



# City of Appleton

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

## Meeting Agenda - Final Municipal Services Committee

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Monday, March 11, 2024

4:30 PM

Council Chambers, 6th Floor

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1. Call meeting to order

2. Pledge of Allegiance

3. Roll call of membership

4. Approval of minutes from previous meeting

[24-0275](#) Minutes from February 26, 2024

**Attachments:** [02-26-24 MSC Minutes.pdf](#)

5. **Public Hearing/Apearances**

6. **Action Items**

[24-0276](#) Approve the installation of all-way stop control at the intersection of Capitol Drive and Conkey Street. Follow up to a six month trial period.

**Attachments:** [Conkey Capitol \(post 6-mo eval for 2-way stop to all-way stop\).pdf](#)

[24-0277](#) Approve the proposed parking change on Drew Street, north of North Street. Follow up to a six month trial period.

**Attachments:** [Drew n-o North \(post 6-mo eval\).pdf](#)

[24-0278](#) Approve request from Northcentral Construction Corporation for a temporary street occupancy permit within Oneida Street and Harris Street for the construction of Rise Apartment for a period ending on June 30, 2024.

**Attachments:** [Rise Apartments 24-025-T.pdf](#)

[24-0279](#) Approve request from RYE Restaurant for an annual street occupancy permit along 308 W. College Avenue for a window box overhang/obstruction.

**Attachments:** [RYE Window Planter - Amenity.pdf](#)

[23-1251](#) Resolution #11-R-23 Overnight Parking

**Attachments:** [#11-R-23 Overnight Parking.pdf](#)  
[Overnight Parking Resolution #11-R-23 Staff memo.pdf](#)  
[Overnight Parking Resolution Additional Information\\_Final.pdf](#)

**Legislative History**

10/23/23	Municipal Services Committee	held
	<i>Held at committee (referred to staff for further investigation) for approximately 30 days.</i>	
12/11/23	Municipal Services Committee	held
	<i>Hold until first regularly scheduled meeting in March.</i>	

[24-0216](#) Approve the proposed modification to the Central Business District Street Vendors Ordinance.

**Attachments:** [CBD Street Vendor.pdf](#)

**Legislative History**

2/26/24	Municipal Services Committee	held
	<i>Held to next scheduled meeting.</i>	

## 7. Information Items

[24-0280](#) Lawe Street Public Information Meeting Notice, March 18, 2024.

**Attachments:** [Lawe Street Public Information Meeting.pdf](#)

[24-0281](#) Interstate 41 (I41) Expansion Project Public Meetings and Construction Overview.

**Attachments:** [I41 Project Update.pdf](#)

[24-0282](#) Inspection Division Permit Summary Comparison for February 2024.

**Attachments:** [Inspection Report - February 2024.pdf](#)

## 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.*



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## Meeting Minutes - Final Municipal Services Committee

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Monday, February 26, 2024

4:30 PM

Council Chambers, 6th Floor

---

1. Call meeting to order

2. Pledge of Allegiance

3. Roll call of membership

**Present:** 5 - Van Zeeland, Alfheim, Doran, Meltzer and Siebers

4. Approval of minutes from previous meeting

[24-0211](#)

Minutes from 02-12-2024

**Attachments:** [02-12-24 MSC Minutes.pdf](#)

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

**Aye:** 5 - Van Zeeland, Alfheim, Doran, Meltzer and Siebers

5. **Public Hearing/Appearances**

6. **Action Items**

[24-0212](#)

Receive and file the College Avenue Lane Reconfiguration Report for Pilot Period #1 (July 2023 through January 2024).

**Attachments:** [College Avenue Lane Reconfiguration Report #1.pdf](#)  
[SmartStreet R1\\_022824\\_v2.pdf](#)

**Siebers moved, seconded by Meltzer, that the Report Action Item be received and filed. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Van Zeeland, Alfheim, Doran, Meltzer and Siebers

[24-0213](#)

Approve request from The Boldt Company for a street occupancy permit for the Fox Commons City Center Plaza project along College Avenue from City Center East to the entrance of City Center West for a period ending on May 15, 2024.

**Attachments:** [Permanent - Fox Commons - College Ave - 3-7-2024 through 5-15-2024.pdf](#)

**Siebers moved, seconded by Alfheim, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Van Zeeland, Alfheim, Doran, Meltzer and Siebers

[24-0214](#)

Approve the proposed modification to the Glendale and Whitman Yard Waste Site hours of operation.

**Attachments:** [2024.02.26\\_Yard Sites Schedule Proposal.pdf](#)

**Siebers moved, seconded by Alfheim, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - Van Zeeland, Alfheim, Doran and Siebers

**Nay:** 1 - Meltzer

[24-0215](#)

Approve the recommended lighting updates near the intersection of Walnut Street and College Avenue.

**Attachments:** [Lighting Improvements Walnut @ College.pdf](#)

**Siebers moved, seconded by Alfheim, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Van Zeeland, Alfheim, Doran, Meltzer and Siebers

[24-0216](#)

Approve the proposed modification to the Central Business District Street Vendors Ordinance.

**Attachments:** [CBD Street Vendor.pdf](#)

*Held to next scheduled meeting.*

**Doran moved, seconded by Alfheim, that the Report Action Item be held. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Van Zeeland, Alfheim, Doran, Meltzer and Siebers

## 7. Information Items

[24-0217](#)

Inspection Division Permit Summary Report for January 2024.

**Attachments:** [Inspection Report - January 2024.pdf](#)

8. Adjournment

**Siebers moved, seconded by Alfheim, that the meeting be adjourned. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Van Zeeland, Alfheim, Doran, Meltzer and Siebers



DEPARTMENT OF PUBLIC WORKS  
Engineering Division – Traffic Section  
2625 E. Glendale Avenue  
Appleton, WI 54911  
TEL (920) 832-5580  
FAX (920) 832-5570

**To:** Municipal Services Committee  
**From:** Eric Lom, P.E., City Traffic Engineer  
**Date:** February 27, 2024  
**Re:** Recommended switch to all-way stop control at Capitol Dr / Conkey St intersection  
*Follow-up to a six-month trial*

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### **General**

In response to safety concerns, the Traffic Section recently reviewed the intersection control at the Capitol Drive / Conkey Street intersection, and subsequently initiated a six-month evaluation period to change from two-way stop control to all-way stop control. This intersection is located 0.3 miles north of Northland Avenue (CTH OO) and 0.2 miles east of Roemer Road. While both roadways are functionally classified as “Local,” both effectively function as “Collector” roadways as a result of the recent traffic signal installation at the Conkey St / Northland Av (CTH OO) intersection. The posted speed limit on both roadways is 30 mph.

### **Evaluation**

The Federal Highway Administration (FHWA) states that certain criteria should typically be met in order to justify the implementation of all-way stop control. This typically involves evaluation of traffic volumes, crash experience, and the functional classification of the roadways. Designated *School Safe Walking Routes* are also considered when appropriate.

The busiest eight hours of the day are used to evaluate FHWA’s traffic volume criteria. At the Capitol/Conkey intersection, the volumes are approximately 51% of the levels necessary to satisfy the volume-related all-way stop warrant.

However, the main concern we heard about this intersection was regarding the number and severity of crashes, which involved eleven reportable crashes over a five-year period, and numerous injuries. This yields a crash rate of 3.6 crashes per million entering vehicles, which is much higher than the city-wide average (0.22) for two-way stop-controlled intersections.

### **Recommendation**

While the traffic volumes at this intersection do not meet FHWA guidelines for all-way stop control, this intersection had a crash rate that was unusually high. It is likely the crash problem would continue to get worse as more development occurs in the subject area, resulting in higher traffic volumes. However, since the start of the all-way stop evaluation period, there have been zero reported crashes. Additionally, we have not received any negative feedback regarding the six-month evaluation.

Based on this, we recommend making the changes permanent. To accomplish this, the following ordinance action is required:

1. **Create:** “Install all-way stop control at the Capitol Drive / Conkey Street intersection.”



“... meeting community needs ... enhancing quality of life.”

**DEPARTMENT OF PUBLIC WORKS**  
**Engineering Division – Traffic Section**  
2625 E. Glendale Avenue  
Appleton, WI 54911  
TEL (920) 832-5580  
FAX (920) 832-5570

**To:** Municipal Services Committee  
**From:** Eric Lom, City Traffic Engineer  
**Date:** February 27, 2024  
**Re:** Proposed parking change on Drew Street, north of North Street  
*Follow-Up to Evaluation Period*

In response to safety concerns, the City’s Traffic Section recently reviewed the Drew St / North St intersection. Based on this review, several changes were made in an attempt to reduce crashes, which included: 1) the addition of stop lines and crosswalk markings for eastbound and westbound North Street, the addition of secondary (left-side) stop signs for eastbound and westbound North St, and 3) a staff-initiated six-month evaluation period to remove parking on the west side of Drew Street, just north of the intersection, as a way of improving sight lines for eastbound traffic.

The adjacent property owner, First English Lutheran Church, was contacted, and they had no objection to the plan to remove parking.

The changes appear to have had a positive impact on safety at the intersection, with zero crashes being reported during the six-month evaluation period (there had been 18 reported crashes during the preceding five-year period). We have not received any negative feedback from the community. Based on this, we recommend the changes be made permanent. To accomplish this, the following ordinance action is required:

1. **Create:** “Parking be prohibited on the west side of Drew Street from North Street to a point 64 feet north of North Street.”



# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : 24-025-T  
Effective Date: 02/21/2024  
Expiration Date: 03/20/2024  
Non-Refundable Fee: \$40.00  
Paid (yes or no): yes/152039586

Rev. 10-05-2023

### Applicant Information

Name (print): Cooper Krings Company: Northcentral Construction Corporation  
Address: 631 S Hickory Street Telephone: 920-579-5075  
Fond du Lac, WI 54935 E-mail: cooperk@nccbuilds.com  
Applicant Signature: [Signature] Date: 01/09/24

### Occupancy Information

General Description: New Construction of Rise Apartments

Street Address: 102, 104, 106, 108, 110, 112, and 113 W Harris Street Sidewalk/roadway obstruction requested  Y or  N

- or -  
Multiple Streets: W Harris Street & N Oneida Street ----- requesting till 6/30/2024 to go to MSC and Council

Date(s) From: 02/21/2024 To: 03/20/2024 35 days or <  35 days or >   
(Requires Committee and Council Approval)

(Department use only)

#### Occupancy Type

#### Sub-Type

#### Location

- |  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> Permanent - Obstruction (\$40)            | <input type="checkbox"/> Awning                         | <input type="checkbox"/> Sandwich Board | <input checked="" type="checkbox"/> Sidewalk |
| <input checked="" type="checkbox"/> Temporary - Obstruction (\$40) | <input type="checkbox"/> Dumpster                       | <input type="checkbox"/> Table / Chairs | <input type="checkbox"/> Terrace             |
| <input type="checkbox"/> Amenity/Annual (\$40)                     | <input type="checkbox"/> Sign                           |   | <input checked="" type="checkbox"/> Roadway  |
| <input type="checkbox"/> Blanket/Annual (\$250)                    | <input checked="" type="checkbox"/> Obstruction / Other |   |  |
| <input type="checkbox"/> Block Party (\$15)                        | <input type="checkbox"/> POD / Container                |   |  |

### Additional Requirements

- Plan/Sketch       Certificate of Insurance       Bond  
 Other : \_\_\_\_\_

### Traffic Control Requirements

N/A

Contact Traffic Division (920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.  
Additional Requirements:

Type of Street:      Proposed Traffic Control:

<input type="checkbox"/> Arterial/CBD	<input checked="" type="checkbox"/> City Manual Page(s) _____
<input type="checkbox"/> Collector	<input type="checkbox"/> State Manual Page(s) _____
<input checked="" type="checkbox"/> Local	<input checked="" type="checkbox"/> Other (attach plan) _____

See attachments

Approved by: MIKE MARUY Date: 1/15/24

#### This permit approval is subject to the following conditions:

1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.
- 5.
- 6.

