire Chief.

(d) Where on-site fire hydrants are required on private property, the City shall annually inspect, flush

and, if necessary, paint said hydrants for the fee per hydrant on file with the City Clerk's Office. The owner shall be notified of any repairs or maintenance necessary, and it shall be the owner's responsibility to see that any repair or maintenance is performed in accordance with the National Fire Protection Association Standard 25, the City Water Utility's standard operating procedures and the American Water Works Standards for fire hydrant maintenance. The property owner or agent must call between April 1 and October 1 of each year to schedule the annual flush and inspection.

(e) The property owner or agent shall keep and maintain records indicating when the hydrants are flushed, painted and maintained. These records shall be made available to the City upon request.

(Code 1965, §19.14; Ord 1-91, §1(19-14), 1-9-91; Ord 59-91, §1, 6-20-91, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 34-11, §1, 2-8-11, Ord 25-18, §1, 2-27-18)

Sec. 6-3. Enforcement by Fire Chief.

The Fire Chief shall be responsible for fire protection. This chapter shall be enforced by the Fire Chief, designated by the City and the State as the "authority having jurisdiction", in all matters concerning this chapter and related fire prevention activities. The Fire Chief may appoint a Fire Marshal or other designee who will act on the Chief's behalf in matters concerning fire prevention. (Code 1965, §19.03(1); Ord 1-91, §1(19.03), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-4. Police assistance.

Whenever requested to do so by the Fire Chief or his/her designee, the Chief of Police shall assign such available police officers as in his/her discretion may be necessary to assist the Fire Department in enforcing the provisions of this chapter.

(Code 1965, §19.03(5); Ord 1-91, § 1(19.03(5)), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-5. Right of entry.

(a) For purposes of this section, the authorized representative shall include all members of the Fire Prevention Program and all officers of the Fire Department.

(b) Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the Fire Chief or his/her authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises unsafe, the Fire Chief or his/her authorized representative may enter such building or premises at all reasonable times to inspect the building or premises or to perform any duty imposed upon the Fire

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Chief by this chapter.

(c) If such building or premises is occupied, the Fire Chief or authorized representative shall first present proper credentials and demand entry. If such building or premises is unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Fire Chief or his/her authorized representative, shall have recourse to every remedy provided by law to secure entry.

(d) If the owner or occupant denies entry, the Fire Chief or his/her authorized representative shall obtain a proper inspection warrant or other remedy provided by law to secure entry. No owner or occupant or any other persons having charge, care or control of any building or premises, shall fail or neglect, after proper request is made as provided herein, to promptly permit entry therein by the Fire Chief or his/her authorized representative for the purpose of inspection and examination pursuant to this chapter.
(Code 1965, §19.03(5); Ord 1-91, §1(19.03(5)), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-6. Removal of fire hazards.

(a) Whenever an inspection by the Fire Chief reveals a fire hazard, the Fire Chief may provide a notice, in writing, upon the owner or occupant of the property giving the owner or occupant sufficient time in which to remove the hazard. If the fire hazard is not removed within the time prescribed, it shall be deemed a nuisance and the Fire Chief shall have the hazard removed by the City and the cost of removal reported to the Director of Finance and spread on the tax roll as a special charge against the property, as prescribed in §12-32 et seq.

(b) Within ninety (90) days after the removal of any flammable/combustible liquids tank, all barreled sludge or liquids must be removed from the property.
(Code 1965, §19.03(2); Ord 1-91, §1(19.03(2)), 1-9-91; Ord 4-93, §1, 1-6-93; Ord 6-95, §1, 2-1-95; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-7. Vacation of buildings.

(a) The Fire Chief is hereby empowered to close any building or structure, and order it vacated wherein violations of any regulations of this chapter are found and not abated within a reasonable time stipulated by him.

(b) Where the public is exposed to immediate danger, the Fire Chief is hereby empowered and directed to order the immediate closing and vacating of the building or structure.
(Code 1965, §19.03(4); Ord 1-91, §1(19.03(4)), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Cross reference(s)--Unsafe buildings, §4-181 et seq.

Sec. 6-8. Investigation of fires.

The Fire Department shall promptly investigate the origin, cause, and circumstances of all fires occurring in the jurisdiction of the City. If it appears that the cause of the fire may be the result of a criminal act, the Fire Department shall inform the Police Department and seek their assistance in determining the origin and cause of the fire.
(Code 1965, §19.03(6); Ord 1-91, §1(19.03(6)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-9. Inspections generally.

The Fire Chief or his/her designee shall provide for the inspection of every public building and place of employment in accordance with W.S.A. §101.14 and shall comply with the provisions thereof. The Fire Chief shall, on a time schedule to be determined by the Common Council, report information regarding these inspections. Violations identified during inspections shall be recorded and kept on file in accordance with W.S.A. §101.14. Owners or occupants who do not show for a scheduled inspection appointment may be charged a fee. Repeated inspections or re-inspections resulting from continued non-compliance may subject an occupancy or property to a re-inspection fee and/or remedies as outlined in §6-75 "Repeat violation rule".
(Code 1965, §19.03(3); Ord 1-91, §1(19.03(3)), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-10. Fire inspection required before occupancy.

No person shall occupy or change the occupancy of a building or structure covered under Wisconsin Administrative Code, SPS Chapters 350-365 the Wisconsin Commercial Building Code, or the locally adopted International Fire Code used by or for public assembly, industrial, institutional, multifamily, office, or mercantile purposes until such building or structure has been inspected by the Fire Department.
(Ord 25-18, §1, 2-27-18)

Sec. 6-11. Burning trash, rubbish, garbage, yard waste, etc.

(a) No person shall build, maintain or allow to be operated or maintained on a premises controlled by him/her, any waste burner, refuse burner, trash burner or other similar appliance unless such device is permitted with the approval of the Inspections Supervisor and the Fire Chief, or his/her designee.

(b) No person shall operate an outside incinerator, burn garbage, or leaves within the City.
(Code 1965, §19.04; Ord 1-91, §1(19.04), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-12, §1, 3-7-12, Ord 25-18, §1, 2-

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Sec. 6-12. Open outdoor fires, outdoor fireplaces, cooking fires and barbecue grills, kettles and outdoor hibachis.

(a) No open outdoor fires, including fires confined within outdoor fireplaces and outdoor cooking fires, with the exception of fires fueled by natural gas, propane or charcoal in commercially manufactured appliances or a non-commercially manufactured appliance approved by the Fire Chief or his/her designee, shall be started by any person unless a permit is first obtained from the Fire Department. No permit shall be granted for open burning for multifamily occupancies without separate private yards for each tenant, nor without the property owner's permission, in a public right-of-way, alley or other public thoroughfare.

- (1) Daily permits are available for bonfires, brush burns, wildland management burns, outdoor fireplaces and cooking fires.
- (2) Annual permits are available for recreational fires in outdoor fireplace appliances. (January 1 through December 31).
- (3) Annual and single day permits are valid 6:00 a.m. to 10:00 p.m. Sunday through Thursday, 6:00 a.m. to 12:00 a.m. Friday, Saturday, and any day/evening preceding a federal holiday.
- (4) No permit will be issued for any fire within ten (10) feet of any building, structure, fence, combustible material or property line.
- (5) Only those fuels and appliances approved by the Fire Chief or his/her designee shall be used.
- (6) Burning is to be attended at all times by a person at least eighteen (18) years of age, with an approved means of extinguishing the fire available for use at the location of the fire.

(b) Barbecue grills, kettles, outdoor hibachis.

- (1) Charcoal burners and other open-flame devices shall not be operated on combustible balconies or within ten (10) feet of combustible construction in all dwellings. Exceptions:
 - a. One and Two family dwellings.
 - b. Permanently piped natural gas fired

barbecue grills, where dwellings, balconies, and decks are protected by automatic sprinkler system.

- (2) Cylinders having water capacities greater than 2½ lb. (1 kg) [nominal 1 lb. (0.5 kg) LP-Gas capacity] shall not be located on balconies above the first floor that are attached to a multiple family dwelling of three (3) or more living units.

(c) No person shall install, use or maintain a woodfire furnace, stove or boiler that is not located within a building intended for habitation by humans within the City limits. This prohibition shall apply to furnaces, stoves or boilers installed after the effective date of this ordinance.

(d) The Fire Chief or his/her designee shall have the authority to prohibit any and all open burning when atmospheric conditions or local circumstances make such fire hazardous. No burning will be allowed if wind conditions will cause smoke, embers or other burning materials to be carried towards any building or other combustible material, nor anytime the wind is in excess of nine miles per hour (9 m.p.h.) as measured by the Outagamie County Emergency Communication Center. (Code 1965, §19.05(2); Ord 1-91, §1(19.05(2)), 1-9-91, Ord 136-01, §1, 8-20-01; Ord 135-05, §1, 11-22-05; Ord 23-09, §1, 1-13-09; Ord 55-16, §1, 8-9-16, Ord 25-18, §1, 2-27-18)

Sec. 6-13. Careless smoking prohibited.

(a) It is unlawful for any person, by reason of careless, willful or wanton conduct in smoking or in the use of lighters or matches in smoking to set fire to any bedding, carpet, curtains, draperies, furniture, household equipment or other goods or chattels or to any building.

(b) A plainly printed notice of the provisions of this section shall be posted in a conspicuous place in every sleeping room of every place renting rooms for the accommodations of the public. Such printed notices shall also be posted in any place of public assembly where smoking is permitted.

(Code 1965, §19.06(1), (2); Ord 1-91, §1(19.06(1), (2)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-15. Fire Department signs.

It shall be illegal for anyone to remove, mutilate or destroy any legally required sign posted by the Fire Department or required sign to be posted by the owner, manager or operator of any occupancy open to the public. (Ord 1-91, §1(19.22), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

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Sec. 6-16. Fire alarms.

(a) Every public building, dwelling or place of employment containing either a manual, sprinkler activated or fire detector activated alarm system shall comply with this section.

(b) New or upgraded fire alarm systems at large buildings or buildings with multiple occupancies shall provide outside strobe lights indicating the occupancy or area of fire alarm activation and if applicable, the location of the Fire Department connection. The location of these strobe lights is to be determined by the Fire Chief or designee.

(c) The Fire Department will be contacted immediately upon activation of an alarm by on-site personnel or a monitoring agency so not to cause a delay in alarm. Any monitoring agency shall be licensed or approved by either Factory Mutual (FM) or Underwriters Laboratories (U.L.). All systems shall be maintained in operable condition as specified in the International Fire Code. If the alarm or fire sprinkler system becomes inoperative for any reason, the Fire Department shall be notified and the provisions of the International Fire Code, Section 901.7 and subsequent revisions shall apply.

(d) False alarms and fees.

- (1) Words and phrases defined in §12-121 are used in the same sense in this section unless a different definition is specifically provided.
- (2) If the Fire Department responds to a false alarm, the party responsible for the false alarm shall pay the city a fee according to the schedule of fees kept on file with the City Clerk's Office.
- (3) If the Fire Department is cancelled by the emergency communications center while responding to an alarm, the party responsible for causing the alarm may still be assessed the false alarm fee.
- (4) Any fees payable to the City which are delinquent may be assessed against the property involved as a special charge for current service, without notice, pursuant to Wisconsin Statutes Annotated §66.0627.
- (5) The party responsible or the alarm user may appeal the assessment of a false alarm fee by submitting written documentation to the Fire Chief or designee within ten (10) business days after notification of the assessment of a fee. The Chief or designee must inform the

alarm user of the decision in writing. If the alarm user further contests the Chief or designee's decision, within ten (10) days of receiving the Chief or designee's decision, the alarm user may seek review by the Safety and Licensing Committee by submitting a written notification to the City Clerk's Office.

