

1-20

AN ORDINANCE AMENDING SECTION 19-90 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PARKING VIOLATION FORFEITURES.

(Municipal Services Committee – 12/18/2019)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 19-90 of Chapter 19 of the Municipal Code of the City of Appleton, relating to parking violation forfeitures, is hereby amended to read as follows:

Sec. 19-90. Parking violation forfeitures.

(a) Any person to whom a ticket has been issued for violation of any overtime parking regulation shall incur a forfeiture of forty-five dollars (\$45.00), which forfeiture may be satisfied by paying twenty dollars (\$20.00) within fifteen (15) days of the date of the ticket.

(b) Any person to whom a ticket has been issued for any prohibited parking during a special event, or for stopping, standing or parking around schools, shall incur a forfeiture of sixty-five dollars (\$65.00), which forfeiture may be satisfied by paying forty dollars (\$40.00) within fifteen (15) days of the date of the ticket. Any person to whom a ticket has been issued for any other prohibited area parking regulation of the City shall incur a forfeiture of forty-five dollars (\$45.00), which forfeiture may be satisfied by paying twenty dollars (\$20.00) within fifteen (15) days of the date of the ticket.

(c) Any person to whom a ticket has been issued for violation of W.S.A. §346.505, pertaining to handicap parking, shall incur a forfeiture of three hundred dollars (\$300.00), which forfeiture may be satisfied by paying three hundred dollars (\$300.00) within fifteen (15) days of the date of the ticket.

(d) Any person to whom a ticket has been issued for violation of parking in an area designated no parking, for parking too close to a driveway or crosswalk, for parking on posted private property or any other parking restriction for which a forfeiture is not otherwise specifically established in this division, shall incur a forfeiture of forty-five dollars (\$45.00), which forfeiture may be satisfied by paying twenty dollars (\$20.00) dollars within fifteen (15) days of the date of the ticket.

(e) Any person to whom a ticket has been issued for violation of parking in an area from 2:00 a.m. to 5:00 a.m. shall incur a forfeiture of fifty dollars (\$50.00), which forfeiture may

be satisfied by paying twenty-five dollars (\$25.00) within fifteen (15) days of the date of the ticket.

(f) Any person to whom was issued their first and second ticket in any calendar year for a violation of any meter parking regulation shall incur a forfeiture of thirty dollars (\$30.00), which forfeiture may be satisfied by paying five dollars (\$5.00) within fifteen (15) days of the ticket.

(g) Any person to whom was issued their third through fifth ticket in any calendar year for a violation of any meter parking regulation shall incur a forfeiture of thirty-five dollars (\$35.00), which forfeiture may be satisfied by paying ten dollars (\$10.00) within fifteen (15) days of the ticket.

(h) Any person to whom was issued their sixth ticket, or any ticket thereafter, in any calendar year for a violation of any meter parking regulation shall incur a forfeiture of seventy-five dollars (\$75.00), which forfeiture may be satisfied by paying fifty-five dollars (\$50.00) within fifteen (15) days of the ticket.

(i) Any person wanting to contest a parking ticket shall first, within fifteen (15) days of the date of issuance, file an application for administrative review with the City Parking Utility. Following the administrative review, any person who is not satisfied with the results of that review shall submit a written request for judicial review to the City Parking Utility. The request for judicial review shall be submitted within thirty (30) days from the date the ticket was issued, or within ten (10) days after the administrative review is completed, whichever is later. When a timely request for administrative or judicial review is not filed, the ticket shall be presumed to be uncontested. Forfeitures shall be paid within fifteen (15) days of the ticket's issuance or, an action may be commenced by the City in accordance with the uniform traffic procedure for nonmoving violations as set forth in Sec. 345.28, Stats. and it may forward the matter to the State Department of Transportation for enforcement under the state traffic violation and registration program.

(j) When a vehicle is the subject to seven (7) or more outstanding, unpaid parking tickets issued in accordance with this section, the vehicle may be considered in chronic violation of the parking ordinances until such time that all outstanding parking tickets are paid in full. Further, upon a subsequent violation, a vehicle considered in chronic violation of the parking ordinance pursuant to this section may be towed and impounded at the owner's expense.

(k) Citations shall be paid in the following manner:

- (1) In person or by depositing in a City deposit box: payment by cash or check and including either the physical ticket, ticket number or license plate number with the payment.
- (2) Online: using the ticket number, the citation can be paid with debit card or credit card.