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner. By applying for and accepting this permit, the applicant assumes full liability and/or any costs incurred by the City for corrective work required to bring the subject area into compliance with said ordinances, standards, policies and permit conditions. No occupancy shall occur prior to approval of this permit by the Department of Public Works.

The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in accordance with existing ordinances and policies, in the event of injury or damage to persons or property resulting from their facilities within the public right-of-way.

APPROVED BY: Pete Neuberger/ds DATE: 3/1/2024  
(Department of Public Works)

## Statement of Insurance Coverage

**Insurance Coverage:**

Insurance Carrier: Cincinnati Insurance Company  
Insurance Agent Name and Phone Number: McClone Agency-Dillon Holewinski  
Policy Number: 0169944  
Policy Period: 1/1/24-12/31/24

**Bond Coverage:**

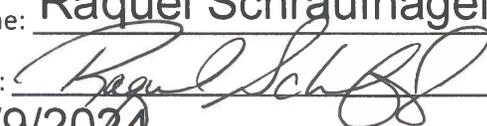
\* Bond Carrier: \_\_\_\_\_  
\* Bond Agent Name and Phone Number: \_\_\_\_\_  
\* Bond Number: \_\_\_\_\_  
\* Bond Period: \_\_\_\_\_

I confirm that I have the authority to sign and certify the information contained herein as the permittee/licensee or duly authorized representative of the entity obtaining this permit/license.

I have reviewed and understand the insurance and bonding requirements of the City of Appleton. I hereby certify that I, or the company I represent have insurance and a bond in the amounts required to obtain this permit/license. I have named the City of Appleton as an additional insured for purposes of this permit/license and have provided the name of my insurance and bond carriers, the policy numbers and policy periods above.

Further, I agree to maintain appropriate insurance coverage for the duration of this permit/license and to indemnify against any and all liability, loss, damage and expenses and costs including attorneys' fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant, anyone directly or indirectly employed by any of them, which may arise from the use of city right of way or property under this permit or license.

I certify that this application, and all information and documentation provided therein, is true and accurate.

Company Name: Northcentral Construction Corporation  
Print Name: Raquel Schraufnagel  
Signature:   
Date: 1/9/2024

\* Bonds are required for the following types of work only:

- Plumbing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-265)
- Demolition of Buildings: \$5,000.00 Permit Bond (Code Section 4-188(a)(2))
- Sewer lateral sealing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-188(c))
- Moving of Buildings: \$5,000.00 Permit Bond (Code Section 4-207(5))
- Cement Finisher's License: \$5,000.00 License Bond (Municipal Code Section 9-33)
- Excavation or place facilities in the public right-of-way: \$5,000.00 Permit Bond (Code Section 16-110)



**DEPARTMENT OF PUBLIC WORKS**

**METER BAG APPLICATION**

Fee is \$9.00 per day plus tax or any part thereof. **THIS FEE WILL BE CHARGED FOR EVERY DAY THE METER BAG IS RESERVED** (excluding Sundays and Holidays).

**NOTE:** Meter bags shall not be used on red meters. If a red meter is found bagged, the bag will be removed and the vehicle will be ticketed.

Company Name **Northcentral Construction Corporation**

Agent **Cooper Krings**

Company Address **631 S Hickory Street, Fond du Lac, WI 54935**

Phone Number **920-929-9400**

Reason **New Construction - Rise Apartments(2nd temp permit)**

Location **102-113 Harris Street**

Meter Zone 9202 - 81,103,104,105,111,112,113,114,115,123,124,125,126,127(14)  
Zone & Space#

Date(s) **2-21-24 to 3-20-2024(attached)**

*(Department use only)*

Amount Due **\$3,323.25**  
(\$9.00 per bag per day plus tax)

Approved by **Pete Neuberger/ds**  
Department of Public Works Representative

Today's Date **2/28/2024**



**Warning Lites**  
Of Appleton, Inc.  
TRAFFIC SAFETY & SUPPLY  
1-920-725-0757  
"Safety Is Our Business"  
920-725-0757 www.warningliteswi.com

START DATE & TIME

DURATION:

**GENERAL NOTES:**  
THIS TRAFFIC CONTROL PLAN IS FOR INFORMATIONAL PURPOSES ONLY. TRAFFIC CONTROL PLAN IS NOT TO SCALE. WARNING LITES OF APPLETON, INC. ASSUMES NO LIABILITY FOR LAYOUT & SETUP OF ACCEPTED TRAFFIC CONTROL PLAN. THE CITY OF APPLETON DECIDES FINAL APPROVAL OF TRAFFIC CONTROL PLAN. ADVANCED WARNING SIGNS WILL BE MOUNTED ON PORTABLE SUPPORTS. THE EXACT NUMBER, LOCATION, AND SPACING OF ALL SIGNS AND DEVICES. SHALL BE ADJUSTED TO FIT FIELD CONDITIONS AS APPROVED BY THE ENGINEER.

- ⊥ SIGN SYMBOL
- /○ DRUM WITH/WITHOUT LIGHT
- ▨ TYPE III BARRICADE
- ⇨ DIRECTION OF TRAFFIC

Owner	
Project Name RISE APARTMENTS	Project Number
Prime Contractor NORTHCENTRAL CONSTRUCTION	Traffic Control Contractor Warning Lites of Appleton, Inc.
Phone 920-725-0757	Sheet Number 1
Prepared By Lance G Mauel	Date 01/10/2023

2-0529

2-0532

2-0533

411413415433  
401-07

ZONE 9202-115  
BLOCKED BY DRIVEWAY MADE

ZONE 9202 - 111, 112, 113, 114

ZONE 9202 - 103, 104, 105

2-0530

2-0536

116

112-102

113

ZONE 9202 - 81

ZONE 9202 - 123, 124, 125, 126, 127

2-0431

2-0441

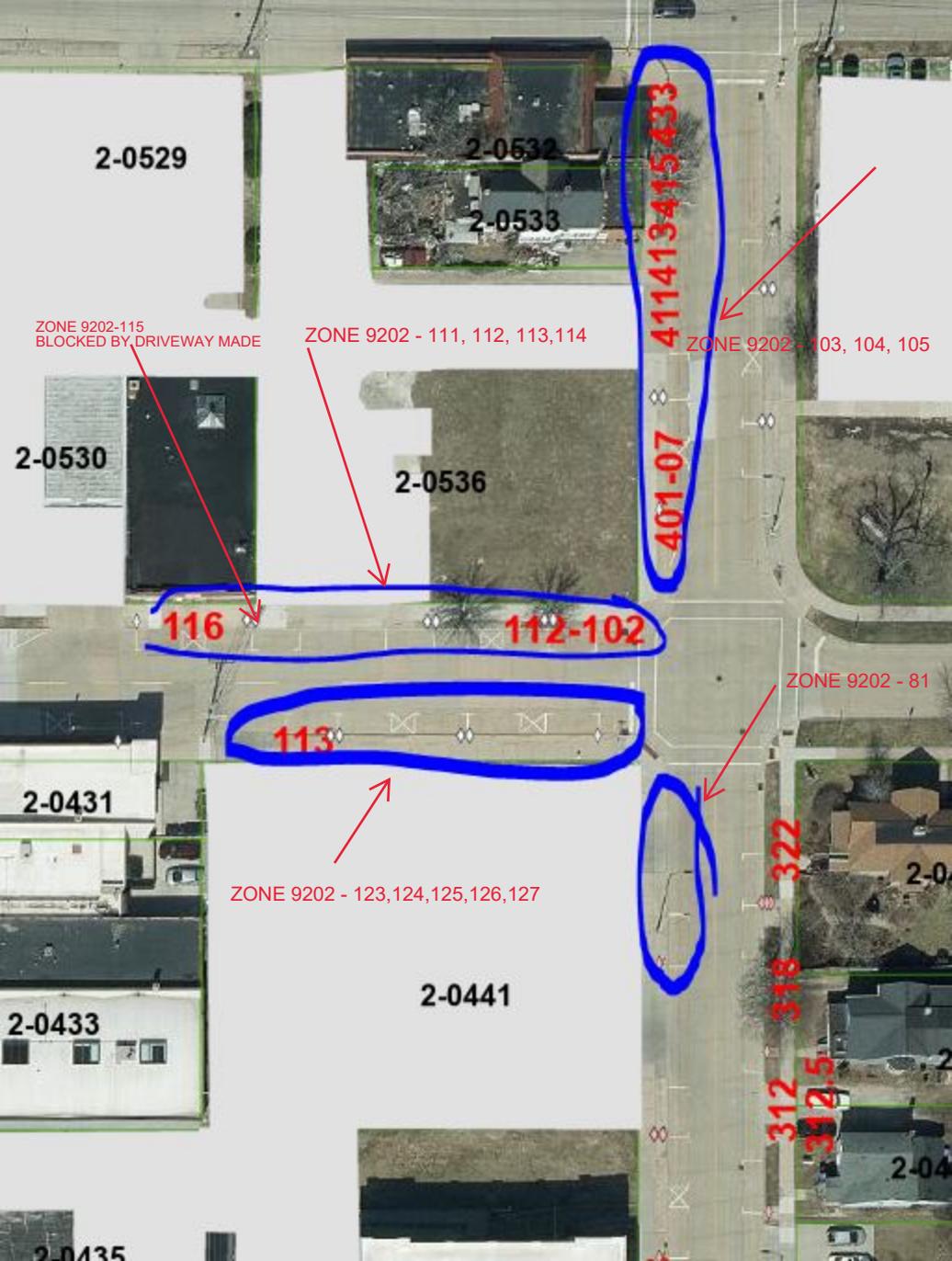
322  
318  
312  
312.5

2-0433

2-0

2-0435

2-04







# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
 Effective Date: \_\_\_\_\_  
 Expiration Date: 12/31/2024  
 Non-Refundable Fee: \$40.00  
 Paid (yes or no): yes / 6435-0001

Rev. 10-05-2023

**Applicant Information**

Name (print): Charlotte Morse Company: RYE Restaurant  
 Address: 308 W. College Ave Telephone: 920 380 4745  
Appleton, WI 54913 E-mail: Ryedining@outlook.com  
 Applicant Signature: [Signature] Date: 3/4/24

**Occupancy Information**

General Description: Window Planter box attached to building facing College Ave  
 Street Address: 308 W. College Ave Sidewalk/roadway obstruction requested  Y or  N  
 - or -  
 Multiple Streets: \_\_\_\_\_  
 Date(s) From: \_\_\_\_\_ To: \_\_\_\_\_ 35 days or <  35 days or >   
 (Requires Committee and Council Approval)

*(Department use only)*

<b>Occupancy Type</b>	<b>Sub-Type</b>	<b>Location</b>
<input type="checkbox"/> Permanent - Obstruction (\$40)	<input type="checkbox"/> Awning	<input checked="" type="checkbox"/> Sidewalk
<input type="checkbox"/> Temporary - Obstruction (\$40)	<input type="checkbox"/> Dumpster	<input type="checkbox"/> Terrace
<input checked="" type="checkbox"/> Amenity/Annual (\$40)	<input type="checkbox"/> Sign	<input type="checkbox"/> Roadway
<input type="checkbox"/> Blanket/Annual (\$250)	<input checked="" type="checkbox"/> Obstruction / Other <u>Window Box</u>	
<input type="checkbox"/> Block Party (\$15)	<input type="checkbox"/> POD / Container	

**Additional Requirements**

Plan/Sketch  Certificate of Insurance  Bond  
 Other : \_\_\_\_\_

**Traffic Control Requirements**  N/A  Contact Traffic Division 920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure. Additional Requirements:

<i>Type of Street:</i>	<i>Proposed Traffic Control:</i>
<input type="checkbox"/> Arterial/CBD	<input type="checkbox"/> City Manual Page(s) _____
<input type="checkbox"/> Collector	<input type="checkbox"/> State Manual Page(s) _____
<input type="checkbox"/> Local	<input type="checkbox"/> Other (attach plan) _____

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

- This permit approval is subject to the following conditions:
1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
  2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
  3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
  4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.
  - 5.
  - 6.