(Ord 1-91, §1(19.25), 1-9-91; Ord 7-95, §1, 2-1-95, Ord 65-99, §1, 9-19-99; Ord 117-06, §1, 1-1-07; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-17. Malls.

The mall manager or designee shall notify the Fire Department prior to any use of a mall common space for any intended use other than exiting. Examples of other uses would be trade shows, exhibitions, or public assemblies.

(Ord 1-91, §1(19.27), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-18. Violations.

It is unlawful for any person to violate any provision of this chapter or to fail to obey any rule, regulation or order of the Fire Chief or his/her designees.

(Ord 1-91, §1(19.28), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Cross reference(s)--Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Secs. 6-19 – 6-30. Reserved.

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ARTICLE II. FIRE DEPARTMENT

Sec. 6-31. Generally.

The Fire Department shall be a paid department, consisting of such officers and members as the Common Council may establish from time to time. The Department shall be charged with providing response to fires, hazardous material spills, medical emergencies, rescue of people in distress and other dangerous conditions. The Department shall also provide for fire investigation, prevention, inspection, code compliance, and other services designed to maintain fire and life safety within the community.

(Code 1965, §4.08; Ord 23-09, §1, 1-13-09)

Sec. 6-32. Duties of Fire Chief.

It shall be the duty of the Fire Chief to:

- (1) Direct the operation of the Fire Department subject to the rules and regulations which may be adopted by the Common Council or the Police and Fire Commission;
- (2) Issue and enforce such orders as in his/her judgment may be best for the protection of property and the extinguishing of fires;
- (3) Enforce all ordinances, rules and regulations of the Common Council governing the Fire Department;
- (4) Report the condition of the Fire Department at the end of each year and make further reports when ordered to do so by the Common Council or the Police and Fire Commission;
- (5) Report promptly to the Police and Fire Commission any member of the Fire Department who may have disobeyed his/her order or violated any of the laws or rules governing the Department;
- (6) Keep a record and report to the Police and Fire Commission the absence of any member of the Fire Department from fires, together with any dereliction of duty or violation of any of the rules and regulations of the Department.

In the absence or disability of the Fire Chief, the Deputy Chief shall perform his/her duties.

(Code 1965, §4.09, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-33. Wearing of name tag and badge.

The members of the Fire Department of the City, when on duty, shall wear the badge or insignia and name tag of the office on the outside of the outermost garment, conspicuously displaying the badge and name tag so the entire surface thereof may be seen, except when caution may dictate that the badge and name tag should not be exposed.

(Code 1965, §4.04; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Secs. 6-34 – 6-42. Reserved.

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ARTICLE III. PERMITS

Sec. 6-43. Required.

(a) It shall be unlawful for any person to use a building or premises or engage in any activities for which a permit is required by this code, without first having obtained such permit.

(b) Permits are required for the following:

- (1) **Floor finishing** (required for floor finishing or surfacing operations exceeding three hundred fifty (350) square feet using Class I or Class II liquids).
- (2) **Lumber yards** (where more than one hundred thousand (100,000) board feet of lumber is to be stored or used inside of the facility);
- (3) **Vehicle tire rebuilding plants** (for any tire recapping or rebuilding operation);
- (4) **Magnesium use** (for the melting, casting, heat treating machining or grinding of more than ten (10) pounds of magnesium per working day);
- (5) **Cryogenic liquids** (for the production, storage or sale of cryogenic liquids);
- (6) **Combustible fibers** (for the storage and handling of combustible fibers in quantities in excess of one hundred (100) cubic feet);
- (7) **Dust explosion hazard** (for the operation of any grain elevator or bleacher, flour, starch or feed mill, malt house, wood flour manufacturing plant, or plant pulverizing aluminum, coal, cocoa magnesium, spices, sugar or other material producing dust which, if mixed with air in the proper portions becomes explosive and may be ignited by flame or spark);
- (8) **Fumigation and thermal insecticidal fogging** (this process is not to start without a permit);
- (9) **Flammable and combustible bulk storage** (storage in excess of fifty-five (55) gallons on permanent basis above or below ground);
- (10) **Open burning** (where permits are required by the State or this code, §6-12);
- (11) **Tents, membrane structure, canopies** (to

operate or erect a tent or membrane structure or canopy in excess of two hundred (200) square feet unless it is used exclusively for camping or on the premises of a one- (1-) or two- (2-) family dwelling which is not covered under this Code);

(12) **Fireworks/pyrotechnic/open flame effect displays** (for the discharge of any fireworks as defined by W.S.A. §167.10. Such discharge shall conform to any state law or this code and any regulations);

(13) **Explosives**

- a. Any person conducting blasting operations in the City shall notify the Fire Department of the time and location of the blast. Notification shall be made on proper forms provided by the State. A permit shall be obtained after notification and prior to blasting;
- b. Any person storing explosive materials, as defined in Wisconsin Administrative Code, International Fire Code, Section 3302.1, in the city shall obtain a permit. Such explosives shall be stored in an approved manner;

(14) **Cellulose nitrate plastics:**

- a. All retailers, jobbers and wholesalers storing or handling more than twenty-five (25) pounds of cellulose nitrate plastics shall obtain a permit from the Fire Chief;
- b. A permit shall be obtained from the Fire Chief for the manufacture of articles of cellulose nitrate plastics, including the use of cellulose nitrate plastics in the manufacture or assembling of other articles;
- c. Cellulose nitrate motion picture film (a person may not store, handle, or keep on hand more than twenty-five (25) pounds without obtaining a permit. A person may not sell, lease or otherwise dispose of any cellulose nitrate film to any person not having a permit issued by the Fire Chief or his/her designee to handle, use or display the film);

(15) **Recyclables storage** (any outside storage area, or warehouse used for the bulk storage of paper for sale or recycling);

Commented [DJH1]: This change recognizes the difference between fireworks/pyrotechnics and open flame effects.

FIRE PREVENTION AND PROTECTION

(16) *Storage tanks*

- a. Removal of underground storage tanks (UST) or above ground storage tanks (AST) in either commercial or residential properties as required by Wisconsin Administrative Code, SPS 310;
- b. Upgrades of underground storage tanks (UST) or above ground storage tanks (AST) flammable/combustible liquid storage systems;

(17) Installation, storage or use of liquid petroleum gases systems with a cumulative total of one hundred twenty-five (125) gallons or larger water capacity.

(Ord 17-90, 2-21-90; Ord 1-91, §1(19.26), 1-9-91; Ord 8-95, §1, 2-1-95; Ord 9-95, §§1, 2, 2-1-95, Ord 65-99, §1, 9-19-99, Ord 137-01, §1, 8-20-01; Ord 23-09, §1, 1-13-09; Ord 25-12, §1, 3-7-12; Ord 25-18, §1, 2-27-18)

Sec. 6-44. Temporary special permits.

When a temporary hazardous situation is anticipated for conditions not otherwise regulated by this code, the Fire Chief is authorized, based on applicable data, to issue a temporary special permit for the duration of the hazard. (Ord 1-91, §1(19.26(2)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-45. Application.

Applications for permits shall be made to the Fire Chief and shall include the applicant's answers in full to inquiries set forth on such forms. Applications for permits shall be accompanied by such data as required by the Fire Chief and fees as may be required by his/her jurisdiction. (Ord 1-91, §1(19.26(3)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-46. Fees.

Fees shall be established for the permits, certificates, approvals and other functions performed under this code and shall be payable to the City. Such fees shall accompany each application for such permit, approval, certificate or other fee-related code provision. The fee amount for the required permits, certificates, approvals and other functions performed under this Code shall be maintained on a schedule filed with the City Clerk. (Ord 1-91, §1(19.26(6)), 1-9-91; Ord 108-92, §1, 10-7-92; Ord 10-95, §1, 2-1-95, Ord 65-99, §1, 9-19-99, Ord 138-01, §1, 8-20-01; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-47. Issuance and posting.

(a) The Fire Chief or his/her designee shall review all applications submitted and determine compliance with applicable provisions of this code and issue or revoke permits based on his/her findings as required.

(b) A copy of the permit shall be posted or otherwise readily accessible at each place of operation or carried by the permit holder as specified by the Fire Department. (Ord 1-91, §1(19.26(4), (5)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-48. Fee for failure to obtain permit.

The fee for failure to obtain a permit required under §6-43 of this Code is triple the permit fee described in that section when a permit is obtained. Payment of any fee shall not relieve any person of the penalties that may be imposed for violation of this chapter. (Ord 11-95, §1, 2-1-95; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-49. Non-resident fees for Fire Department services.

When the Fire Department is called upon to extinguish a vehicle fire or extricate a person, and where the subject vehicle is registered to an owner with a permanent address located outside of the Appleton city limits, the registered owner shall pay a service fee to the City, the amount of which shall be on file with the City Clerk. (Ord 17-06, §1, 2-21-06; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-50. Recovery of costs associated with technical rescue responses.

(a) *Technical rescue reimbursement for costs of emergency services response.* A technical rescue response includes, but is not limited to, structural collapse, confined space, trench rescue, water rescue, ice rescue, or rope rescue. Emergency service response includes, but is not limited to, fire service, emergency medical service and law enforcement. Any person or property owner who necessitates a technical rescue response may be responsible for reimbursement to the responding agencies for the actual and necessary expenses incurred in carrying out their duties under this article. Actual and necessary expenses may include, but not be limited to, replacement of equipment, maintenance of the equipment specific to the incident, costs incurred in the procurement and use of specialized equipment specific to the incident, and charges associated with personnel and equipment necessary for the technical rescue response.

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(b) *Appeal*. A person or property owner has the right to appeal the assessment of charges for an emergency service response. Any person or property owner appealing the assessment of charges shall file a written objection with the Fire Chief within thirty (30) days of receiving the bill. Upon receipt of the written objection, the matter shall be placed on the Agenda for the Safety and Licensing Committee at its next regularly scheduled meeting. The Safety and Licensing Committee shall make a recommendation to the Common Council, which shall grant or deny the request.
(Ord 142-11, §1, 6-7-11; Ord 25-18, §1, 2-27-18)

Secs. 6-51 – 6-55. Reserved.

ARTICLE IV. STANDARDS AND REQUIREMENTS

Sec. 6-56. Adoption of codes and standards.

(a) The state codes listed in this section are hereby adopted by reference and made a part of the City Fire Prevention Code. For the purposes of this section, these provisions are adopted to enable the Fire Department to note any violations of such codes and to report those violations to the appropriate community service inspectors. The Fire Inspectors shall have the authority to cite such violations on fire inspections.

- (1) General Hazard on Fire Prevention, Wisconsin Administrative Code, SPS chapter 314;
- (2) General Orders on Existing Buildings, Wisconsin Administrative Code, SPS chapters 375 to 379;
- (3) Wisconsin Administrative Code, Wisconsin State Electrical Code, SPS Chapter 316;
- (4) Wisconsin Administrative Code, Wisconsin Commercial Building Code, SPS Chapters 361 - 366;
- (5) Elevator Code, Wisconsin Administrative Code, SPS chapter 318;
- (6) Existing Building Code, Wisconsin Administrative Code, SPS chapter 370;
- (7) Flammable and Combustible Liquids Code, Wisconsin Administrative Code, SPS 310.

Overall enforcement responsibility is equally shared by the Building Inspection Division and the Fire Department. Primary responsibility for particular sections of the above provisions shall be as indicated in the Wisconsin Administrative Code.

