



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

TO: Safety & Licensing Committee  
FROM: APD Chief Todd Thomas  
SUBJECT: Update to Section 19-114 of the Municipal Code  
DATE: December 5, 2019

The City of Appleton has several vehicular and pedestrian overpasses of Interstate 41 and State Highway 441 within the city limits. The Wisconsin Department of Transportation (WISDOT) owns and is responsible for the construction and maintenance of these overpasses. The APD receives complaints from time-to-time about persons loitering on the sidewalks of the overpasses trying to attract the attention of motorists on the high-speed highways below for various reasons. This behavior constitutes a distraction to motorists and often provokes police calls. WISDOT agrees the sidewalks on vehicular and pedestrian overpasses are intended to safely move pedestrians and bicyclists. They are not intended to be gathering places to be used to distract motorists below.

Recently, the APD has received a noticeable increase in calls reporting juveniles on the STH 441 pedestrian bridge (Carpenter Street) prompting vehicles passing under to honk horns. This disrupts the peace and quiet of the neighborhood. This behavior includes juveniles reportedly recording videos of themselves doing foolish things to receive internet clicks and recognition on websites like YouTube.

Presently, officers do not have an enforcement tool to use when those loitering on highway overpasses are not otherwise behaving illegally but their behavior is clearly distracting to motorists and places them at risk.

In an effort to reduce distractions for motorists on Appleton's high-speed highways and to reduce repeated horn noises of passing traffic, I recommend a small change to the Municipal Code to include pedestrian bridges to the places where loitering is prohibited, by amending Section 19-114 to read (redline edits included):

**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 **or I-41 & STH 441 overpass or bridge** except for the purpose of motor vehicle parking, **and** the necessary ingress and egress for parking, **or for the customary pedestrian/bicycle use of highway overpasses and bridges.**