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner. By applying for and accepting this permit, the applicant assumes full liability and/or any costs incurred by the City for corrective work required to bring the subject area into compliance with said ordinances, standards, policies and permit conditions. No occupancy shall occur prior to approval of this permit by the Department of Public Works.

The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in accordance with existing ordinances and policies, in the event of injury or damage to persons or property resulting from their facilities within the public right-of-way.

**APPROVED BY:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
 (Department of Public Works)

## Statement of Insurance Coverage

### Insurance Coverage:

Insurance Carrier: Society Insurance  
Insurance Agent Name and Phone Number: Mike Tied 920 619 5900  
Policy Number: WC19045726-3  
Policy Period: December 1st 2023 - December 1st 2024

### Bond Coverage:

\* Bond Carrier: \_\_\_\_\_  
\* Bond Agent Name and Phone Number: \_\_\_\_\_  
\* Bond Number: \_\_\_\_\_  
\* Bond Period: \_\_\_\_\_

I confirm that I have the authority to sign and certify the information contained herein as the permittee/licensee or duly authorized representative of the entity obtaining this permit/license.

I have reviewed and understand the insurance and bonding requirements of the City of Appleton. I hereby certify that I, or the company I represent have insurance and a bond in the amounts required to obtain this permit/license. I have named the City of Appleton as an additional insured for purposes of this permit/license and have provided the name of my insurance and bond carriers, the policy numbers and policy periods above.

Further, I agree to maintain appropriate insurance coverage for the duration of this permit/license and to indemnify against any and all liability, loss, damage and expenses and costs including attorneys' fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant, anyone directly or indirectly employed by any of them, which may arise from the use of city right of way or property under this permit or license.

I certify that this application, and all information and documentation provided therein, is true and accurate.

Company Name: RYE RESTAURANT  
Print Name: Charlotte Morse  
Signature:   
Date: 3/4/24

\* Bonds are required for the following types of work only:

- Plumbing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-265)
- Demolition of Buildings: \$5,000.00 Permit Bond (Code Section 4-188(a)(2))
- Sewer lateral sealing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-188(c))
- Moving of Buildings: \$5,000.00 Permit Bond (Code Section 4-207(5))
- Cement Finisher's License: \$5,000.00 License Bond (Municipal Code Section 9-33)
- Excavation or place facilities in the public right-of-way: \$5,000.00 Permit Bond (Code Section 16-110)





## **Resolution#11-R-23**

### **On-Street Overnight Parking Resolution**

Submitted By: *Aldersperson Siebers – District 1*

Date: *October 18, 2023*

Referred To: *Municipal Services Committee*

Whereas, City ordinance prohibits on street parking between the hours of 2am and 5am, unless given special permission, and

Whereas, as the number of cars have multiplied over the years, leading to multi-car households, overnight parking has become a greater problem, especially in older neighborhoods where off-street parking is more limited, and

Whereas, large historic houses in central neighborhoods have been converted into apartment complexes and often do not provide adequate off-street parking, and

Whereas, the City's overnight on-street parking ordinance is not enforced consistently, thereby no longer deterring people from parking on the street during 2am and 5am,

Therefore be it resolved,

The City of Appleton follow the example of other cities in Wisconsin and allow overnight on-street parking with a monthly permit.



**DEPARTMENT OF PUBLIC WORKS**

100 North Appleton Street

Appleton, WI 54911

TEL (920) 832-6474

FAX (920) 832-6489

**MEMO**

**To:** Municipal Services Committee  
**From:** Danielle Block, P.E. Director of Public Works  
Appleton Police Department  
**Date:** December 6, 2023  
**Re:** On-Street Overnight Parking Resolution #11-R-23

The Department of Public Works (DPW) and Appleton Police Department (APD) have reviewed Resolution #11-R-23, a resolution to establish an on-street overnight parking program by permit.

Current City Municipal Code Section 19-93 restricts on-street parking from 2am to 5am, unless given permission by APD. This overnight parking request process allows for a registered vehicle to request on-street overnight parking permission up to seven days per month. There is no fee associated with the overnight parking request process.

Staff offer the following points to consider while discussing the feasibility of allowing on-street overnight parking by permit. Below these points are implications of implementing an overnight parking program that need to be considered.

**• General Rules:**

- On-street overnight parking would be in effect for the entire year, every day of the week, unless during a snow emergency. During a snow emergency there shall be no parking on any city street (Class III). A detailed review of the City’s Snow Emergency Classifications would need to be completed.
- On-street overnight parking would be restricted to alternate sides.
- The on-street overnight alternate side parking regulations would not replace more restrictive parking regulations. *Example:* Parking in posted “No Parking” zones, within 4 feet of a driveway, within 15 feet of a crosswalk or within 10 feet of a fire hydrant are never allowed.
  - See the attached maps illustrating routes where there are existing parking restrictions.
- Alternate side parking (overnight):
  - In effect 2am to 5am on most city streets.
  - On odd-numbered days, vehicles may park, stop or be left standing only on the side of a street having odd-numbered addresses.
  - On even-numbered days, vehicles may park, stop or be left standing only on the side of the street having even-numbered addresses.
  - All overnight parking requirements shall apply to the corresponding calendar date as of 2am. *Example:* if it is 9:00 pm on April 21, and you want to park on the street overnight, you would park on the side with the addresses that are even-numbered because April 22 is the date that the 2 am to 5am parking regulations will be in effect.
  - Alternate side parking would prompt turnover of parked cars.

- This rule would assist with ease of enforcement.
- This rule would also allow for street operations to continue or to be scheduled on half the road– sweeping and leaf collection.

• **Boundary:**

- Streets within the City limits.
- All streets would be available, with the following exceptions:
  - Metered stalls.
  - Stalls or areas within more restrictive parking regulations (i.e., no parking, 2-hour parking, etc.).
  - Again, see the attached maps for citywide parking restrictions.

- **Permit** – there are several implications related to operating and maintaining an on-street overnight parking permit program. Offering on-street overnight parking by permit only could result in fewer vehicles parked on-street overnight than if no permit were required. Those that have a need for additional parking could take advantage of the on-street overnight parking permit program. Those that do not need the additional parking space would have incentive to use private off-street parking options, avoiding permit fees.

Reducing the number of vehicles along the roadway allows for more effective and efficient City operations related to street sweeping, snow plowing, etc. It will assist with preserving the available parking spaces for those that need additional space not accommodated through off-street/private options.

Potential implications of requiring a permit to park overnight:

- The system would offer a direct point of contact with the vehicle owner.
  - Communication during snow emergencies, etc.
  - Ability to have communication during enforcement.
- A permitting system could potentially create barriers – financially and the process itself to obtain a permit.
- Requiring a permit would limit or reduce the number of vehicles parked on the street.
- There is a level of staffing to administer a permit program. Once more details of a permit system are defined, staffing levels must be evaluated.
- Price Structure:
  - A pricing structure has not yet been determined.
  - Price needs to be verified through a cost analysis. Once a determination on the permit administration and enforcement staffing levels is made, the pricing structure can be verified.
    - The ability of the Parking Utility to offset operating costs associated with the program will need to be estimated.
    - A community and market rate comparison should also be completed.
  - City public parking ramps offer monthly parking permits for \$40/month. The administrative and operational procedures currently established by the Parking Utility and DPW Operations currently support vehicles parked overnight within the ramps. Greater (or continued exclusive) use of off-street parking options (such as the ramps) in lieu of on-street parking would reduce or eliminate significant cost impacts to DPW.
- Qualifications:
  - No outstanding parking tickets.
  - Valid driver license.

- Vehicle is operable and registered.
- RVs are restricted.
- Trailers of any type shall not be parked overnight on any street unless:
  - The trailer is attached to a permitted motor vehicle.
- Open to residents and non-residents.
- Placard/Tag – consideration should be given to the requirement of a visible placard or tag. In the absence of a tag or visual indication, a permitting software will need to be readily accessible to the enforcement staff.
  - Valid only when visible and properly displayed.
  - Valid for a certain duration – i.e., one month. The card color/appearance would have to be varied.

• **Administration Staffing**

- In order to implement an on-street permit parking program, the Parking Utility would likely need additional staffing. Duties to be completed are: administration of the permits, management of the software program and modifications/recommendations to parking policies and procedures.
- In order to minimize the staffing burden, consideration should be given to expanding existing software tools or exploring new software tools to streamline data management payment processing. The City’s existing parking software PassPort offers several permit features to manage both on-street and ramp parking permits.

• **Enforcement Staffing**

- Calls related to parking violations would likely increase. A strict enforcement program to promptly cite or tow is critical to keeping City operations on schedule. Additional staffing is needed.
- In order to enforce an on-street permit parking program, the APD or Parking Utility would need additional staffing. Duties to be completed are: enforcement during the hours of 2am to 5am and the completion of citation paperwork and appeals review during the hours outside of 2am to 5am.
- In order to minimize the staffing burden, consideration should be given to expanding existing software tools or exploring new software tools to more efficiently and effectively enforce the overnight parking regulations. For example, PassPort offers an enforcement feature within the existing software to track and recognize license plates authorized within the permit system. It is possible that this software could manage both on-street parking and ramp parking.

• **Operational Impacts** – there are several areas of DPW operations that would be impacted by the introduction of on-street overnight parking. These operations would likely occur at longer intervals. There may also be a reduction in the level of service experienced by the public. For example, snow and ice may accumulate and will become packed down in parking lanes.

- Street Sweeping
- Leaf Collection
- Snow and Ice
  - See attached photo examples of overnight parking implications.
- Refuse
- Signage
  - Existing 2am – 5am no parking signs at the entrances to the City will need to be changed.
  - Additional or modified signage to indicate alternate sign permit only overnight parking to be added.