(b) The International Fire Code 2021 Edition, hereinafter "IFC" is hereby adopted as though fully set forth herein, with the following exceptions:

- (1) Chapter 1 and Chapter 57 are not included in the adoption of the 2021 edition of the IFC.
- (2) Appendices A, J, K, L, and M are not included as part of the adoption of the 2021 IFC.

Delete this section

(c) Any fire prevention issue not herein addressed by

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code or adopted standards will be addressed on the basis of current accepted National Fire Protection Association Standards.

(Ord 1-91, §1(19.02), 1-9-91; Ord 12-95, §1, 2-1-95, Ord 65-99, §1, 9-19-99, Ord 181-01, §1, 10-22-01, Ord 96-02, §1, 6-25-02; Ord 23-09, §1, 1-13-09; Ord 124-11, §1, 4-26-11; Ord 25-12, §1, 3-7-12; Ord 25-18, §1, 2-27-18; Ord 70-18, §1, 8-7-18; Ord 12-21, §1, 4-21-21)

Cross reference(s) – Buildings and building regulations, Chapter 4.

Sec. 6-57. Automatic sprinkler systems.

(a) **Intent of section.** The intent of this section is to provide a means for the automatic extinguishment of fires in buildings or parts of buildings which because of their size, construction or occupancy or lack of suitable protection equipment, constitute a special fire hazard to life or property and an excessive burden upon the fire extinguishing facilities of the Fire Department.

(b) **Definitions.** For the purpose of this section, the following definitions shall be applicable:

Approved shall mean that the material, workmanship and installation of the sprinkler system complies with the regulations as set down in the National Fire Protection Association standards for the installation of automatic sprinkler systems in effect at the date of installation and approved by Fire Chief.

Area shall mean the gross ground floor area of a building or when a building is divided by approved firewalls, each section so divided shall be considered an area.

Authority having jurisdiction shall be the Fire Chief or whomever the Chief designates to enforce this chapter, the laws of the state pertaining to the prevention of fires and public safety and approving equipment, installation or procedure as outlined in National Fire Protection Association Codes and Standards.

Automatic sprinkler equipment shall mean a system of water supply pipes and orifices to apply water to a fire when activated by an automatic, manual or remote control device.

Fire-resistive construction shall mean a building is of fire resistive construction if all the walls, partitions, piers, columns, floors, ceilings, roof and stairs are built of noncombustible materials as specified in Wisconsin Commercial Building Code.

Housing for the elderly shall mean a residential occupancy building where the occupancy is limited to primarily elderly people meeting specific age criteria as specified by the financing or owning agency.

Institutional buildings shall mean and include convents, monasteries, children's homes, homes for the aged, nursing homes, convalescent homes, asylums, mental hospitals and jails.

(c) **Buildings and areas where required.** Every building constructed or structurally altered shall have an approved automatic sprinkler system installed and maintained when occupied in whole or part for the following purposes:

- (1) Multifamily dwellings of three (3) units or more exceeding four thousand eight hundred (4,800) square feet per floor and dormitories, except housing for the elderly, shall include the protection of all areas within the building by an automatic fire sprinkler system complying with Standard 13 of the National Fire Protection Association and equipped with residential type sprinkler heads in the living units.
- (2) Educational Group E occupancies:
 - a. In basements, kitchens, shops and other spaces where combustibles are stored or handled.
 - b. In other than fire resistive buildings.
 1. Ten thousand (10,000) square feet or over.
 2. Two (2) stories and up exceeding six thousand (6,000) square feet in area.
 3. Three (3) stories and up in height.

(d) **Application to existing buildings.** Where the Fire Chief finds that by reason of construction or highly combustible occupancy, existing buildings constitute a severe fire hazard to its occupants or to adjoining property, the provisions of this section will apply.

(e) **System types and approval of plans.** Approved automatic sprinkler equipment shall be installed, connected to an adequate water supply with sprinkler heads, valves and auxiliary equipment of standard types suitable for the individual building to be protected as determined by adopted Standard 13, of the National Fire Prevention Association. Automatic sprinkler systems shall be designed with a minimum five (5) psi water supply safety factor. No automatic sprinkler equipment shall be installed or altered in a building until plans have been submitted to fire prevention and reviewed. Electronic plans, including specification sheets and calculations as necessary, shall be submitted in an approved format to the Fire Department for

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review. Once reviewed and conditionally approved, plans shall be electronically signed and returned to the requesting party.

(f) **Alternative materials and methods.**

- (1) The Fire Chief, on notice to the Inspections Supervisor, may approve any alternate material or method, provided he/she finds that the proposed design, use or operation satisfactorily complies with the intent of this code and that the material, method of work performance or operation is, for the purpose intended at least the equivalent of that prescribed in this section in quality, strength, effectiveness, fire resistance, durability and safety, provided, however, that any approval under the authority herein contained shall be subject to the approval of the building official whenever the alternate material or method involves matters regulated by the Wisconsin Administrative Code.
- (2) The Fire Chief may require tests as proof of compliance with the intent of this section, such tests to be made by an approved agency at the expense of the person requesting approval of the alternate material or method of construction.
- (3) If technical expertise is unavailable within the Department because of new technology, process, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the Department, the Fire Chief may require the owner or the person in possession or control of the building or premises to provide without charge to the Department, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire-safety organization acceptable to the Fire Chief and the owner and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, and prescribe the necessary recommended changes.

(g) **Inspection.** Every automatic sprinkler system required under this section shall be tested and inspected upon installation, according to the National Fire Protection Association Standards in effect at time of installation.

(h) **Maintenance.**

- (1) The owner or occupant of a building containing the required automatic sprinkler system shall maintain the system in an operative condition at all times. The occupant of the building shall notify the Fire Department prior to interrupting this system for any reason or at the time it is withdrawn or its service interrupted or curtailed. Testing and maintenance of such systems shall be performed according to Standard 25, of the National Fire Protection Association. Copies of all tests results shall be furnished to the Fire Chief of the Fire Department.

(i) **Water.** Where an automatic sprinkler system is required, the supply shall be from the city water supply. Testing of the water supply shall be conducted by using the two (2) hydrants closest to the property being sprinkled. Tests over two (2) years old will not be accepted unless approved by the Fire Chief after taking into consideration growth, size and changes in the general area. The sprinkler contractor will take all readings with the Director of Public Works approval and assistance in hydrant use. The Fire Chief will be informed of all testing twenty-four (24) hours in advance and be given an opportunity to observe testing. (Code 1965, §19.10; Ord 1-91, §1(19.10), 1-9-91; Ord 176-93, §1, 10-19-93; Ord 13-95, §1, 2-1-95; Ord 14-95, §1, 2-1-95; Ord 120-96, §1, 12-18-96, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-60. Smoke alarms.

(a) **Definitions.** For purposes of this section, the following definitions shall apply:

Dwelling shall mean a structure or part of a structure providing complete, independent living facilities for one (1) or more persons, including permanent provisions for sleeping, eating, cooking and sanitation.

Sleeping area shall mean the area of the unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate sleeping areas, but bedrooms or sleeping rooms separated by a bathroom are not separate sleeping areas.

Smoke alarm shall mean a device which detects particles or products of combustion other than heat.

(b) **Location and installation of smoke alarms.**

- (1) Each dwelling unit shall be provided with a minimum of one (1) approved smoke alarm installed in a manner and location consistent

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with its listing. The Fire Department Fire Prevention Division can be contacted for recommendations when an owner is concerned about the installation and number of smoke alarms.

- (2) All existing dwelling units must meet the requirement of the State of Wisconsin Uniform Dwelling Code, Wisconsin Administrative Code, SPS 321.09 and 328.01 Smoke Detectors. Each dwelling unit shall be provided with a minimum of one (1) approved, listed and labeled smoke alarm sensing visible or invisible particles of combustion, installed in a manner and location consistent with its listing.

(c) **Approval.** A smoke alarm or heat detector required under this section shall be approved by Underwriter's Laboratories, Factory Mutual or any other comparable testing firm.

(d) **Department inspection and order.** Inspection of new construction will be carried out by the Division of Inspections at its final inspection.

(e) **Conveyance of property.** No person shall convey any real property which includes a dwelling unit to another unless there are installed in the dwelling unit approved smoke alarms in accordance with (d) above. Any purchaser of real property found not to be in compliance with this subsection may bring an action in circuit court for damages. A violation of the provisions of this subsection shall not affect the conveyance of title or possession to the affected property.

(Code 1965, §19.12; Ord 1-91, §1(19.12), 1-9-91; Ord 176-93, §1, 10-19-93; Ord 120-96, §1, 12-18-96, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-12, §1, 3-7-12; Ord 25-18, §1, 2-27-18)

Sec. 6-61. Discharge of hazardous materials.

(a) **Prohibited discharges.** No person shall discharge or cause to be discharged, leaked, leached or spilled upon any public or private street, alley, public or private property, or onto the ground, surface waters, subsurface waters, or aquifers, or within the city, except those areas specifically licensed for waste disposal or landfill activities and to receive such material, any explosive, flammable or combustible solid, liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.

(b) **Spill notification.** Immediately upon discovery of a discharge involving any explosive, flammable or

combustible solid, liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment the property owner, equipment operator, or discovering person shall notify the Appleton Fire Department of the discharge of a hazardous material.

(c) **Responsibility for containment, cleanup and restoration.** Any person in violation of (a) above shall, upon direction of any Fire Department officer, begin immediate actions to contain, cleanup and remove to an approved repository the offending material(s) and restore the site to its original condition, with the offending person being responsible for all expenses incurred. If any person fails to engage the necessary men and equipment to comply or to complete the requirements of this section, the office of the Fire Chief may order the required actions to be taken by public or private sources and allow the recovery of any and all costs incurred by the City as required by (d) below.

(d) **Reimbursement for costs of emergency services response.** Emergency service response includes, but is not limited to, fire service, emergency medical service and law enforcement. A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall be responsible for reimbursement to the responding agencies for the actual and necessary expenses incurred in carrying out their duties under this article. Actual and necessary expenses may include, but not be limited to, replacement of equipment damaged by the hazardous material, cleaning, decontamination and maintenance of the equipment specific to the incident, costs incurred in the procurement and use of specialized equipment specific to the incident, specific laboratory expenses incurred in the recognition and identification of hazardous substances in the evaluation of response, decontamination, cleanup and medical surveillance, and incurred costs in future medical surveillance of response personnel as required by the responding agency's medical advisor.

(e) **Site access.** Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to Fire Department officers and staff and to Police Department personnel for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.

(f) **Public protection.** If any prohibited discharge occurs that threatens the life, safety or health of the public at, near or around the site of a prohibited discharge, and the situation is so critical that immediate steps must be taken to protect life and limb, the Fire Chief, his/her assistant or the senior police official on the scene of the emergency may order an evacuation of the area or take other appropriate steps for a period of time until the Common Council can

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take appropriate action.

(g) **Enforcement.** The Fire Chief, as well as the police officers, shall have authority to issue citations or complaints under this section.

(h) **Civil liability.** Any person in violation of this section shall be liable to the City for any expenses incurred by the City or loss or damage sustained by the City by reason of such violations.

(Code 1965, §19.13; Ord 1-91, §1(19.13), 1-9-91; Ord 34-92, §1, 3-18-92, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Cross reference(s)--Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 6-63. Fireworks and pyrotechnic devices.

