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AN ORDINANCE REPEALING SECTION 9-55 OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO QUADRICYCLES.

(Safety and Licensing Committee – 1-17-2018)

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

Section 1: That Section 9-55 of Chapter 9 of the Municipal Code of the City of Appleton, relating to quadricycles, is hereby repealed:

Sec. 9-55. Quadricycles.

No person may consume a fermented malt beverage while a passenger on a commercial quadricycle, as that term is defined in §340.01(8m), Wis. Stats. within the city of Appleton.

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

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AN ORDINANCE AMENDING SECTION 9-721 OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO LICENSES – REQUIRED; EXEMPTIONS.

(Safety and Licensing Committee – 1-17-2018)

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

Section 1: That Section 9-721 of Chapter 9 of the Municipal Code of the City of Appleton, relating to licenses – required; exemptions, is hereby amended to read as follows:

Sec. 9-721. Licenses – required; exemptions.

(a) No person, firm or company shall conduct a taxicab or limousine business within the City nor shall any person solicit passengers to be transported for hire within the City unless duly licensed to do so by the Common Council. A commercial quadricycle, as defined in §340.01(8m) of the Wisconsin Statutes, shall be licensed as a limousine.

(b) Subsection (a) of this section shall not apply to taxicabs or limousines that both pick up and drop off passengers within the City if the services are licensed in another municipality.

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

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AN ORDINANCE AMENDING SECTION 9-729 OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO TAXICAB/LIMOUSINE DRIVER'S LICENSE – APPLICATION; ISSUANCE; REVOCATION.

(Safety and Licensing Committee – 1-17-2018)

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

Section 1: That Section 9-729 of Chapter 9 of the Municipal Code of the City of Appleton, relating to taxicab/limousine driver's license – application; issuance; revocation, is hereby amended to read as follows:

Sec. 9-729. Same – Application; issuance; revocation.

(a) ***Application.*** In order for a person to be licensed under this division, the person must be at least eighteen (18) years of age and must make written application to the City Clerk on forms furnished by the City Clerk, giving the applicant's name, address and age, whether or not he has been convicted of a felony, whether or not his driver's license has ever been revoked or suspended, and the type of state driver's license that has been issued to him, and stating his experience and the number of the state driver's license. The application must be accompanied by the license fee, the amount of which is on file in the office of the City Clerk, for the initial license or any renewal license. Licenses are issued for a two- (2-) year license period from date of issuance. Applications for commercial quadricycle operation must also include a description of the route or routes for approval by the Police Department. The Police Department may approve, deny, or amend the proposed routes. An applicant may appeal the decision of the Police Department regarding commercial quadricycle route or routes to the Safety and Licensing Committee by filing an appeal with the City Clerk within fifteen (15) days after the Police Department mails a notice of denial or amendment to the Applicant. A copy of the approved route or routes will be maintained on file in the office of the City Clerk. After the Police Department has granted approval of the license, the City Clerk shall issue a photo identification card, which must be displayed on the licensee's person whenever he is driving or operating a taxicab or limousine. The cost of the identification card is included in the application fee. The identification card may be replaced for a fee, the amount of which is on file in the office of the City Clerk, if it is lost or stolen.

(b) ***Issuance.*** No license under this division will be issued or renewed if any of the following apply:

- (1) The applicant is the holder of a state occupational driver's license.
- (2) The applicant has been convicted of operating while intoxicated in the past five (5) years.

- (3) The applicant has more than three (3) moving traffic violations in the past year.
- (4) The applicant has more than three (3) traffic accidents in the past year, regardless of fault.
- (5) The applicant was convicted of an offense that substantially relates to the licensed activity. Such offenses include, but are not limited to, burglary, sex offenses, drug offenses, possession or sale of stolen property. A license can be granted if the conviction is reversed or if the person is granted a pardon for the offense. In determining whether the circumstances of the conviction are substantially related, the Chief of Police or designee shall consider the number of convictions, the nature and seriousness of the crime(s), whether the crime(s) involved violence, theft, or other evidence of lack of trustworthiness with money, whether the crime(s) involved driving, the age and maturity of the individual at the time of the conviction, the amount of time elapsed since the conviction, and any evidence of personal rehabilitation.
- (6) The applicant has been declared a habitual criminal.

(c) The license of any applicant who makes a false statement in his application shall be void and the license shall be surrendered to the City Clerk or any member of the Police Department.

(d) Any driver licensed under this section who shall be found guilty or shall plead guilty to violations of the traffic code of the City, or to violations of subsection (e), three (3) times within any one (1) year shall have his license automatically revoked.

(e) Any operator of a commercial quadricycle who is found to be in violation of an approved route, shall be subject to a penalty as provided in §1-16. It shall be a violation of an approved route to operate a commercial quadricycle with one (1) or more passengers outside of a route approved by the Police Department, or as approved by the Safety and Licensing Committee upon appeal.

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