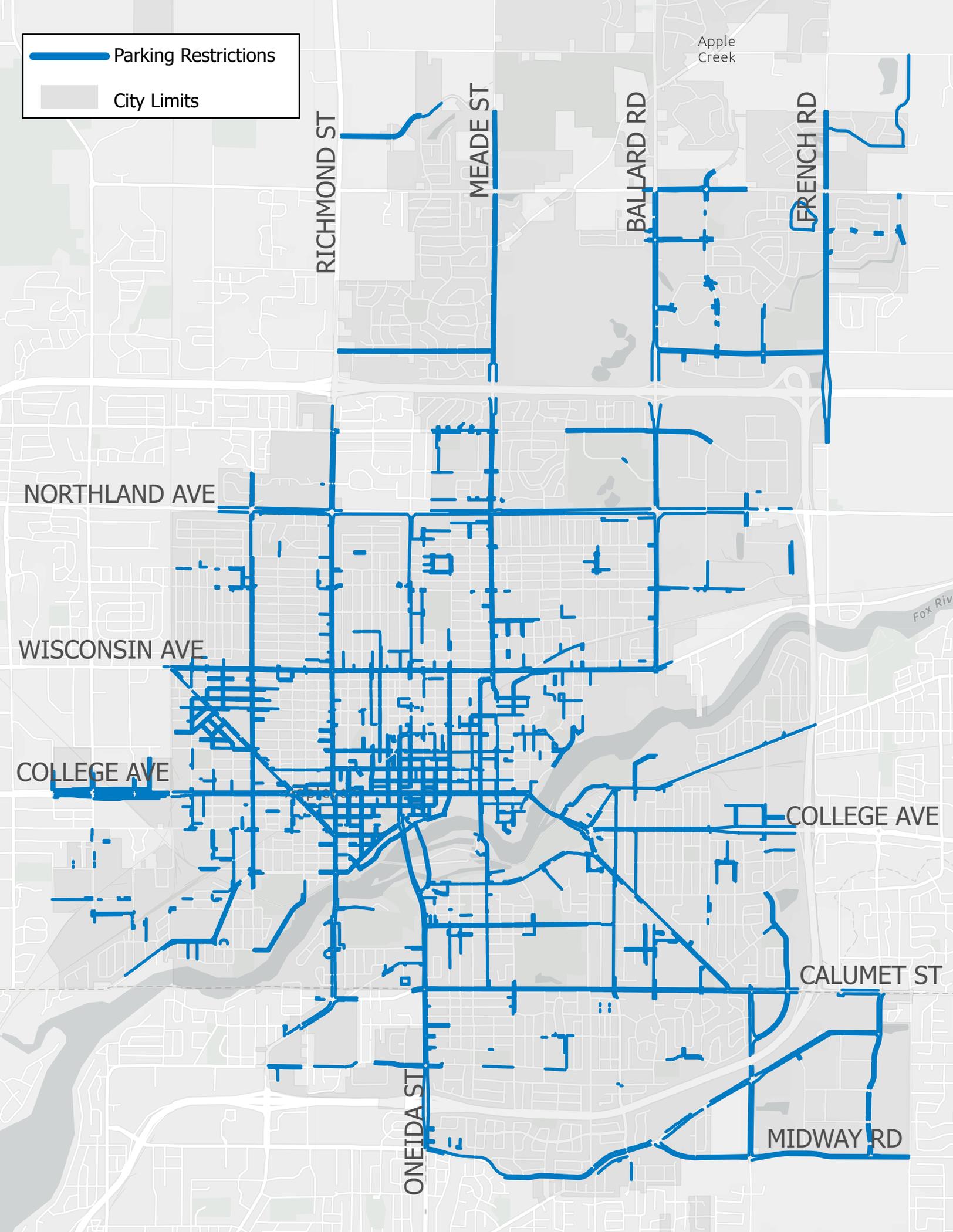
- **Engineering Impacts**

- Development of a Complete Streets Policy and Design Guide is in progress. The Policy and Design Guide will provide tools to support roadway designs for parking on both sides of the street where high on-street parking need is objectively identified, as well as tools to support limiting on-street parking to one side of the street in other instances.
  - The effort to present, discuss and adopt the revised Complete Streets Policy and Design Guide should be concluded within the first quarter of 2024.

**Recognizing the implications listed above, staff is requesting additional guidance from the Municipal Services Committee. Staff recommends the item be held until further analysis can be completed based on Committee input.**

 Parking Restrictions

 City Limits



Apple Creek

RICHMOND ST

MEADE ST

BALLARD RD

FRENCH RD

NORTHLAND AVE

WISCONSIN AVE

COLLEGE AVE

COLLEGE AVE

CALUMET ST

ONEIDA ST

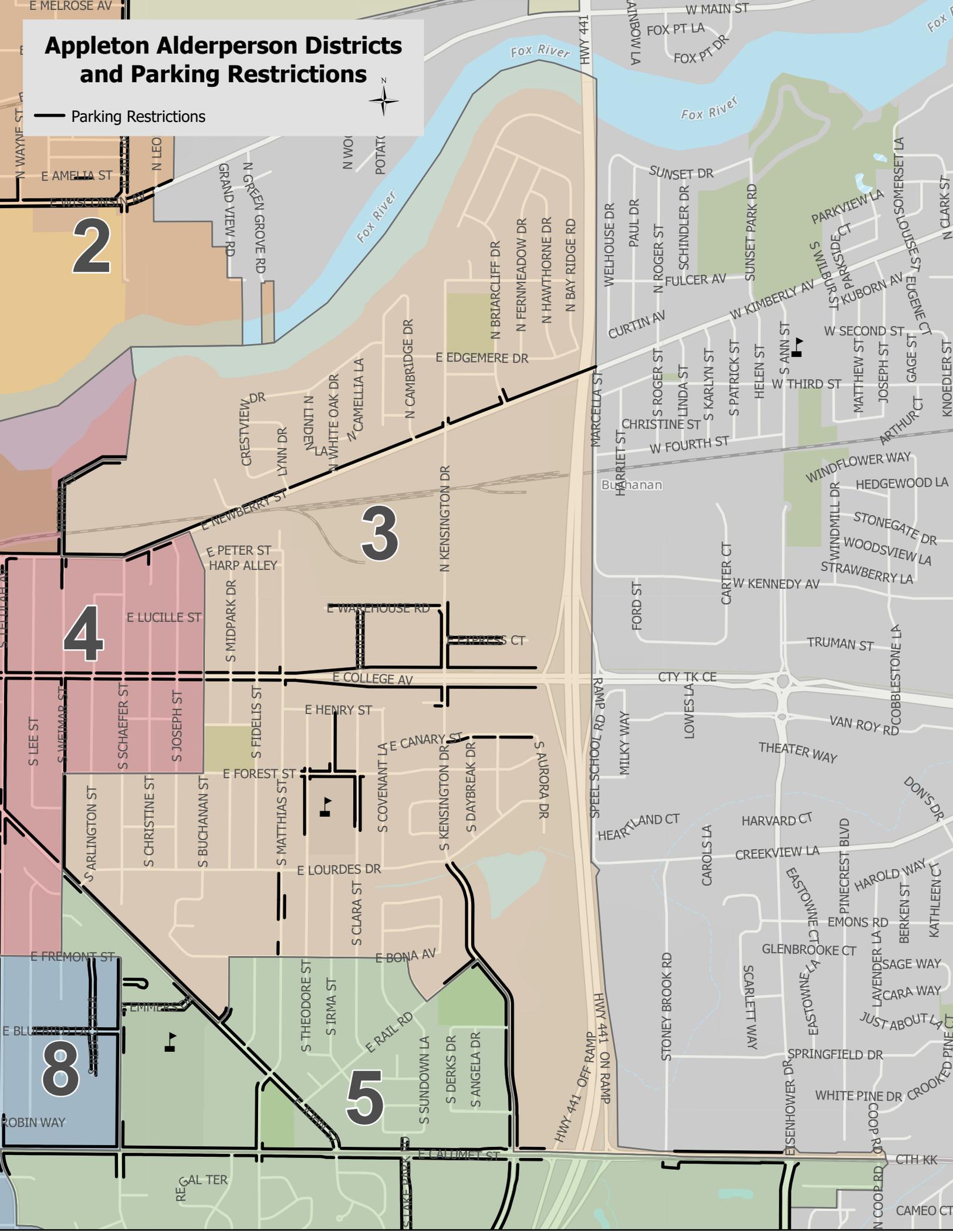
MIDWAY RD

Fox Riv



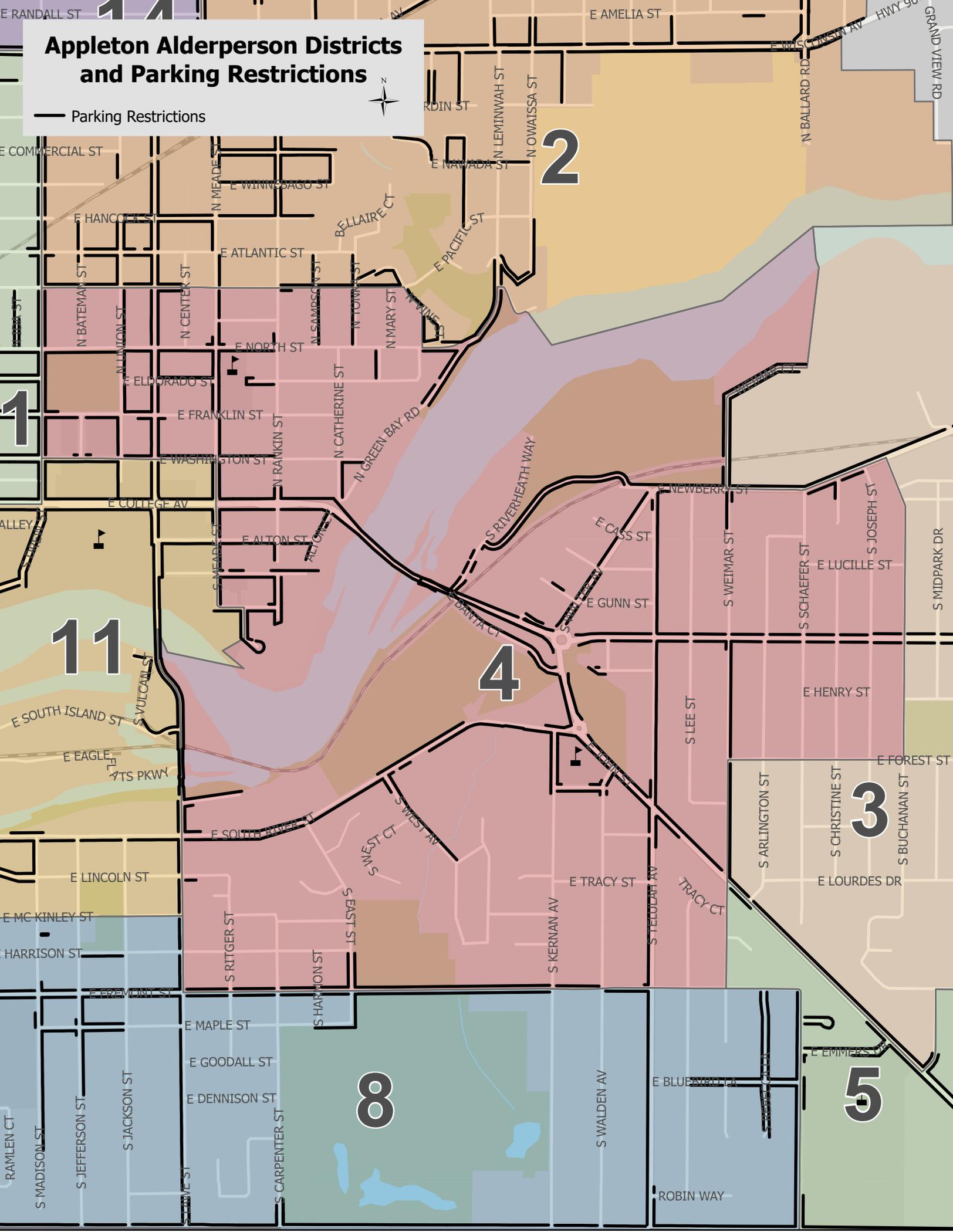
# Appleton Alderperson Districts and Parking Restrictions