(a) Definition: For the purpose of this section the following definition shall be applicable:

“Fireworks shall include all items under W.S.A. sec. 167.10(1) (intro), (e), (f), (i), (j), (k), (l), (m) and (n).”

(b) The provisions in this section shall apply to places where fireworks are stored or handled. Such premises shall be adequately equipped with fire extinguisher approved by the Fire Chief. Smoking is prohibited where fireworks are stored or handled.

(c) Every wholesaler, dealer or jobber keeping, storing, or handling fireworks of any description within the City shall notify the Fire Chief immediately upon receipt of such fireworks for the removal thereof from one (1) location to another and shall indicate the location where such fireworks are stored. No such fireworks shall be stored in any building used for dwelling purposes or in any building situated within fifty (50) feet of any building used for dwelling purposes, or in any place of public assemblage, or within fifty (50) feet of any gasoline pump, gasoline filling station, or gasoline bulk station, or in any building in which gasoline or flammable liquid is sold in quantities in excess of one (1) gallon. The storage buildings for fireworks shall conform to Standard 1124 of the National Fire Protection Association Standards and Codes.

(d) This section shall prohibit the use of any pyrotechnic device indoors of an occupancy without a permit from the Fire Chief. Such permits shall not be issued for any event in an unsprinkled occupancy. Permit applications will be made in writing seven (7) days in advance of the date of the display.

(e) The use of the pyrotechnic device shall be handled by a competent adult operator and shall be of

such composition, character and be located, discharged or fired as in the opinion of the Fire Chief shall not be hazardous to property or endanger any persons.

(f) The display, storage and discharge of fireworks shall be regulated by and comply with all IFC, NFPA, state and local codes and nationally recognized standards.

(g) The outdoor use of pyrotechnic devices shall be regulated by §10-5 of this Code and W.S.A. §167.10.

(Ord 1-91, §1(19.18), 1-9-91; Ord 34-92, §2, 3-18-92; Ord 17-95, §1, 2-1-95, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-64. Posted occupant load.

(a) Every room or space that is an assembly occupancy shall comply with International Fire Code.

(b) The number of persons in any building or portion thereof shall not exceed the amount determined as specified in the State building code, as surveyed by the Supervisor of Inspections, the Fire Chief, or his/her designee.

(c) No person shall permit overcrowding or admittance of any person beyond the approved capacity of any place of public assemblage as specified above. The Fire Chief, upon finding any overcrowding conditions or obstruction in aisles, passageways or other means of egress or upon finding any condition which constitutes a serious menace to life, shall cause the performance, presentation, spectacle or entertainment to be stopped with the assistance of the Police Department until such condition or obstruction is corrected. The manager or person in charge of the premises shall be responsible for preventing overcrowding.

(Ord 1-91, §1(19.19), 1-9-91; Ord 174-93, §1, 10-19-93; Ord 120-96, §1, 12-18-96, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-67. Working plans of suppression/detection and control systems.

(a) Working plans of all fire suppression, detection and control systems shall be submitted to the Fire Department Prevention Division in an approved electronic format for review prior to any installation of new equipment or modification to existing equipment. Deviation from approved plans shall require permission of the authority having jurisdiction.

(b) Fire protection system plans shall be drawn to an indicated scale of not less than 1/8” on sheets of uniform size with a plan of each floor or section. Plans must be easily duplicated and shall show all pertinent information as required by NFPA standards for plan submittals.

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(Ord 1-91, §1(19.24), 1-9-91; Ord 126-01, §1, 7-18-01; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-68. Plan review fee structure and requirements.

A schedule of plan review fees shall be maintained in the City Clerk's Office. This schedule specifies the fees for plan examination and approval for projects located within the city of Appleton.

Note: If the property is subject to state plan review, the additional fee required under Wisconsin Administrative Code, SPS Table 302.31-3 will be added to the appropriate municipal fee.

- (1) **Miscellaneous fee.** The miscellaneous fee shall apply to any fire protection system that is not a fire sprinkler system as defined in section 903 of the International Fire Code or a fire alarm system as defined in section 907 of the International Fire Code. For standpipe systems as defined in section 905 of the International Fire Code, the miscellaneous fee shall not apply if the standpipe plans were submitted as part of a fire sprinkler system. The miscellaneous fee shall also apply to the following.
 - a. *Fire protection systems that include a fire pump*
 - b. *Fire protection systems for buildings that exceed five (5) stories in height, with an additional miscellaneous fee for every five (5) stories thereafter.*
- (2)
- (3)
- (4) **Fire doors/shutters.** Fire door/shutter plan review and inspection shall be assessed an initial minimum fee as indicated on the fee schedule for the first fire door/shutter and as indicated on the fee schedule for each additional door/shutter. This fee does not apply to fire doors/shutters already reviewed as part of an ongoing project.
- (5) **Re-submission fee.** A fee shall be assessed for review of plans submitted following denial of plan approval.
- (6) **Re-inspection fee.** The inspection of work performed under an approved plan is included in the fee for plan reviews. This fee does not include any re-inspections required because the inspected work failed

to pass inspection. A re-inspection fee equaling twenty-five percent (25%) of the original plan review fee, two-hundred and fifty dollars (\$250.00) minimum, shall be assessed due to system failure during the initial inspection.

- (7) **Fee for initiation without a permit.** Penalty for failure to obtain a permit before starting work shall automatically triple the applicable fees, and all work shall cease until the proper permits have been attained.

(Ord 126-01, §1, 7-18-01; Ord 23-09, §1, 1-13-09; Ord 25-12, §1, 3-7-12; Ord 25-18, §1, 2-27-18)

Sec. 6-69. Maintenance, approval and registration of installed fire protection systems.

(a) **Maintenance.** All sprinkler systems, fire hydrant systems, standpipe systems, fire alarm systems, portable fire extinguishers, smoke and heat ventilators, smoke-removal systems and other fire protection or extinguishing systems or appliances shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. Fire-protection or extinguishing systems coverage, spacing and specifications shall be maintained in accordance with recognized standards at all times. Such systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever any building so equipped is altered, remodeled, added to or changes occupancy hazard. All additional, repairs, alterations and servicing shall be in accordance with recognized standards and copies of such work sent to Fire Prevention of the Fire Department.

(b) **Approvals.** All fire protection systems shall be tested and approved in accordance with their respective National Fire Protection Association standards and shall be subject to periodic tests as may be required. A copy of all test results of the above systems must be provided to the Fire Chief or his/her designee upon completion of the testing. The location and size of all Fire Department hose connections shall be approved by the Fire Chief or his/her designee.

(c) (1)

- (2) A fee may be assessed to any installer and/or monitoring agent deemed responsible for causing a false alarm. Said fee will be billed to the responsible party, if not the alarm user, and will be that amount indicated in the false alarm fee schedule. Failure to pay fees could result in failure to obtain permit(s) for future work. An appeal of a false alarm assessment can be made by writing the Fire Chief or his/her designee within ten (10) business days after notification of the fee. Contesting the

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Chief's decision involves a review by the Safety and Licensing Committee by submitting a written notification to the City Clerk's Office.

(Ord 65-99, §1, 9-19-99; Ord 126-01, §1, 7-18-01; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-70. Notification of special public assembly events.

(a) For the purpose of this section, public assembly is defined as an event which exceeds one hundred (100) people.

(b) Except as provided in (d), notification must be provided to the Department within five (5) business days prior to the holding of special public assembly events which involves the use of buildings or spaces not approved for public assembly in accordance with the Wisconsin State Building Code and the IFC.

(c) Except as provided in (d), notification must be provided to the Department within five (5) business days prior to the holding of special public assembly events which involves the placement of temporary seating in an area not otherwise approved for such seating.

(d) Notification is not required if a plan indicating occupancy capacity, seating arrangements, location and width of exit ways and aisles is submitted to the Fire Department and pre-approved by the Fire Chief or his/her designee.

Note: Building owners may pre-approve a building or space within the building for special events by submitting an approved plan. This exception allows for multiple special events.
(Ord 65-99, §1, 9-19-99; Ord 126-01, §1, 7-18-01; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-72. Repeat violation rule.

Whenever the Fire Chief or his/her designee shall find in any building, upon inspections or re-inspections, a repeat violation involving a fire detection, life safety component, or suppression system which is defective, inoperative, improperly maintained or operated the Fire Chief or designee may order the following remedies and/or a re-inspection fee.

(a) If the system includes one (1) or more exit light(s) which have not been illuminated during inspections, it may be ordered that any or all of the exit lights in such premises be equipped with self-illuminating lights or light equipped with light emitting diodes (LEDs).

(b) If the system includes one (1) or more self-closing fire door(s), any of which have been found to have

been held open with non-approved hold open devices during inspections, it may be ordered that any or all of the fire doors in such premises be equipped with an automatic closing device.

(c) If the system includes one (1) or more battery operated smoke detector(s) which have been found to be inoperative during inspections, it may be ordered that the premises be equipped with long life (5 – 10 year battery life) smoke detectors.

(1) If the same occupancy is subsequently found to have inoperative smoke detector(s) it may be ordered that the smoke detectors be hardwired into the electrical service of the premises.

(2) If the premise is found to have no operable smoke detectors, the Fire Department may install smoke detectors and may charge the owner for the actual cost of the detectors and installation.

(d) If the system includes emergency exit doors which, during hours of occupancy, have been found to be secured or locked with bolts, bars, chains, padlocks, or locking devices other than the primary locks, it may be ordered that such bolts, bars, chains, padlocks, or additional locking devices be immediately removed; and it may be further ordered that all emergency exit doors within the premises be equipped with panic door release hardware.

(e) This subsection shall not be construed as a limitation upon the powers of the Chief or his designee to issue orders for corrections of violations nor shall this subsection be construed as a limitation upon any of the powers of the Chief under any applicable provision of the City of Appleton Municipal Code, Wisconsin Administrative Code or the Wisconsin Statutes.
(Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

(The next page is 491.)