(1) Any third party administration fees shall be added to, and collected with, parking violation forfeitures set forth in this section. A schedule of third party administration fees charged pursuant to this section shall be on file in the office of the Director of Finance.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

Dated: January 8, 2020

Timothy M. Hanna, Mayor

Kami Lynch, City Clerk

ADOPTED: January 8, 2020
PUBLISHED: January 13, 2020
Office of the City Clerk

2-20

AN ORDINANCE AMENDING SECTION 19-86 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PARKING RESTRICTIONS.
(Municipal Services Committee – 12/18/2019)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 19-86 of Chapter 19 of the Municipal Code of the City of Appleton, relating to parking restrictions, is hereby repealed:

Ord. 62-A-88: “Parking be restricted to bus loading only from 7:00 a.m. to 7:00 p.m., except Sunday and Holidays, on the west side of Linwood Avenue from a point 100-ft south of the south right-of-way line of Packard Street extending 80-ft.”

Section 2: This ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication, the Traffic Engineer is authorized and directed to make the necessary changes in the Parking District Map in accordance with this Ordinance.

Dated: January 8, 2020

Timothy M. Hanna, Mayor

Kami Lynch, City Clerk

ADOPTED: January 8, 2020
PUBLISHED: January 13, 2020
Office of the City Clerk

3-20

AN ORDINANCE AMENDING SECTION 10-37 OF CHAPTER 10 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO POSSESSION OR PURCHASE OF CIGARETTES, NICOTINE, VAPOR, AND TOBACCO PRODUCTS BY PERSONS UNDER THE AGE OF EIGHTEEN.

(Safety and Licensing Committee – 12-18-2019)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 10-37 of Chapter 10 of the Municipal Code of the City of Appleton, relating to possession or purchase of cigarettes, nicotine, vapor, and tobacco products by persons under the age of eighteen, is hereby amended to read as follows:

Sec. 10-37. Possession or purchase of cigarettes, nicotine, vapor, and tobacco products by persons under the age of eighteen.

(a) The provisions W.S.A. §254.92 as amended regarding the possession or purchase of cigarettes, nicotine, and tobacco products by persons under the age of eighteen (18), exclusive of any penalty contained therein, is hereby adopted by reference and made an offense punishable as a violation of this Code. It shall be unlawful for anyone under the age in which that person can possess or purchase cigarettes, nicotine, or tobacco products to possess or purchase vapor products.

(b) The provisions of W.S.A. §134.66, regarding the sale or gift of cigarettes, nicotine, or tobacco products, exclusive of any monetary penalty contained therein, is hereby adopted by reference and made an offense punishable as a violation of this Code.

(c) ***Definitions.*** As used in this Section:

Vapor product means any noncombustible product or device, regardless of whether it contains nicotine, that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce a vapor that is intended to be inhaled by the person using the product. “Vapor product” includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device; and any cartridge or other container of a solution or other substance, regardless of whether it contains nicotine, that is intended to be used with or in an electronic

cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

(d) **Penalty.** Any person who violates this section shall be penalized pursuant to section 1-18(b).

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

Dated: January 8, 2020

Timothy M. Hanna, Mayor

Kami Lynch, City Clerk

ADOPTED: January 8, 2020
PUBLISHED: January 13, 2020
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4-20

AN ORDINANCE AMENDING SECTION 19-114 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO LOITERING IN OFF-STREET PARKING FACILITIES AND ON I-41/STH 441 OVERPASSES/BRIDGES PROHIBITED.

(Safety and Licensing Committee – 12/18/2019)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 19-114 of Chapter 19 of the Municipal Code of the City of Appleton, relating to loitering in off-street parking facilities and on I-41/STH 441 overpasses/bridges prohibited, is hereby amended to read as follows:

Sec. 19-114. Loitering in off-street parking facilities and on I-41/STH 441 overpasses/bridges prohibited.

No person shall enter, remain in or upon, loiter, stand, sit, lie, remain or otherwise occupy any off-street parking facilities, I-41 overpasses or bridges, or STH 441 overpasses or bridges, except for the purpose of motor vehicle parking, the necessary ingress and egress for parking, or for the customary pedestrian and/or bicycle travel upon and across highway overpasses and/or bridges.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

Dated: January 8, 2020

Timothy M. Hanna, Mayor

Kami Lynch, City Clerk