— Parking Restrictions



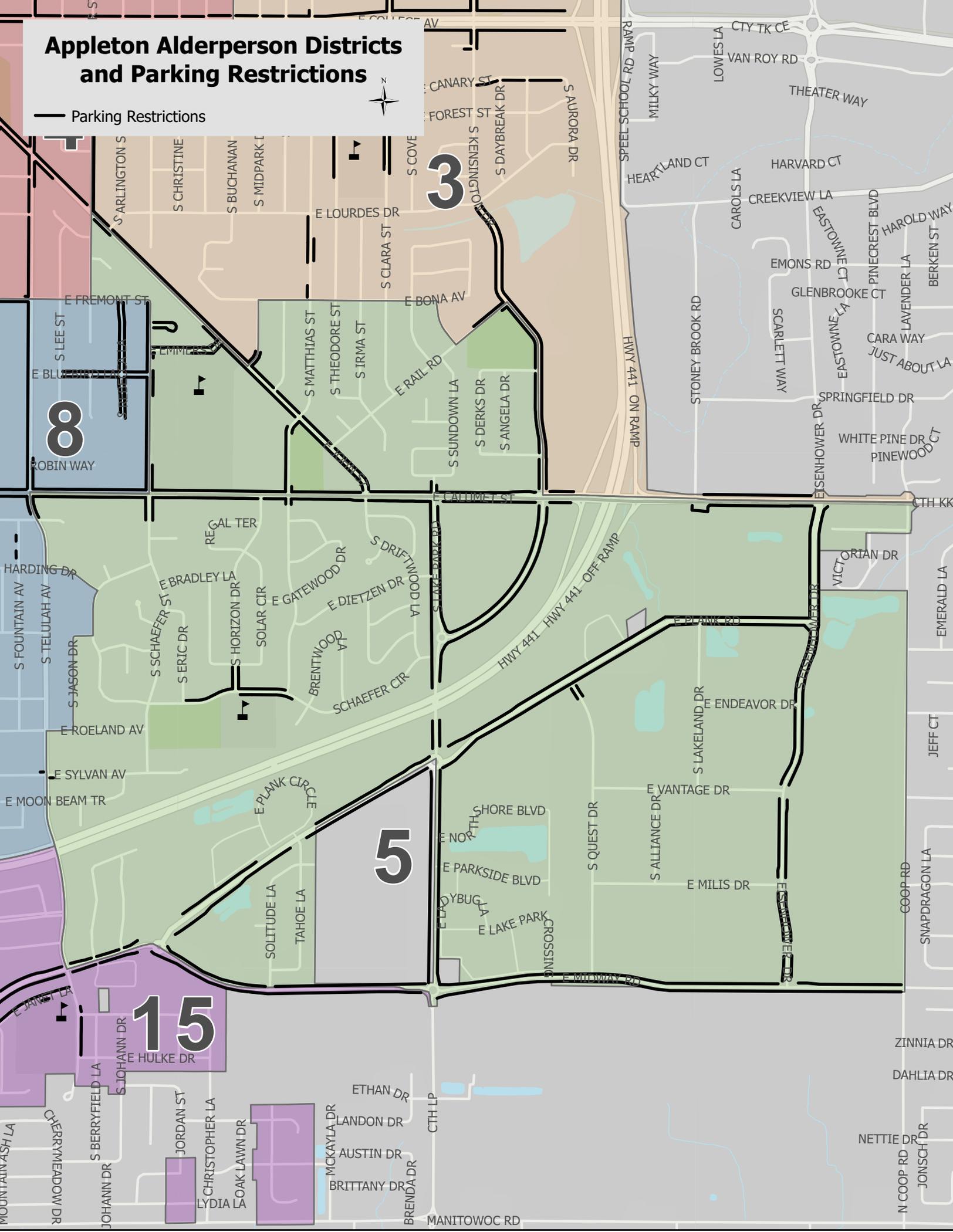
# Appleton Alderperson Districts and Parking Restrictions