Appleton Fire Department Fee Schedule

Plan Review Fees		
Area (Square Feet)	Fire Alarm System Plans	Fire Suppression System Plans
Less than 2,500	\$150	\$150
2,501-5,000	\$190	\$190
5,001-10,000	\$225	\$225
10,001-20,000	\$255	\$255
20,001-30,000	\$290	\$290
30,001-40,000	\$335	\$335
40,001-50,000	\$375	\$375
50,001-75,000	\$420	\$420
75,001-100,000	\$475	\$475
100,001-200,000	\$600	\$600
200,001-300,000	\$700	\$700
300,001-400,000	\$800	\$800
400,001-500,000	\$900	\$900
Over 500,000	\$1000	\$1000
Miscellaneous fee (see Chapter 6, 6-68) \$250		
The miscellaneous fee is required for each alternative fire protection system, system with a fire pump, and building that is five or more stories in height. An additional fee is required for every additional five stories.		
Fire doors/shutters fees (see Chapter 6, 6-68) \$100 for first door and \$25 each additional door; minimum of \$100		
Re-submission fee (see Chapter 6, 6-68) \$250		
Re-inspection fee (see Chapter 6, 6-68) 25% of the original plan review fee; minimum of \$250.		
Fee for work without a permit (see Chapter 6, 6-68) triple the applicable plan review fee. Contact Fire Department Fire Prevention Division for approval and fee.		
Permit Fees (see Chapter 6, 6-43, 6-44, 6-46, and 6-48)		
Permit	Fees	
Floor finishing	\$100, per event	
Lumber yards	\$100, 1 st event or significant change	
Vehicle tire rebuilding	\$100, 1 st event or significant change	
Magnesium	\$100, 1 st event or significant change	
Cryogenic liquids	\$100, 1 st event or significant change	
Combustible fibers	\$100, 1 st event or significant change	
Dust explosion hazard	\$100, 1 st event or significant change	
Fumigation/thermal/insecticidal fogging	\$100, per event	
Flammable/combustible bulk storage	\$200, 1 st event or significant change	
Bonfires/brush/wildland burns	\$200, per event	
Open burning/outdoor fireplace/cooking fires (for recreational purposes)	Daily \$15 Annual \$30	
Tents/air supported structures/canopies	\$100 (Up to two tents at the same site.) \$250 (3 or more at same site)	

Appleton Fire Department Fee Schedule

Fireworks/pyrotechnic/flame effect displays	\$1000 (Firework/pyrotechnic displays) \$400 (Flame effect displays)
Blasting and explosives	\$250
Cellulose nitrate plastics	\$100, 1 st event or significant change
Recyclables storage	\$100, 1 st event or significant change
Failure to obtain a required permit	Triple the permit fee
Permit re-inspection fee	\$100
Temporary special permits	\$250
Other Inspection fees	
Routine and special re-inspection fees; Missed inspection appointments	\$250
Smoke Detectors	
FD smoke detector installation	Time and materials*
False Alarm Fees	
First to fourth false alarm occurrence	\$200
Fifth to seventh false alarm occurrence	\$300
Eight to eleventh false alarm occurrence	\$500
Twelfth and subsequent false alarm occurrence	\$800
Fire Extinguisher Training	
Classroom and practical training	\$100 per class (minimum charge) or \$10 per student, whichever is highest plus the cost of materials. Maximum class size of 25.
Classroom only	\$50, Maximum class size of 25.
Hazardous Materials Incidents	
	Time and materials*
Extrication Incidents	
Fee is charged when registered vehicle owner is not a City of Appleton resident.	\$500
Vehicle Fires	
Fee is charged when registered vehicle owner is not a City of Appleton resident.	\$500

* Vehicle rates are based on current Federal Emergency Management Agency (FEMA) rates which can be found at <http://www.fema.gov/government/grant/pa/eqrates.shtm>.

Reviewed: 03-20-2024

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village of Appleton County of Outagamie
 City

The undersigned duly authorized officer/member/manager of KWIK TRIP, INC.
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Tobacco Outlet Plus Grocery 556

located at 1342 W. Prospect Ave., Appleton, WI 54914
(Trade Name)

appoints Jennifer J. Ross
(Name of Appointed Agent)
2115 S. 9th St., Manitowoc, WI 54220
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? Since 1995

Place of residence last year 2115 S. 9th St., Manitowoc, WI 54220

For: KWIK TRIP, INC.
(Name of Corporation / Organization / Limited Liability Company)

By: Scott P. Zittler
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Jennifer J. Ross, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Jennifer J. Ross 3.18.24
(Signature of Agent) (Date)
2115 S. 9th St., Manitowoc, WI 54220
(Home Address of Agent)
Agent's age
Date of birth

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

**Alcohol Beverage License Application
Supplemental Questionnaire**

Date 2.22.24

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Business Information			
1. Registered Entity Name (or individual name if sole proprietor)			
Kwik Trip, Inc.			
2. Trade Name or DBA			
Tobacco Outlet Plus Grocery 556			
3. Entity Type (check one)			
<input type="checkbox"/> Sole Proprietor	<input type="checkbox"/> Partnership	<input type="checkbox"/> Limited Liability Company	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Nonprofit Organization			

Part B: Individual Information			
1. Name (Last, First, M.I.)			
Ross, Jennifer J.			
2. Relationship to Registered Entity (Title)		3. Email	4. Phone
Agent		[REDACTED]	[REDACTED]
5. Home Address			
W6615 E. Midway Rd., #13			
6. City	7. State	8. Zip Code	9. Date of Birth
Appleton	WI	54915	[REDACTED]
10. Drivers License/State ID Number		11. Drivers License/State ID State of Issuance	
[REDACTED]		WI	

Part C: Address History	
List in chronological order your last two residence addresses within the last 5 years.	
Previous Address 1	
111 E. Water St., #313	
Previous City, State, Zip	Dates (MM/YYYY - MM/YYYY)
Appleton, WI 54911	11/2021 - 7/2022
Previous Address 2	
1718 Schaefer Cir.	
Previous City, State, Zip	Dates (MM/YYYY - MM/YYYY)
Appleton, WI 54915	12/7/2005 - 11/2021

Part D: Employment History	
List in chronological order your last two employers within the last 5 years.	
Employer's Name	
Kwik Trip, Inc.	
Employer's Address	Dates Employed (MM/YYYY - MM/YYYY)
1626 Oak St., La Crosse, WI 54603	3/2017 - Present
Employer's Name	
Athleta	
Employer's Address	Dates Employed (MM/YYYY - MM/YYYY)
Fox River Mall, Appleton, WI	8/2018 - 6/2022

Part E: Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? Yes No
 If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Trial Date
Penalty Imposed	Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Trial Date
Penalty Imposed	Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? Yes No
 If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part F: Questions

1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. Yes No
 Michigan

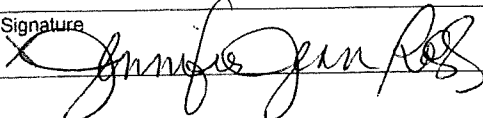
2. How long have you continuously lived in Wisconsin prior to the date of application?

Years	Months
Since 1995	

3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. Yes No

Part G: Attestation

READ CAREFULLY BEFORE SIGNING: I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 	Date X 2-27-24
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ANNUAL REPORT

2023

www.appletonpd.org

LETTER FROM THE CHIEF



Thank you for reviewing our 2023 annual report! The goals for 2023 included the following: Increase traffic safety efforts, grow neighborhood watch programs and connections, and focus on nuisance properties and drug-related crime. I'm confident you will find these goals were exceeded by the exceptional work of the women and men of the Appleton Police department. Thank you for taking the time to read about the great work happening within our community.

CHIEF'S ADVISORY BOARD

Comprised of 20-30 individuals who meet with the Chief on a quarterly basis to discuss and process designated topics. These community members are appointed by the mayor's office.



Todd Freeman serves as Assistant Chief and has been with the Appleton Police Department for over 20 years.



FISCAL RESOURCES

The Fiscal Resource Unit provides oversight for Police Department’s 20 million budget ensuring funds are allocated according to fiscal policies and procedures.

In 2023, over \$338,000 in grants were received through federal, state, and local agencies to support initiatives for traffic and drug enforcement, bulletproof vests, training and specialized equipment.

The Appleton Police K9 Program received over \$53,000 in donations in 2023 and over \$394,000 since its inception in 2005. The Unit also provides oversight for payroll administration, training and travel coordination, and all other fiscal-related activities.



ADMINISTRATIVE SERVICES UNIT



Cathy Allcox : Administrative Services Manager
Oversees 16 employees within this unit.

POLICE COMMUNICATIONS SPECIALISTS: STATISTICS FROM OUR FRONT DESK UNIT

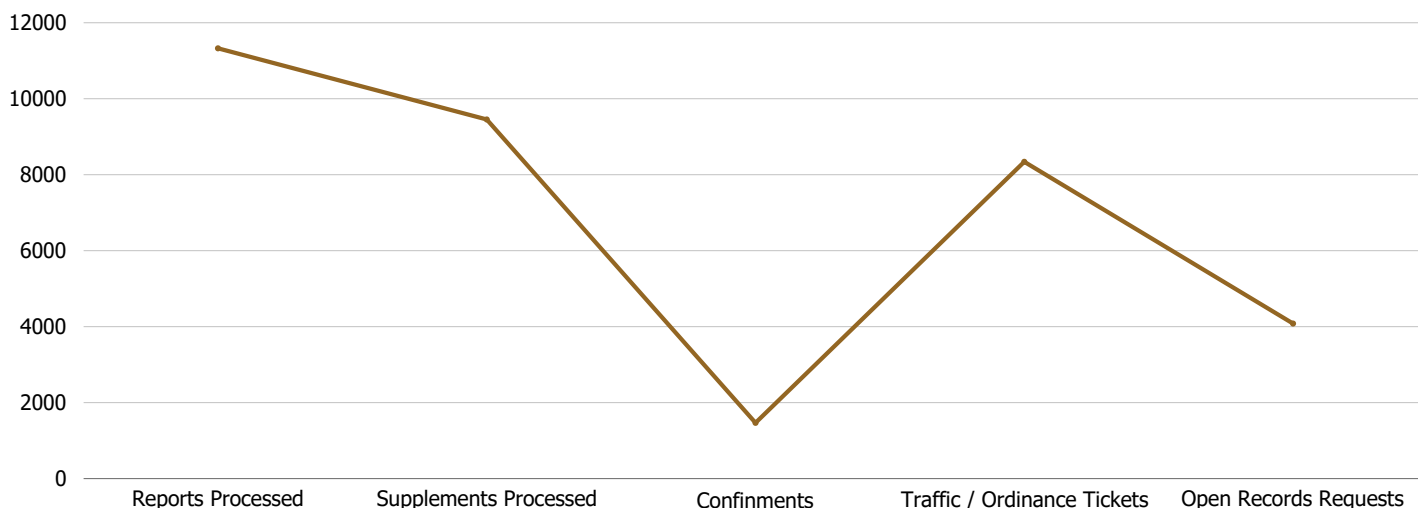
The APD front desk is staffed from 6:00am-10:00pm Monday through Friday in which they handle all walk-in traffic and answer non-emergency phone lines.

In 2023 there were 62,597 calls to our non-emergency line. Additional administrative tasks include processing community member needs involving the following:

Warnings.....	8,938
Offense reports written by PCS's.....	83
Accident Reports Processed.....	1,914
Animal Licenses.....	2,915
Other.....	48,747

ADMINISTRATIVE SERVICES UNIT CONT.