— Parking Restrictions



# Appleton Alderperson Districts and Parking Restrictions

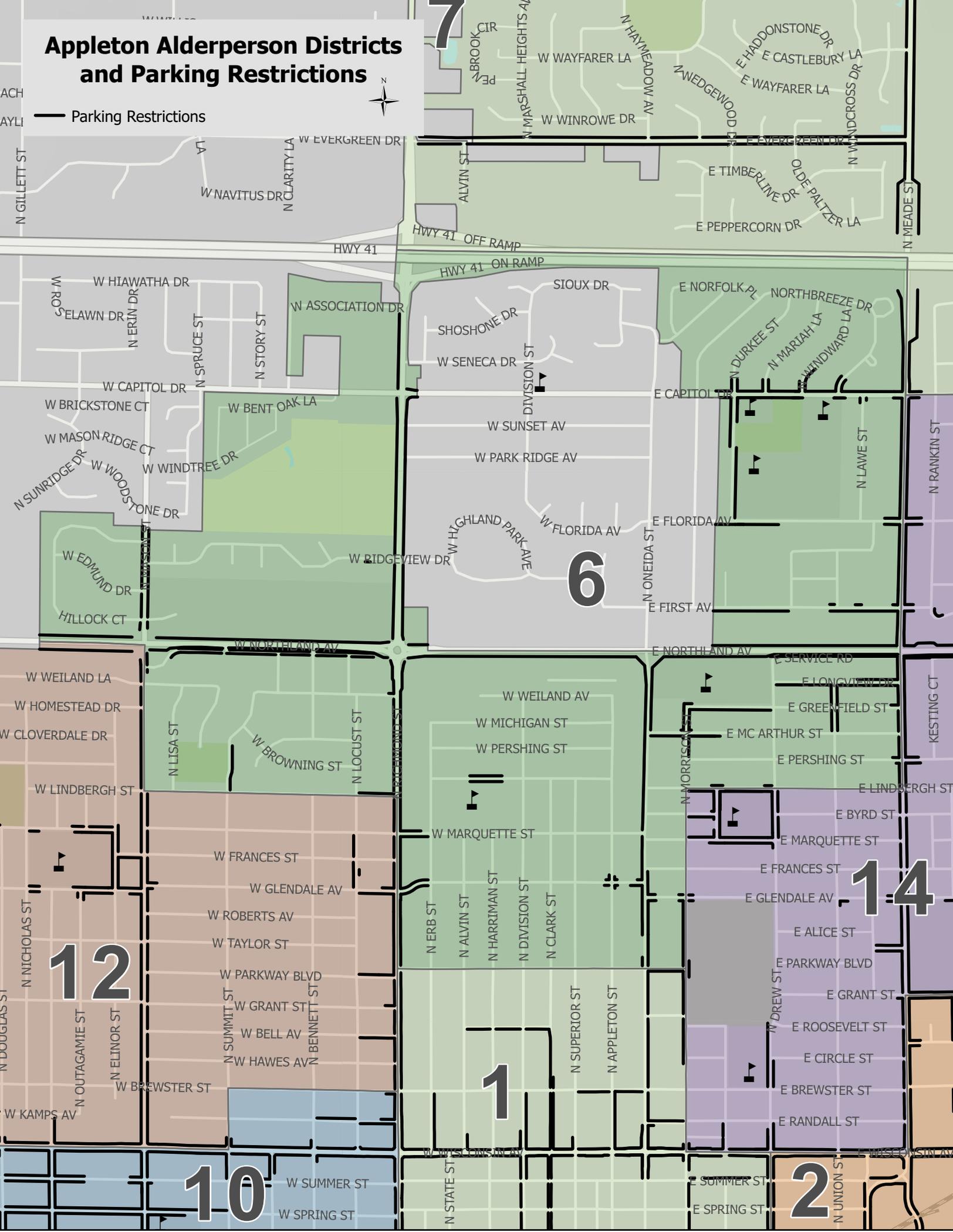
— Parking Restrictions



# Appleton Alderperson Districts and Parking Restrictions



**—** Parking Restrictions

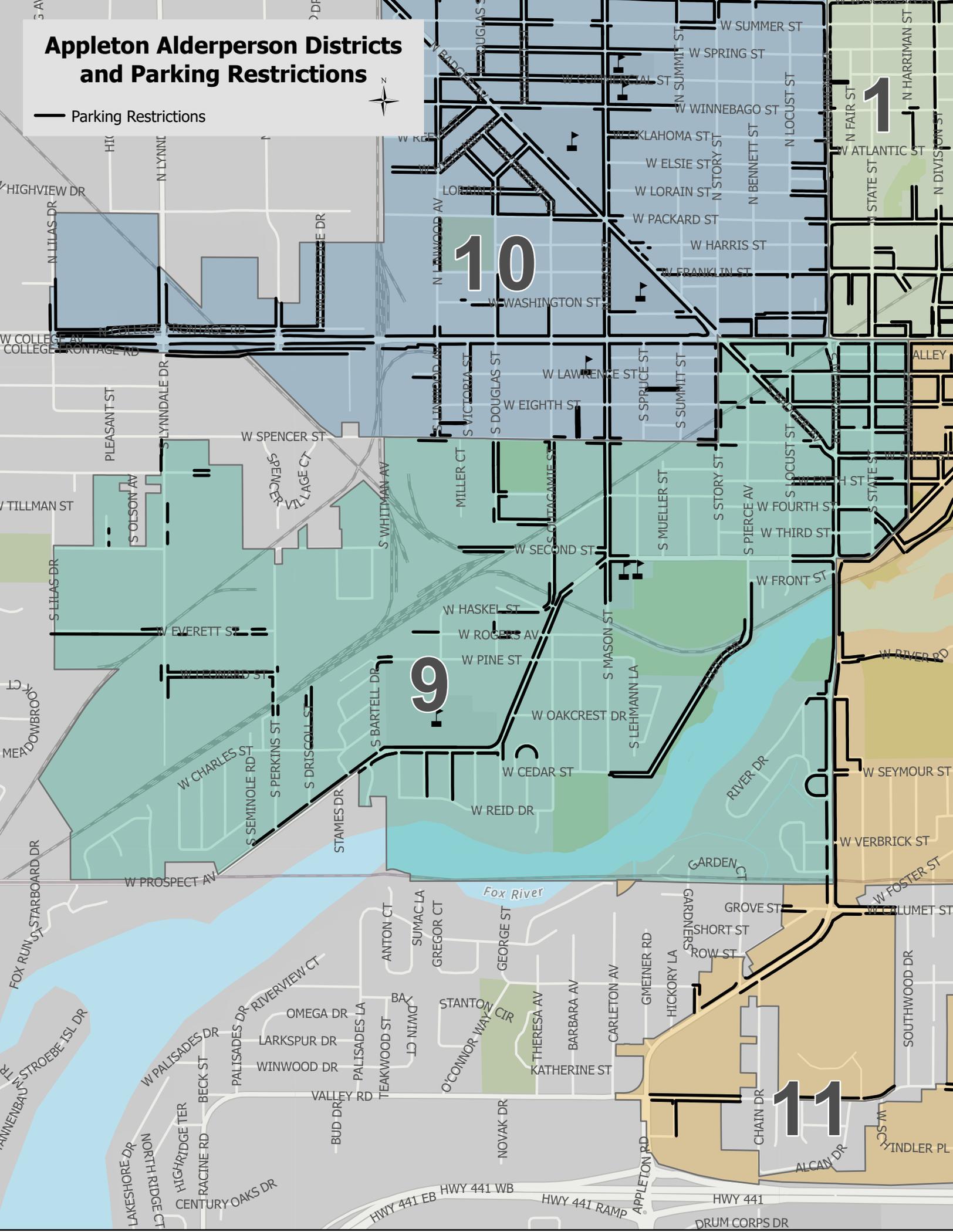






# Appleton Alderperson Districts and Parking Restrictions

— Parking Restrictions



# Appleton Alderperson Districts and Parking Restrictions

 Parking Restrictions



# 12

W LINDBERGH ST

W MARQUETTE ST

W FRANCES ST

W GLENDALE AV

W TAYLOR ST

W PARKWAY BLVD

W GRANT ST

W BELL AV

W HAWES AV

N SUMMIT ST

W KAMPS AV

W SUMMER ST

W SPRING ST

W COMMERCIAL ST

W WINNEBAGO ST

W OKLAHOMA ST

W ELSIE ST

W LORAIN ST

W PACKARD ST

W HARRIS ST

W FRANKLIN ST

# 10

W WASHINGTON ST

W LAWRENCE ST

W EIGHTH ST

W SPENCER ST

W FOURTH ST

W TILLMAN ST

W SECOND ST

W HASKEL ST

W ROGERS AV

W PINE ST

W OAKCREST DR

# 9

W HASKEL ST

W ROGERS AV

W PINE ST

W OAKCREST DR

COMMONWEALTH CT

TIMBER

W DARLING ST

N HINE ST

N REXFORD ST

N RYNDERS ST

W RANDALL ST

W ELBERG AV

HICKORY FARM LA

LYNNDALE CT

N LILAS DR

N LYNNDALE DR

N PERKINS ST

W NATALIE DR

W WISCONSIN AV

WILHARMS DR

W JONATHON DR

W WINTERGREEN DR

W CORTLAND DR

W ROBERTS AV

N WINESAP DR

MC INTOSH DR

N WHITNEY DR

DUCHESS CT

HARVEST DR

RUSSET CT

W WISCONSIN AV

W NATALIE DR

W WISCONSIN AV

COMMONWEALTH CT



# Appleton Alderperson Districts and Parking Restrictions

— Parking Restrictions



W NORTHLAND AV

W WEILAND LA

W HOMESTEAD DR

W CLOVERDALE DR

W PERSHING ST

W LINDBERGH ST

W MARQUETTE ST

W FRANCES ST

W GLENDALE AV

W ROBERTS AV

W TAYLOR ST

W PARKWAY BLVD

W GRANT ST

W BELL AV

W HAWES AV

W BREWSTER ST

W KAMPS AV

W WISCONSIN AV

W SUMMER ST

W SPRING ST

W COMMERCIAL ST

12

10

N BIRCHWOOD AV

N EDGEWOOD AV

N LINWOOD AV

N EUGENE ST

N DOUGLAS ST

N GILLETT ST

N OUTAGAMIE ST

N NICHOLAS ST

N ELINOR ST

N MASON ST

N LISA ST

N LAURIE ST

N DAVID ST

SERVICE RD

N RICHMOND ST

N SHARON ST

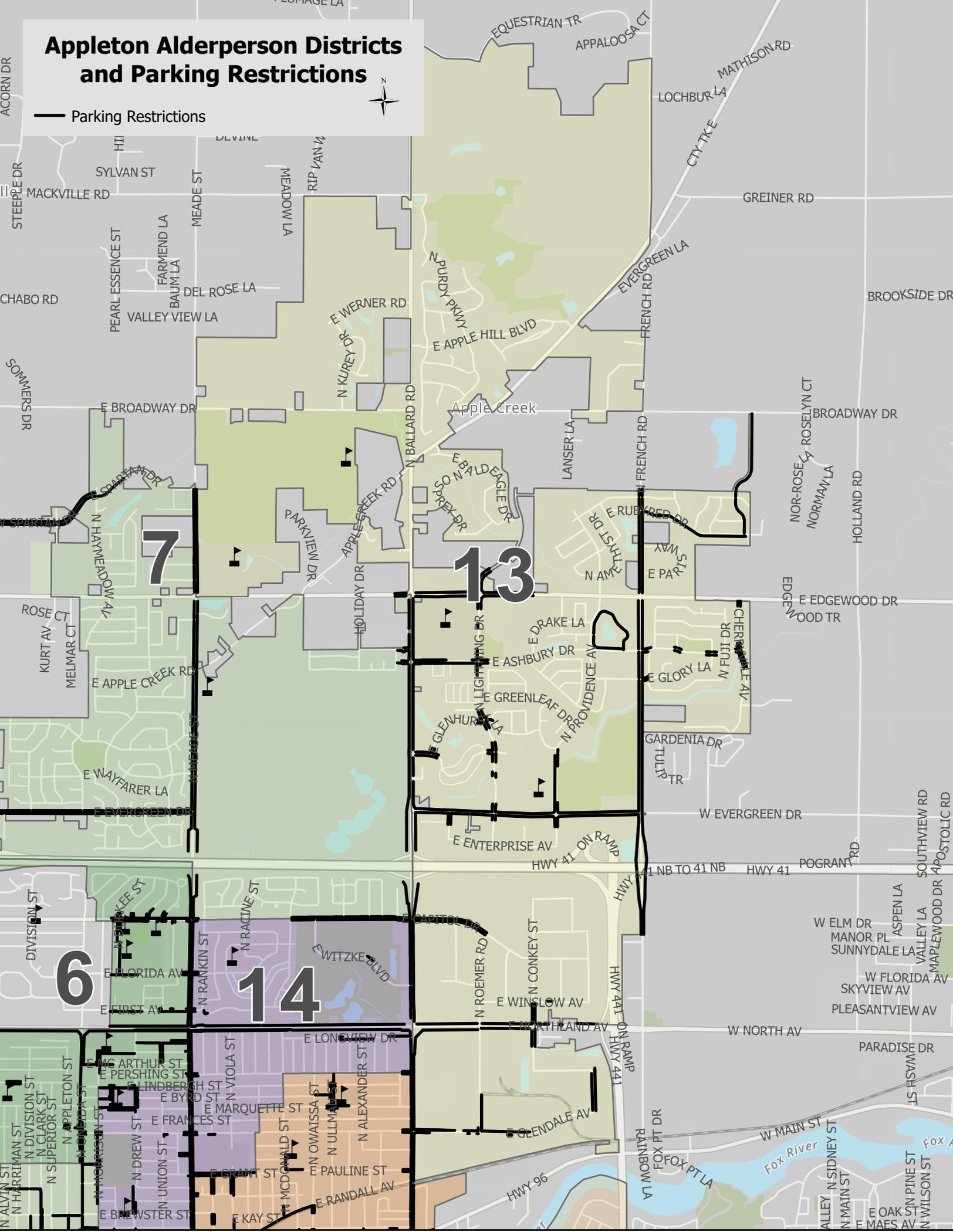
N BADGER AV

N STORY ST

# Appleton Alderperson Districts and Parking Restrictions



**—** Parking Restrictions









E/W Side Street. Cars parked entire length during event



E/W Side Street. No cars parked during event

N/S Side Street. 2 Parked cars during event



**Example from another community – on-street overnight parking during a significant snow event.**





**DEPARTMENT OF PUBLIC WORKS**

100 North Appleton Street

Appleton, WI 54911

TEL (920) 832-6474

FAX (920) 832-6489

**MEMO**

**To:** Municipal Services Committee  
**From:** Danielle Block, P.E. Director of Public Works  
**Date:** March 1, 2024  
**Re:** **Additional Information** On-Street Overnight Parking Resolution #11-R-23

**Executive Summary**

The Department of Public Works (DPW) has significant concerns with the On-Street Overnight Parking Resolution as proposed. The implementation of overnight parking presents significant regulatory, enforcement and operational challenges, that at present we have no way of remedying.

**DPW Staff Analysis**

The Department of Public Works (DPW) continued to refine and analyze the overnight parking feedback provided by the Municipal Services Committee on December 11, 2023.

A survey of neighboring communities was conducted. Results are shown below:

	<u>Winter Parking Allowed 24/7</u>	<u>Winter Rules</u>	<u>Summer Rules</u>
Neenah	No	No overnight parking allowed	Even/odd April through October. No overnight in downtown.
Menasha	No	No parking 2A-6A November through March	Even/odd April through October
Oshkosh	No	No parking 2A-5A year-round	No parking 2A-5A year-round
Grand Chute	No	No parking 2A-6A November through March	No restrictions
Little Chute	No	No parking 2A-6A December through March	No restrictions
Fond du Lac	Yes	Even/odd year-round	Even/odd year-round
Green Bay	No	No parking 3A-5A year-round	No parking 3A-5A year-round
Kimberly	No	No parking 2A-6A December through April	No restrictions
Kaukauna	No	No parking 2A-6A December through March	No restrictions
Eau Claire	Yes	Even/odd all year 12A to 7A	Even/odd all year 12A to 7A

**• Operations:**

- Street Sweeping
  - DPW prefers no change to parking restrictions during the summer months (April – October). However, accommodating restricted overnight parking in the form of Even/Odd Parking is possible.
  - As part of the City of Appleton Municipal Separate Storm Sewer System Permit (MS4) the City provides the Wisconsin Department of Natural Resources (DNR) with an annual report on its required street sweeping program. MS4 permits require municipalities to reduce polluted stormwater runoff by implementing storm water

management programs with best management practices. The City's permit requires continuous positive progress toward meeting its pollutant reduction standards. <https://dnr.wisconsin.gov/topic/Stormwater/municipal>

- The City's current MS4 permit/report includes discussion and calculations regarding the efficiency and effectiveness of our street sweeping program. As part of this program, parking restrictions play a major role in the removal of sediment and debris through street sweeping.
- Current street sweeping practices provide a credit of 314 tons of Total Suspended Solids (TSS) and 1,222 pounds of Total Phosphorus (TP) annually. For comparison, a large wet pond (Kensington Pond) provides reductions of 186 tons of TSS and 438 pounds of TP annually.
- Overnight parking without restriction would have a major negative impact on the City's stormwater management plan and MS4 permit requirements. Under the MS4 permit, the City cannot backslide on any benchmarks related to stormwater management. Allowing for unrestricted overnight parking for part or all of the year would constitute a backslide in stormwater management by reducing reported TSS and TP reductions and has the potential to be costly. These costs would be tied to a Citywide stormwater plan update and the need to provide replacement management practices to offset losses in TSS and TP reductions.
- Snow Plowing
  - DPW does not support any adjustments to the overnight parking regulations for the Winter months (November – March). The main reasons for this are related to the effectiveness of snow removal and safety of the operators and equipment used to control snow and ice on City roadways.

### **Potential Option: Even/Odd Overnight Parking**

#### • **Summer Rules (April – October):**

- Even/Odd Parking: on-street overnight parking (2a – 5a) restricted to alternate sides.
- The on-street overnight even/odd parking regulations would not replace more restrictive parking regulations.
  - *Example:* Parking in posted “No Parking” zones, within 4 feet of a driveway, within 15 feet of a crosswalk or within 10 feet of a fire hydrant are never allowed.
- Even/Odd Parking (overnight):
  - In effect 2am to 5am.
  - On odd-numbered days, vehicles may park, stop or be left standing only on the side of a street having odd-numbered addresses.
  - On even-numbered days, vehicles may park, stop or be left standing only on the side of the street having even-numbered addresses.
  - All overnight parking requirements shall apply to the corresponding calendar date as of 2am. *Example:* if it is 9:00 pm on April 21, and you want to park on the street overnight, you would park on the side with the addresses that are even-numbered because April 22 is the date that the 2 am to 5am parking regulations will be in effect.

#### • **Winter Rules (November – March):**

- Unless specifically posted otherwise, parking is **not** permitted overnight for all streets from November 1 to March 31.
- 

#### • **Boundary:**

- All streets within the City limits.
  - DPW staff does not recommend a pilot boundary or geofenced area of the City to offer varying parking restrictions.

- **Signing:**

- All major entrances to the City are required to be posted with overnight parking restrictions per the State Statutes.
- All signs would need to be updated if a modification to overnight parking is made.

### **Enforcement**

- **Staffing:**

- Current Parking Utility staffing levels are not sufficient to enforce overnight parking regulations. Currently, enforcement of overnight parking regulations is conducted by Appleton Police Department (APD) Community Service Officers.
- From January 1, 2024 through March 4, 2024, APD issued 792 parking citations between the hours of 2am and 5am (an average of 365 overnight parking citations per month).
- To increase enforcement of the potential Even/Odd Parking Restrictions, the Parking Utility would be required to add staff to provide enforcement beyond that currently provided by APD.
- With sufficient staffing, the Parking Utility enforcement vehicle could be used by the Utility for overnight enforcement, however, the ticketing software it uses does not interface with APD's database of Overnight Parking Permission Registrations. Such lookups would need to be done manually.