CLERICAL STATISTICS FROM OUR APD RECORDS UNIT



PATROL UNIT

Captain Jack Taschner
Northern / Southern District
Blue Group



Captain Gary Lewis
Downtown District / Operations Coordination
Red Group

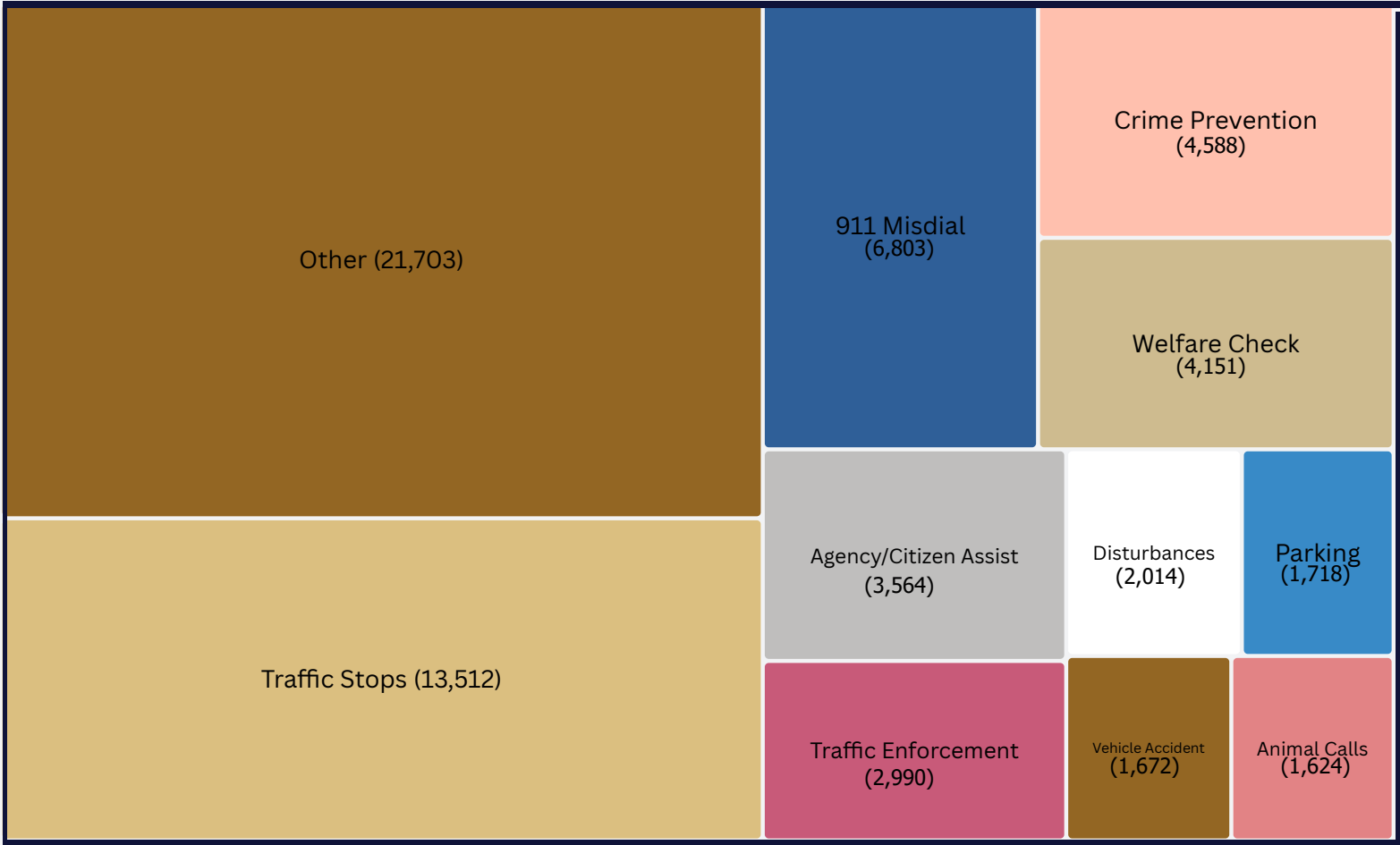


Patrol is the first responding unit on all calls for service. They are the backbone of the department and the launching point for all career paths at the APD. Our patrol officers carry caseloads and have the ability to see certain calls for service through to the end. Yet, also have the ability to transfer the case, if too much, to the appropriate Investigative Services Unit (ISU, SRO, SIU, CRU) to follow up on. Most Patrol officers are also trained in crisis intervention.

- Patrol is comprised of two groups (Red and Blue) who work alternating schedules comprised of mostly 12 hour shifts.
- Each group has 30 patrol officers (when fully staffed), 6 Patrol Lieutenants, and 1 Captain.
- Each shift maintains minimums based on the time of day, per best practice.

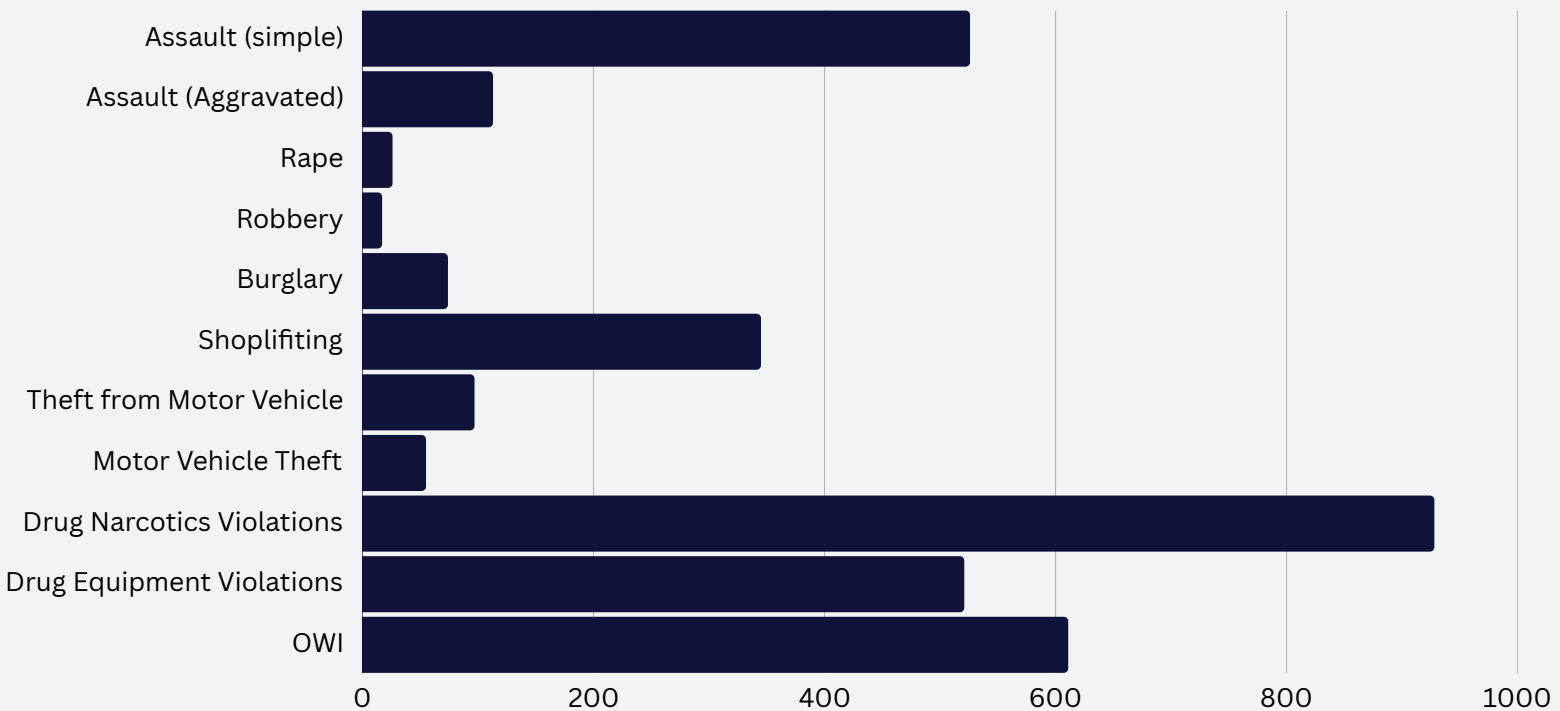
CALLS FOR SERVICE

TOTAL CALLS 64,339



OFFENSE COUNTS

This data is a breakdown of our serious offenses into specific categories.



INVESTIGATIVE SERVICES UNIT



Captain Mike Wallace

Oversees both the Investigative & Support Services Units

The ISU is comprised of 10 detectives, a dedicated unit Lieutenant, all overseen by a Captain of Investigations. ISU members have specialized training and years of experience working complex cases. They investigate major felonies, such as homicides, frauds, burglaries, and robberies. Investigators work closely with patrol officers and forensic evidence specialists to identify witnesses, preserve crime scenes, gather critical information, and develop leads.

Major Incidents:

- On January 22nd 2023, Detectives with ISU worked on the homicide of Paul A. Rhoads. This case resulted in the arrest of Yia Lor. This case remains in the court system.
- On December 24th 2023, Detectives with ISU worked on the homicide of Elijah D Dodson. This case resulted in the arrest of Elliot Campbell. This case remains in the court system.
- ISU also investigated two Officer involved critical incidents for the Kaukauna Police Department and the Outagamie County Sheriff's Office, which included an Officer involved shooting, and an Officer involved death.

2023 also saw a wide range of other incidents that required ISU response including:

- 10 Suicides
- 12 Overdose Deaths
- Frauds
- Shootings
- Child Abduction
- Neglect
- Robberies
- Burglaries



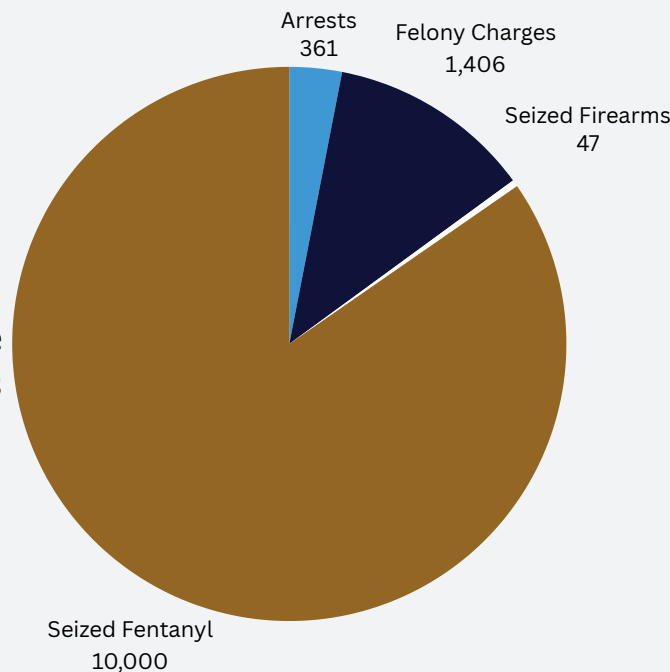
SPECIAL INVESTIGATIONS UNIT

SIU conducted and completed several investigations into unwitnessed shooting incidents, making multiple arrests for various felonies.

SIU assisted Patrol, ISU and Sensitive Crimes investigators in locating and arresting wanted individuals through SIU's partnership with the United States Marshals Service.

SIU continued their partnership with the Lake Winnebago Metropolitan Drug Unit, assigning one full time Narcotics Investigator to the unit. SIU investigators also created or assisted LWAM weekly on narcotics investigations in the City of Appleton and greater Fox Valley area.

The Green Bay division of the Great Lakes Region Fugitive Task Force made 361 arrests, closing 1406 felony charges and seizing 47 illegally possessed firearms. During these operations over 10,000 dosage units of fentanyl were seized.



LAKE WINNEBAGO AREA MEG

2023 Seizure Statistics



CATEGORY	QUANTITY
Firearms Seized.....	58.00
Cocaine - Base (g).....	847.79
Cocaine - Powder (g).....	24,546.18
Fentanyl (g).....	3,213.87
Heroin (g).....	38.71
THC Products (g).....	80,287.80
Marijuana Plants.....	37.00
Methamphetamine (g)...	5,521.68
Prescription Drugs (du)..	1,423.00
Psilocybin (g).....	1,142.75
LSD (g).....	14.82
MDMA (g).....	135.26



SUPPORT SERVICES UNIT

The Support Services Unit plays a crucial role within the Appleton Police Department, overseeing key aspects of personnel management and professional development. In this annual report, we highlight the unit's accomplishments in recruiting, hiring, and training throughout the year 2023.