**Recognizing the implications listed above, DPW does not recommend approval of Resolution #11-R-23 without addressing the concerns outlined in this memo.**



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

DEPARTMENT OF PUBLIC WORKS  
Engineering Division  
100 North Appleton Street  
Appleton, WI 54911  
TEL (920) 832-6474

**To:** Municipal Services Committee  
**From:** Danielle Block, P.E. Director of Public Works  
**Date:** February 20, 2024  
**Re:** Request for Central Business District Street Vendors Ordinance Modification

---

As part of the initiative to address nightlife safety concerns, staff has identified a modification to the existing Central Business District Street Vendor Ordinance. The following recommendation seeks to reduce gatherings at and around bar close time, reduce the opportunities for crowding, improve visibility along corridors and provide safer access on and along the sidewalk and amenity strips of the downtown area. Staff recommends amending the permissible hours for Street Vendor (Food Trucks) in the Central Business District, requiring Food Trucks to end service by 12:00 am Midnight rather than the current time of 4:00 am.

The entirety of the Central Business District Street Vendor Code is included as an attachment. Staff is recommending modification to Sec. 9-639 Conduct of business generally – CBD street vendors (e), as shown below.

(e) A licensee may vend, sell or dispose of, or offer to sell, vend, or dispose of goods, wares, or merchandise, between the hours of 8:00 a.m. and 9:00 p.m., except between Drew Street and Richmond Street on College Avenue, where sales shall be allowed between 8:00 a.m. and ~~4:00 a.m.~~12:00 a.m. (midnight).

**DIVISION 3. CENTRAL BUSINESS DISTRICT  
STREET VENDORS**

**Sec. 9-626. Purpose.**

It is the intent of the Common Council to control and regulate the use of streets and sidewalks to the end that the safe use of sidewalks by pedestrians and roads by vehicles is ensured and the health, safety and general welfare of the public is protected and maintained. Consistent with this policy, the purpose of these regulations is to assure the safe and orderly performance of selling on streets and sidewalks within the Central Business District.

(Ord 73-12, §1, 8-21-12)

**Sec. 9-627. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Amenity strip** shall mean the area between the curb and the defined pedestrian right-of-way along College Avenue between Richmond Street and Drew Street. On all other streets, amenity strip shall mean a minimum four- (4-) foot width between the curb and an eight- (8-) foot pedestrian right-of-way.

**CBD street vendor** means any person who sells or offers for sale any goods, wares, merchandise, or services for sale in the CBD (Central Business District) from any mobile unit which is propelled by human power, including mobile food establishments.

**Mobile food establishment** means a restaurant or retail food establishment where food is served or sold from a movable vehicle, push cart, or trailer which periodically or continuously changes location and requires a service base to accommodate the unit for servicing, cleaning, inspection and maintenance or except as specified in the Wisconsin Food Code. Mobile food establishment does not include a vehicle which is used solely to transport or deliver food or a common carrier regulated by the state or federal government.

**Mobile sidewalk/amenity strip unit** shall mean a pushcart or other device which is on wheels and of sufficiently lightweight construction that it can be moved from place to place by one (1) adult person without any auxiliary power. The device shall not be motorized so as to move on its own power.

**On-street unit** shall mean any vehicle or pedal-powered unit that is readily movable, and designed and equipped to prepare, serve, or sell food.

**Vehicle** shall mean any motor vehicle as defined by Wis.

Stats. §340.01(35) or trailer as defined by Wis. Stats. §340.01(71).  
(Ord 25-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-628. License and Street Occupancy Permit required.**

(a) No CBD street vendor shall vend, sell or dispose of or offer to vend, sell or dispose of goods, wares or merchandise, produce or any other thing at any place whatsoever within the CBD without first obtaining a license as set forth in this division. Licensees may obtain no more than two (2) Street Occupancy Permits for any portion of the Central Business District west of Appleton Street; and no more than two (2) Street Occupancy Permits for any portion of the Central Business District east of Appleton Street.

(b) No more than eight (8) Street Occupancy Permits for mobile sidewalk/amenity strip units shall be issued between Appleton Street and Richmond Street. No more than eight (8) Street Occupancy Permits for mobile sidewalk/amenity strip units shall be issued between Appleton Street and Drew Street on College Avenue. This shall include all vendors using such units, whether vending goods or food.

(c) No more than two (2) Street Occupancy Permits for mobile sidewalk/amenity strip units shall be issued per block. One (1) block shall be defined to mean the area between intersections on a single side of the street.

(d) No more than eight (8) Licenses may be issued for on-street units.  
(Ord 25-05, §1, 4-12-05; Ord 76-11, §1, 4-12-11; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12; Ord 11-22, §1m 1-19-22)

**Sec. 9-629. Liability insurance.**

To hold a Street Occupancy Permit, the permit holder must have in force liability insurance and must agree to indemnify, defend and hold the City, its employees and agents harmless against all claims, liability, loss, damage, or expense incurred by the City as a result of any injury to or death of any person or damage to property caused by or resulting from the activities for which the permit is granted. As evidence of liability insurance, the permit holder shall furnish a Certificate of Insurance, on a form acceptable to the City, evidencing the existence of adequate liability insurance naming the City of Appleton, its employees and agents as additional insureds in an amount not less than one million dollars (\$1,000,000). Whenever such policy is cancelled, not renewed, or materially changed the insurer and the permit holder shall notify the City of Appleton by certified mail.

(Ord 25-05, §1, 4-12-05; 76-11, §1, 4-12-11; Ord 3-12, §1,

## LICENSES, PERMITS AND BUSINESS REGULATIONS

1-10-12; Ord 73-12, §1, 8-21-12)

### **Sec. 9-630. Application for license; license fees.**

(a) *Non-food vendors.* Any person desiring to engage in business vending goods other than mobile food establishments, for which a license is required under this division shall obtain a Street Occupancy Permit/License Application form from the Department of Public Works. The application shall state the nature of and the place where the business is to be carried on, a general description of the things intended to be sold, disposed of or contracted for, the name, date of birth and permanent address of all the employees to be covered by such license, the name and address of the person the applicant represents, and the place of residence of the applicant for the two (2) years previous. The requirements of §9-631 shall be complied with before the permit is issued. At the time of filing the application, an application fee shall be paid to the Director of Finance to cover the cost of the investigation of the facts stated in the application. The amount of the initial application fee shall be on file in the Department of Public Works. For purposes of this section, an initial application is any application by a person who has not held a valid license under this division within three (3) years of the date of application. The application shall be sworn to by the applicant and filed with the Department of Public Works, and shall contain such additional information as the Chief of Police and City Sealer shall require for the effective enforcement of this division and the safeguarding of the residents of the City from fraud, misconduct or abuse. Religious, charitable, patriotic or philanthropic agencies or their agents shall be required to comply with §9-641 et seq.

(b) *Food vendors.* Any person desiring to engage in business as a mobile food establishment, for which a license is required under this division shall first obtain a Mobile Food Service License from the Department of Health. The Department of Health will advise the applicant of the available locations for mobile sidewalk/amenity strip units. The applicants then obtain a Street Occupancy Permit/License Application form from the Department of Public Works. The application shall state the nature of and the place where the business is to be carried on, a general description of the foodstuffs to be sold, the name, date of birth and permanent address of all the employees to be covered by such license, the name and address of the person the applicant represents, and the place of residence of the applicant for the two (2) years previous. The requirements of §9-631 shall be complied with before the permit is issued. At the time of filing the application, an application fee shall be paid to the Director of Finance to cover the cost of the investigation of the facts stated in the application. The amount of the initial application fee shall be on file in the Department of Public Works. For purposes of this section, an initial application is any application by a person who has not held a valid license under this division within three (3) years of the date

of application. The application shall be sworn to by the applicant and filed with the Department of Public Works, and shall contain such additional information as the Chief of Police shall require for the effective enforcement of this division and the safeguarding of the residents of the City from fraud, misconduct or abuse. Religious, charitable, patriotic or philanthropic agencies or their agents shall be required to comply with §9-641 et seq.

(Ord 25-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

### **Sec. 9-631. License investigation.**

Upon receipt of an application for a license under this division, the Chief of Police and Sealer of Weights and Measures shall institute such investigation of the applicant as they deem necessary for the protection of the public good, and shall endorse their approval or disapproval upon the application within a reasonable time, not to exceed seven (7) working days, after it has been filed. The Department of Public Works shall issue approved Street Occupancy Permits/Licenses in accordance with such findings after presentation by the applicant of a receipt of the Director of Finance showing payment of the required fee. Should the investigations in this division include a recommendation for denial, the Department of Public Works shall refer the license to the Municipal Services Committee for action.

(Ord 25-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

### **Sec. 9-632. Bond.**

If the Chief of Police determines from his or her investigation of the application for a license under this division that the interests of the City or of inhabitants of the City require protection against possible misconduct of the licensee or if the applicant is otherwise qualified but due to causes beyond his or her control is unable to supply all of the information required by §9-630, he or she may require the applicant to file with the City Clerk a bond in the sum of five hundred dollars (\$500) with surety acceptable to the Department of Public Works, running to the City, conditioned that the applicant will fully comply with the ordinances of the City and laws of the state relating to peddlers, solicitors, canvassers or transient merchants and guaranteeing to any citizen of the City doing business with him or her that the property purchased will be delivered according to the representations of the applicant, provided that action to recover on any such bond shall be commenced within six (6) months after the expiration of the license of the principal.

(Ord 25-05, §1, 4-12-05; Ord 76-11, §1, 4-12-11; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-633. Issuance and term of Street Occupancy Permit/License; restrictions on use; identification card.**

(a) In order to obtain a CBD Street Vendor Street Occupancy Permit/License, the license holder must exhibit a valid certificate of insurance as required by §9-628 of this article. Licenses and Street Occupancy Permits required under this division shall be issued on a calendar year basis beginning on January 1 and expiring on December 31.

(b) Street Occupancy Permits/Licenses for CBD Street Vendors using mobile sidewalk/amenity strip units shall be issued on a calendar year basis beginning on January 1 and expiring on December 31. At the time of the application for a Street Occupancy Permit, there shall be notification to the business at the address applied for, and the adjacent business owners.

(c) Mobile food establishments with on-street units shall not receive a Street Occupancy Permit, however they will require a license under this article, the fee for which shall be the same as for the Street Occupancy Permit/License.

(d) All Street Occupancy Permits/Licenses shall be numbered in the order in which they are issued and shall state clearly the place where the business may be carried on, including the location of mobile sidewalk/amenity strip units used by CBD street vendors, as well as the kind of goods, wares and merchandise to be sold, disposed of or contracted for, the dates of issuance and expiration of the license.

(e) The Department of Public Works, by the method they deem appropriate, shall clearly designate the location on the amenity strip each mobile sidewalk/amenity strip unit is licensed to use for sales. In no circumstance shall any of said licensed areas be within twenty (20) feet of another mobile sidewalk/amenity strip unit's licensed area.

(f) Licenses issued under this division shall not be valid on the following special event days: Flag Day Parade, License to Cruise/Octoberfest, and Christmas Parade; and no vendor shall operate within the Farmers Market solely under this permit. Any CBD vendor must obtain space from the Farmers Market organizers to operate within those confines. No CBD vendor may operate within a two (2) block radius of any other special event held within the corporate limits of the city. No license shall be granted to a person under eighteen (18) years of age unless a street trade permit is obtained pursuant to W.S.A. §103.25 and no applicant to whom a license has been refused or who has had a license which has been revoked shall make further application until a period of at least six (6) months has elapsed since the last previous rejection or revocation, unless he or she can show that the reason for such rejection or revocation no longer exists. Every license holder, while exercising his or her license, shall post the license in a

conspicuous place on the premises or his or her person and shall exhibit the license upon demand of any officer, customer or prospective vendee. A license shall not be assignable and any holder of such license who allows it to be used by any other person shall be in violation of this division. Whenever a license is lost or destroyed, a duplicate in lieu thereof may be issued by the Department of Public Works under the original application upon the filing with him or her by the license holder of an affidavit setting forth the circumstances of the loss and what, if any, search has been made for the recovery of the license, and upon the payment of a fee. All licensees shall be issued a photo identification card by the City Clerk at the time the license is issued. Any agent or employee of the licensee shall obtain a photo identification card. The amount of the fee for the lost license and photo identification card shall be on file in the office of the City Clerk.