Recruitment and Hiring:

In 2023, the Support Services Unit successfully recruited and hired a significant number of officers, Community Service Officers (CSOs), and civilian staff. These additions strengthen our commitment to maintaining a diverse and skilled workforce dedicated to serving the Appleton community. The following statistics provide an overview of the recruitment efforts:

- 13 Officers hired
- 9 CSOs hired
- 2 Civilian Staff hired

Training Initiatives:

Continuous training is essential for law enforcement professionals to stay updated on the latest practices, technologies, and community policing strategies. In 2023, the Appleton Police Department invested considerable resources in training programs to enhance the skills and knowledge of its staff. The following statistics offer insight into the training initiatives:

- 9,119 hours of training completed
- 156 different training courses completed



OFFICER WELLNESS



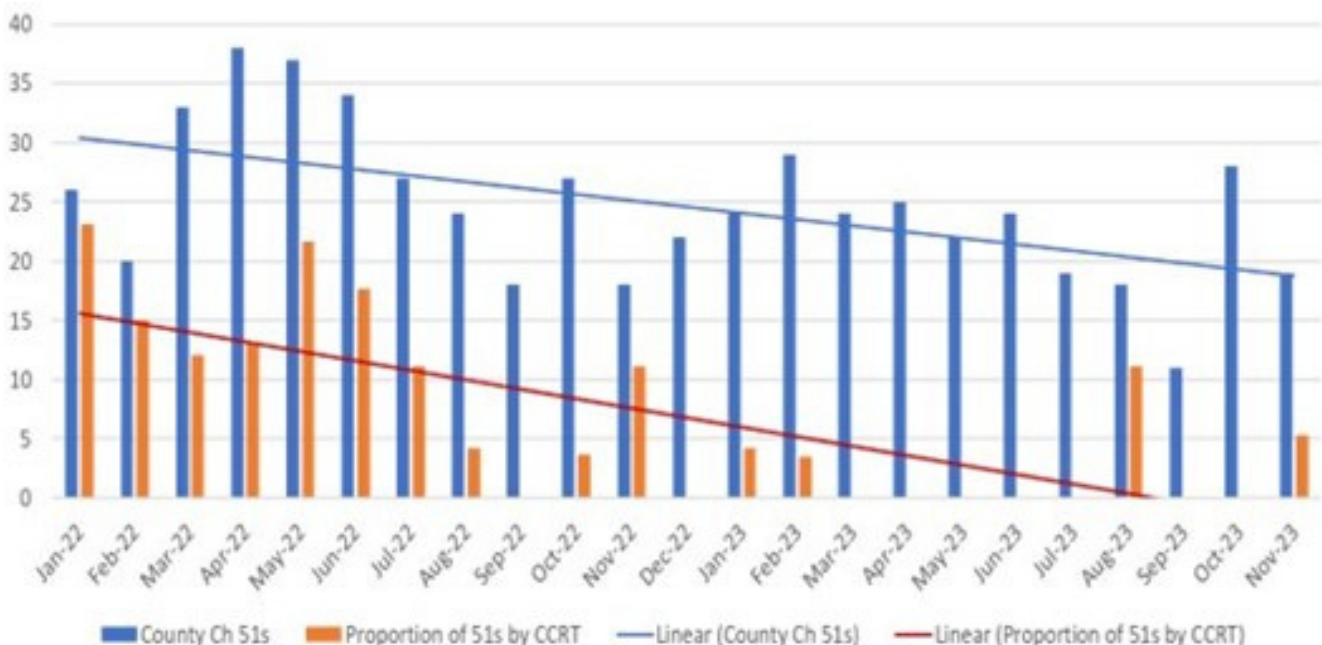
Officers of the APD and their families can and do experience a myriad of trauma, whether that be direct or indirect. The Wellness of the APD family is paramount which is why they are encouraged to take advantage of the positive outlets provided:

- Employee Assistance Program
- Yearly Wellness checks
- Gym/workout area
- Debrief of critical incidents with licensed therapists
- Ongoing trainings and education which include learning about themselves, trauma and how to process it.
- Team Building activities
- Police Chaplain's
- Outagamie County Peer Support Team

COMMUNITY CRISIS RESPONSE TEAM

Trending from 2022, we continue to see a reduction in the number of emergency detentions when the Community Crisis Response Team is involved in calls for service, the team has also enhanced the response for community members in crisis. The Co-Responder Team, which consists of APD officers and Outagamie County Crisis, hours of operation continue to be 3:00pm-11:00pm, Monday-Friday.

Ch. 51 in the County and Ch.51's by CCRT Appleton Jan. 2022-Nov. 2023



COMMUNITY RESOURCE UNIT

Kiwanis 'n Cops 'n Kids

The program consists of once a month readings by officers. The kids get their own copy of the book to keep afterward.

The program originated with our department and now has expanded internationally.



Facility K9 Edison

Continues to be very active in the AASD school, spending time with the youth.

S.A.L.T. = Seniors And Law Enforcement Together

Consisting of varying topics each month, our team works to educating senior members of our community on safety and community events.

We welcomed two new employees:



Police Community
Engagement Specialist
(new position)
McKenzy



Coordinated Entry
Health / PD
Partnership
Liz



TECHNOLOGY

In 2023 the APD continued to utilize our drone and/or robot in situations of high risk to ensure the safety of both officers and community members.



3 Robot deployments



198 Drone deployments which included training

OPERATIONS

Special events for 2023:

- 102 total special event applications processed.
- Including multi-day events, these events covered 141 days.

Towing

- 1537 next up tows (tows where owner does not have a preference, is unable to relay a preference, or arrest scenarios such as OWI).
- 39 contract evidence tows (vehicles impounded for evidence purposes).
- 364 Abandoned auto calls (not all were towed).

Grants

Grants are deployed in 1 officer four-hour blocks. Below are the estimated total deployments coordinated and estimated total time allocated.

- OWI grant – 210 four-hour deployments, 840 enforcement hours.
- Speed grant – 210 four-hour deployments, 840 enforcement hours.
- Pedestrian Safety grant – 48 four-hour deployments, 192 enforcement hours.
- Seatbelt grant – 378 four-hour deployments, 1,512 enforcement hours.

Off-duty contract police services

Private businesses request and pay for police services.

- 10 contracts, most for multiple day police coverage.



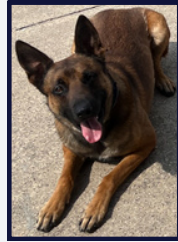
K9 UNIT



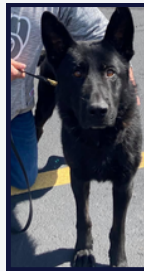
K9 EON (EXPLOSIVE DETECTION AND PATROL)
HANDLER SGT. DAVID SCHNEIDER



K9 ZUUL (NARCOTICS DETECTION AND PATROL)
HANDLER SGT. TOM ZIEMAN



K9 ONYX (NARCOTICS DETECTION AND PATROL)
HANDLER OFC. JOSHUA RIETH



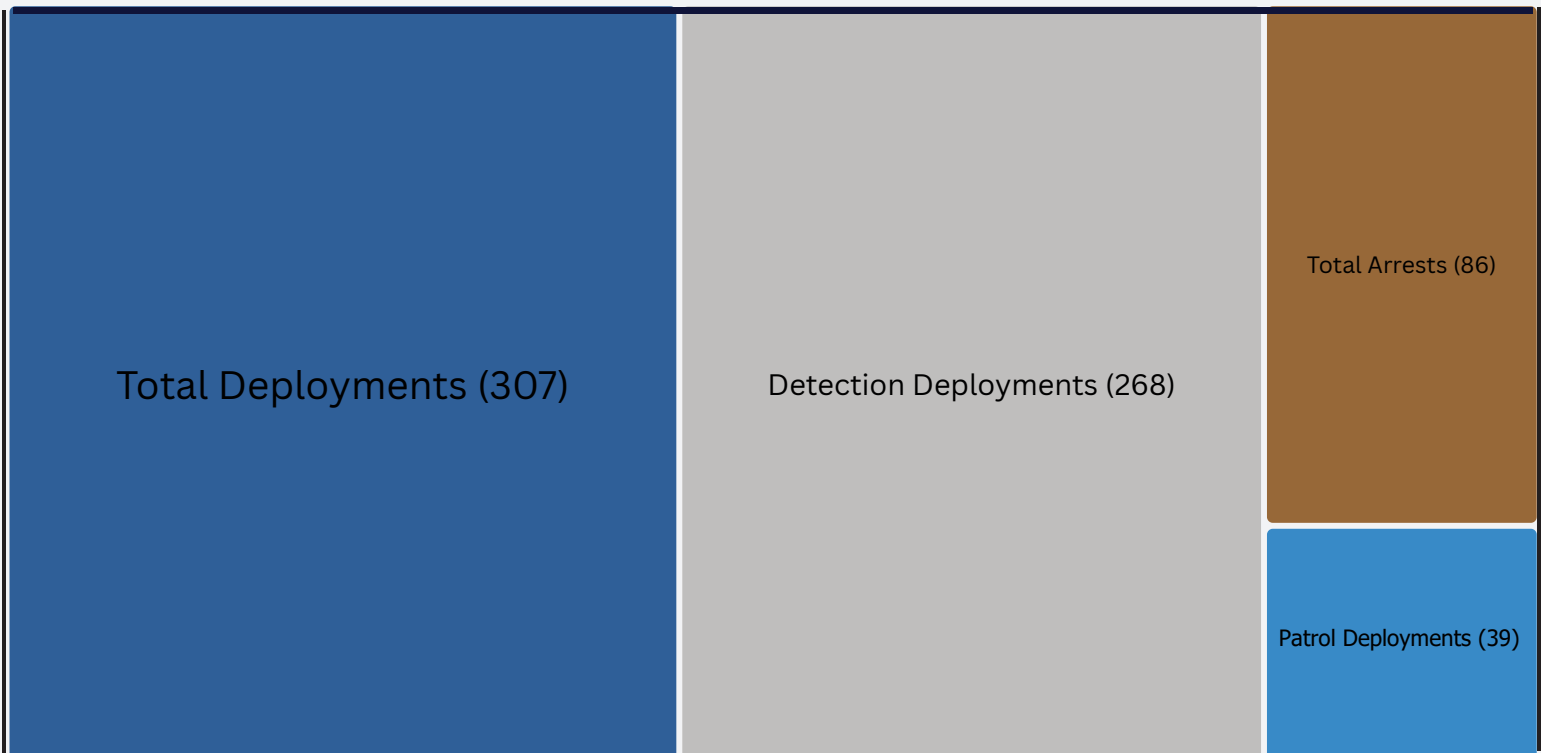
K9 FARO (NARCOTICS DETECTION AND PATROL)
HANDLER SGT. CRAIG ROHM



K9 EDISON (VICTIM SERVICES AND COMMUNITY RESOURCE)
HANDLER SGT. LORI DUVEN



2023 DEPLOYMENT STATISTICS



SCHOOL RESOURCE OFFICERS

Last year the SROs participated in over 150 school events.

Several SROs spent time coaching a variety of sports. This included Middle and High School Football, Wrestling, and Basketball.

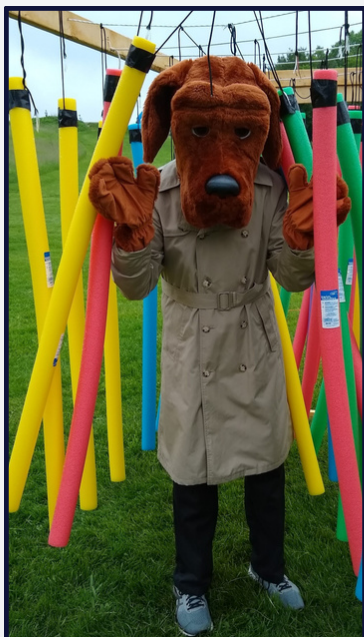
SROs used an Ordinance Diversion program in 2023.

This program provided juveniles with an opportunity to change their behavior and divert citations from the court system. In 2023, 41 juveniles had their citations diverted from court.

In 2023, the three high school SRO squads had their decals customized to designate their assigned schools.



VOLUNTEERS



The APD continues to have an active volunteer department. Our volunteers are always willing to assist in whatever way is needed. The number of hours is vast, the joy is real and the APD wouldn't thrive without them.

We have over 50 volunteers, 7 of which assist the PD on a weekly basis. Other volunteers assist monthly and as needed; all of which does not go unnoticed. The team of volunteers provides insight, positivity and perspective.

McGruff is played by our volunteers!



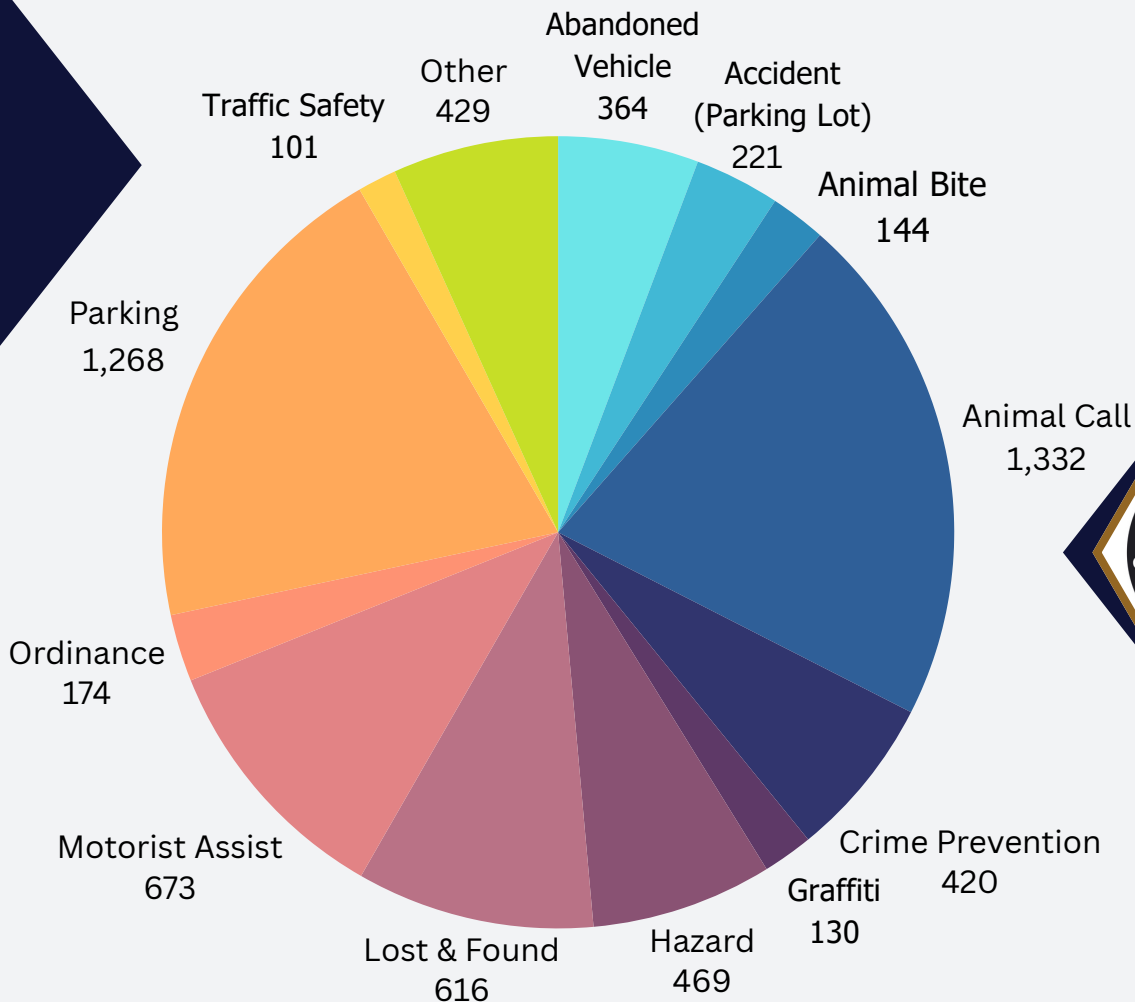
TRAFFIC SAFETY UNIT

Accidents.....	64
Traffic Stops.....	580
City Summons.....	19
Traffic Citations.....	521
OWI.....	8
Traffic Safety Screens....	209
Warnings.....	306



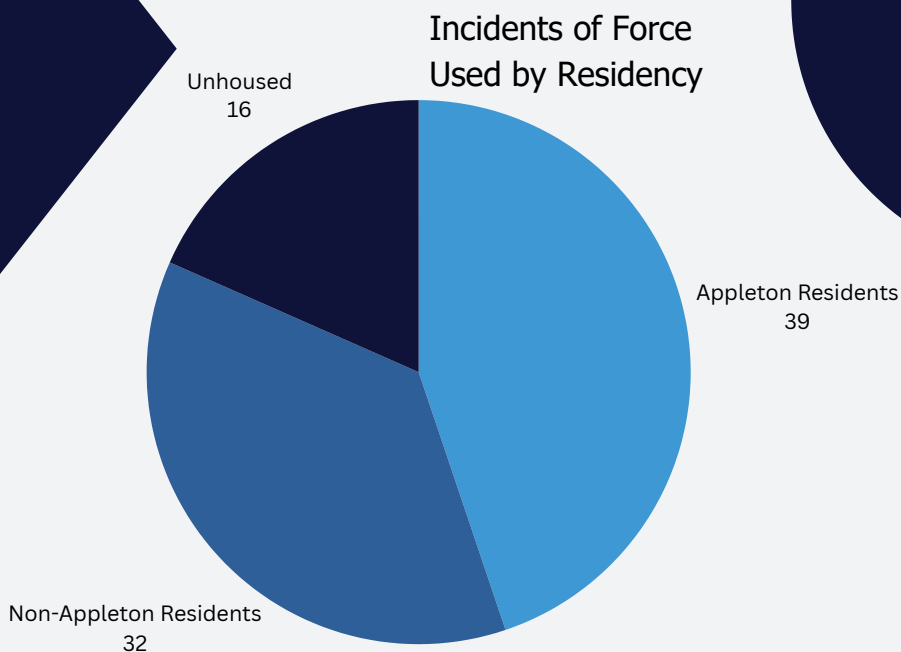
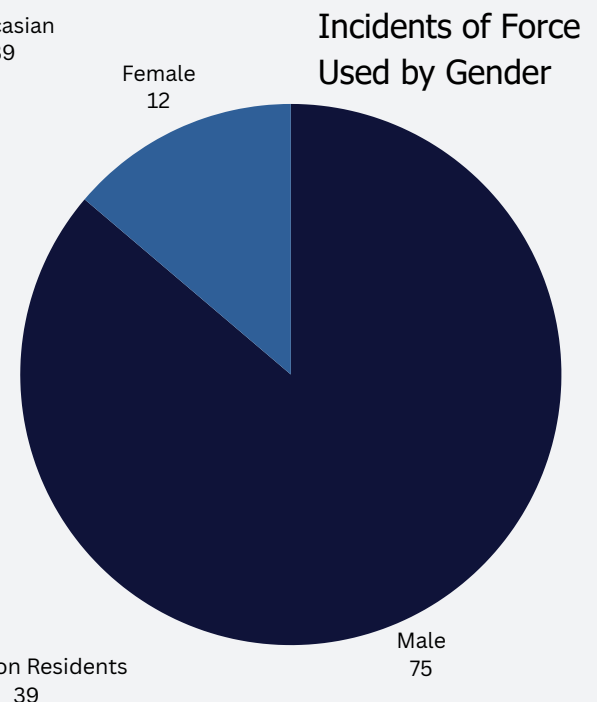
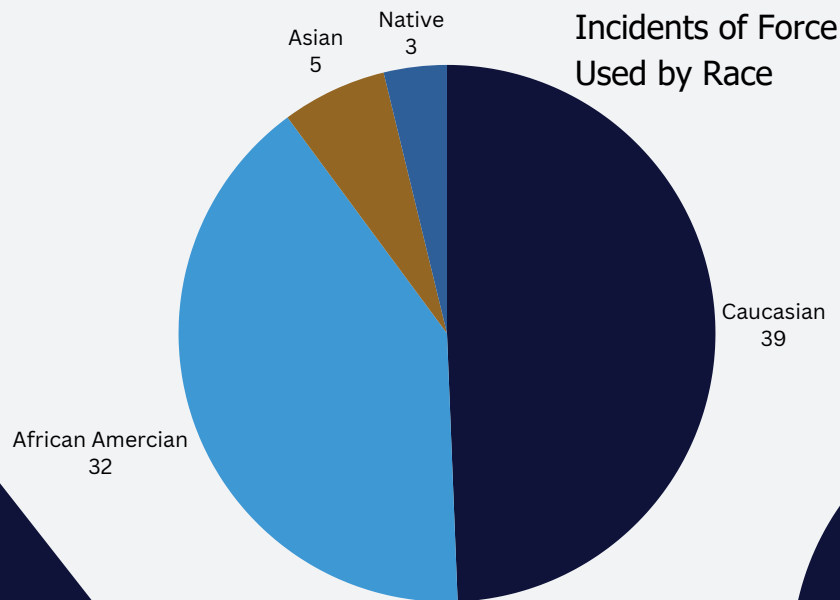
COMMUNITY SERVICE OFFICERS

Our CSO's continue to assist the community in a variety of ways on a daily basis. This includes over 150+ baby ducks saved!



USE OF FORCE

During 2023, officers from the Appleton Police Department used a level of force that met the reporting requirements during a total of 85 calls for service involving 87 total people. As in previous years, passive countermeasures accounted for the majority of techniques used by officers to affect an arrest. The most common use of force utilized by officers were decentralizations. That is bringing a resisting subject to the ground for a more stable and secure handcuffing position. Appleton officers decentralized 68 of the 87 individuals. Appleton officers also used an ECD (TASER) deployment to assist in detaining or arresting 17 individuals. There was one use of deadly force. These uses of force occurred during a variety of days, times, and locations. As a direct result of the uses of force there were 19 officers with injuries either visible or claimed. Two officers required medical treatment but did not miss any time at work.



USE OF FORCE

Types of Force Used on Individuals

	2019	2020	2021	2022	2023	5-Year Avg
ECD Deployments	12	11	16	14	17	14.0
<i>Effective</i>	7	7	12	11	13	10.0
<i>Effective %</i>	58.33%	63.64%	75.00%	72.73%	76.47%	71.43%
<i>Non-Effective</i>	5	4	4	3	4	4.0
OC Spray	0	0	0	0	0	0
Decentralization	50	56	49	52	68	55.0
Vertical/Ground Stuns	4	3	2	2	1	2.4
Hand Strikes	9	5	3	11	5	6.6
Elbow Strikes	2	0	3	2	0	1.4
Leg Kicks	1	0	0	0	0	0.2
Knee Strikes	6	8	3	1	3	4.2
Baton Strikes	0	0	0	0	0	0
Canine Bites	0	1	0	1	2	0.8
Incapacitating Techniques	0	0	0	0	0	0
Deadly Force	1	0	0	1	1	0.6



SOCIAL MEDIA REACH



56,000 Followers



8,099 Followers



2,932 Followers



895 Followers



184 Subscribers

**Appleton Police Department
222 S. Walnut Street
Appleton, WI 54911**

**920-832-5500
www.appletonpd.org**