(g) Any licensee under this division who wishes to change the location of mobile sidewalk/amenity strip units licensed under this division shall be allowed to request one (1) change in location per unit during a license year. The licensee must relinquish the Street Occupancy Permit/License for the abandoned location, and obtain a Street Occupancy Permit/License for the new location. An administrative fee, on file with the Department of Public Works shall be charged for the change and re-issuance of the license. The new location must meet all the applicable restrictions under this division.

(Ord 285-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-634. Appeal of denial of license.**

If the investigating authority denies an application for a license under this division, the Department of Public Works shall forthwith notify the applicant by certified mail, return receipt requested, of the denial and the reason therefore. The notice shall indicate the date and time of the review of the denial by the Municipal Services Committee and the right of the applicant to appear before the Committee. The Municipal Services Committee shall hear any person for or against granting the license and shall report its recommendation to the Common Council, which shall grant or deny the license.

(Ord 25-05, §1, 4-12-05; Ord 76-11, §1, 4-12-11; Ord 3-12, §1, 1-10-12, Ord 73-12, §1, 8-21-12)

**Sec. 9-635. Revocation of license.**

The Common Council may revoke any license under this division pursuant to §9-29 for violation by any vendor or his or her employee or agent of any provision of this division or any ordinance of the City which renders future vending inimical to the public health, safety or welfare, or for fraud or misrepresentation in solicitation under this division.

LICENSES, PERMITS AND BUSINESS REGULATIONS

(Ord 25-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-636. Renewal of CBD Street Vendor Licenses.**

In order to renew a CBD Street Vendor Street Occupancy Permit/License, the license holder must exhibit to the Department of Public Works a valid certificate of insurance as required by §9-629 above. A CBD Street Vendor using a mobile sidewalk/amenity strip unit who wishes to retain the same location upon renewal of a license must renew their Street Occupancy Permit/License no later than December 15, otherwise the location will be made available to any licensee. The same procedure for initial application shall apply to renewals.

(Ord 25-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-637. Surrender of license; alteration of license; failure to display license.**

On the expiration of a license issued under this division, the holder shall surrender the license to the Chief of Police. No person shall alter or change in any manner any license issued under the provisions of this division, and such alteration or the failure of the holder of the license to display the license in a conspicuous place on the premises or his or her person or to exhibit the license upon demand of any officer or customer or prospective vendee shall be cause for revocation of such license.

(Ord 25-05, §1, 4-12-05; Ord 76-11, §1, 4-12-11; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-638. Prepayments.**

All orders taken by a license holder under this division who accepts or receives payment or deposit of money in advance of final delivery shall be in writing, in duplicate, stating the terms thereof and the amount paid in advance, and one (1) copy shall be given to the purchaser at the time the deposit of money is paid.

(Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-639. Conduct of business generally – CBD street vendors.**

A CBD street vendor holding a license under this division shall be subject to the following:

(a) A licensee shall not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale or offer for sale any unwholesome or tainted food or foodstuffs, nor intentionally misrepresent to any prospective customer the purpose of his or her solicitation, the name of the business of his or her principal, if any, the source of supply of the goods, wares or merchandise which he or she sells or offers for sale or the disposition of the proceeds or profits of his or her sales.

(b) A licensee shall not use the license provided by the City after expiration or revocation of the license.

(c) A licensee shall keep the premises in a clean and sanitary condition and the foodstuffs offered for sale well covered and protected from dirt, dust and insects. All food vendors shall comply with the requirements of state and local authorities, including, but not limited to, the provisions of Article VI of this chapter.

(d) A licensee shall not operate in a congested area where such operation impedes or inconveniences public use. No licensee shall engage in the licensed business in any public park, playground, school, library or other public premises. For the purpose of this subsection, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

(e) A licensee may vend, sell or dispose of, or offer to sell, vend, or dispose of goods, wares, or merchandise, between the hours of 8:00 a.m. and 9:00 p.m., except between Drew Street and Richmond Street on College Avenue, where sales shall be allowed between 8:00 a.m. and 4:00 a.m.

(f) The operating area shall not exceed thirty-two (32) square feet of sidewalk/amenity strip area, including the area of the mobile unit, the operator, and when externally located, a trash receptacle.

(g) The length of the mobile unit shall not exceed eight (8) feet.

(h) The height of the mobile unit, excluding canopies, umbrellas, or transparent enclosures, shall not exceed six (6) feet.

(i) The mobile unit shall be entirely self-contained in regards to gas, water, electricity, and equipment required for operation of the unit. This includes any signage associated with the vendor.

(j) No person may conduct business on a sidewalk in any of the following places:

- (1) Within twenty (20) feet of the intersection of the sidewalk with any other sidewalk except on the amenity strip on College Avenue between Drew Street and Richmond Street.
- (2) Within ten (10) feet of the extension of any building entrance or doorway to the curb line.
- (3) Within fifty (50) feet of the main entrance of any business selling same or similar products during the hours said business is open for the

APPLETON CODE

sale of said products, unless written permission is granted by said business and such documentation is placed on file with the Department of Public Works.

- (4) Once a vendor is licensed, and a Street Occupancy Permit has been obtained, the change of use of those businesses in buildings within the fifty (50) feet limitation noted above shall not affect an existing license nor the timely renewal of the same.

(k) All persons conducting business on a sidewalk or amenity strip must pick up any paper, cardboard, wood or plastic containers, wrappers, or any litter in any form that is deposited by any person on the sidewalk or street within twenty-five (25) feet of the place of conducting business. Each person conducting business on a sidewalk or amenity strip under the provisions of this division shall carry a suitable container for placement of such litter by customers or other persons.

(l) Vendors shall maintain their sales location in a clean, hazard-free condition, and shall not discharge materials onto the sidewalk, gutters or storm drain. All liquid residue must be cleaned up, or in the alternative, protective matting may be placed on the amenity strip to absorb any liquid residue. Said matting must be removed when the vendor closes for the day.

(m) No person may make any loud unreasonable noise of any kind by vocalization or otherwise for the purpose of advertising or attracting attention to his or her wares.

(n) No person shall conduct business as defined herein at a location other than that designated on his or her Street Occupancy Permit/License.

(o) No permitted mobile sidewalk/amenity strip units shall be left unattended on a sidewalk or amenity strip nor remain on the sidewalk or amenity strip between 4:00 a.m. and 8 a.m.  
(Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-640. Vending of products from vehicles or other on-street unit in the public streets.**

(a) No food shall be sold from a vehicle other or on-street unit in any public street in the City of Appleton except in compliance with the requirements of this section and §9-639 above.

(b) Any vehicle or other on-street unit used for vending food in any public street must be designed and constructed specifically for the purpose of vending the product or products to be vended.

(c) Each such vehicle or other on-street unit used for

vending food shall be licensed for such use by the Department of Health.

(d) If such vehicle or other on-street unit is a motor vehicle, it must have valid license plates and registration as provided by Chapter 341 of the Wisconsin Statutes.

(e) A vehicle or other on-street unit which is operated for the purpose of selling food from the unit in the public streets shall be operated only by a person who shall have obtained a license under this division.

(f) In addition, the operator or the owner of any motor vehicle shall furnish proof of current insurance issued by an insurance company authorized to do business in the State of Wisconsin and shall maintain such insurance as a condition of licensing under this division. The insurance shall provide coverage for bodily injury, including accidental death, as well as for claims for property damage which may arise from the operations under the license. The policy limits of such insurance shall be the same as those required in §9-629 above.

(g) Amplified music or other sounds from any vehicle used for the purpose of vending products in the public streets shall comply with the applicable requirements of Chapter 12, Article IV of this code pertaining to noise.

(h) No sales shall be made from a vehicle except from the curbside of said vehicle.

(i) No sales shall be made within fifty (50) feet of the main entrance of a licensed food establishment during the hours said business is open to the public unless written permission is granted by an authorized representative of that establishment to the permit holder.

(j) No vehicle may violate any traffic or parking statute or ordinance when stopping to make sales. This includes plugging parking meters, if applicable and not remaining in a location for a longer period of time than the meter allows. Meter bags will not be issued to license holders under this article.

(k) No on-street unit may park adjacent to a sidewalk café or an establishment with a Street Occupancy Permit for tables and chairs when the tables and chairs are present on the amenity strip.  
(Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12; Ord 12-22, §1, 1-19-22)

**Editor's Note:** Chapter 9, Division 3 was repealed and recreated via ordinance 3-12 adopted by the Common Council on January 1, 2012, published January 9, 2012 and became effective January 10, 2012.

**Editor's Note:** Chapter 9, Division 3 was repealed and recreated via ordinance 73-12 adopted by the Common Council on August 15, 2012, published August 20, 2012 and became effective August 21, 2012.

February 29, 2024

Re: Public Involvement Meeting  
WisDOT Project ID 4984-24-74  
C. Appleton, Lawe Street  
College Avenue to Wisconsin Avenue  
Outagamie County

Dear Property Owner/Current Occupant:

The City of Appleton is holding a public involvement meeting on Monday, March 18, 2024, at the Appleton City Hall Council Chambers, located at 100 North Appleton Street, Appleton, WI 54911. The meeting will run from 5:00 to 6:30 pm. The purpose of the meeting is to discuss the proposed roadway reconstruction project along Lawe Street, between College Avenue and Wisconsin Avenue.

The project is planned for construction in the summer of 2026. The roadway reconstruction is a joint project with the Wisconsin Department of Transportation (WisDOT). The City has been awarded a grant for Lawe Street under the WisDOT Bipartisan Infrastructure Law Urbanized Area Improvement Program. Ayres Associates has been retained by the City of Appleton to provide engineering design and project management services for this project.

The meeting will begin at 5:00 pm and will include a short formal presentation. After the presentation, personnel from Ayres and the City of Appleton will be available to discuss the project on an individual basis, to answer any questions, and obtain your comments regarding the project.

You are encouraged to attend this meeting to examine the proposed improvements and discuss any concerns you may have. Persons with a concern for or knowledge about any adjacent historical or archaeological sites are encouraged to attend this meeting and provide comments.

Appleton City Hall is handicapped accessible. If you require additional accommodations, please contact the City Public Works office at 920-832-6474 on or before Friday March 15. We look forward to talking with you about this project.

Sincerely,

Ayres Associates Inc



Andrew Rowell, PE, PTOE  
Project Manager

cc: Vered Meltzer, Alderperson District 2  
Israel Del Toro, Alderperson District 4  
Kristin Alfheim, Alderperson District 11  
Danielle Block, PE, City of Appleton Director of Public Works  
Jason Brown, PE, City of Appleton Project Manager  
Michael Cohen, WisDOT Local Program Manager



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- ABOUT
- CONSTRUCTION
- NEWS/MEETINGS
- FOR BUSINESSES
- NOISE BARRIERS
- RESOURCES
- Subscribe

### UPCOMING OPPORTUNITY

## Public Involvement Meeting

There will be three opportunities to attend – one held virtually and two in-person. The same information will be shared at all three meetings, so choose which option works best for you.

The purpose of the meeting is to present an overview of upcoming 2024 and 2025 construction projects, share a tentative construction timeline and provide an update on noise barrier analysis and vote.

### Virtual Meeting

**Tuesday, March 12**  
*begins at 5 p.m.*

Join online at:  
[tinyurl.com/41-VPM7-OREG](https://tinyurl.com/41-VPM7-OREG)  
or by telephone (audio only):  
(608) 571-2209  
Conference ID:  
243 160 417#

### In-Person Meeting

**Wednesday, March 13**  
*from 5-7 p.m, presentation begins at 5:15 p.m.*

Hemlock Creek Elementary School  
1900 Williams Grant Drive  
De Pere

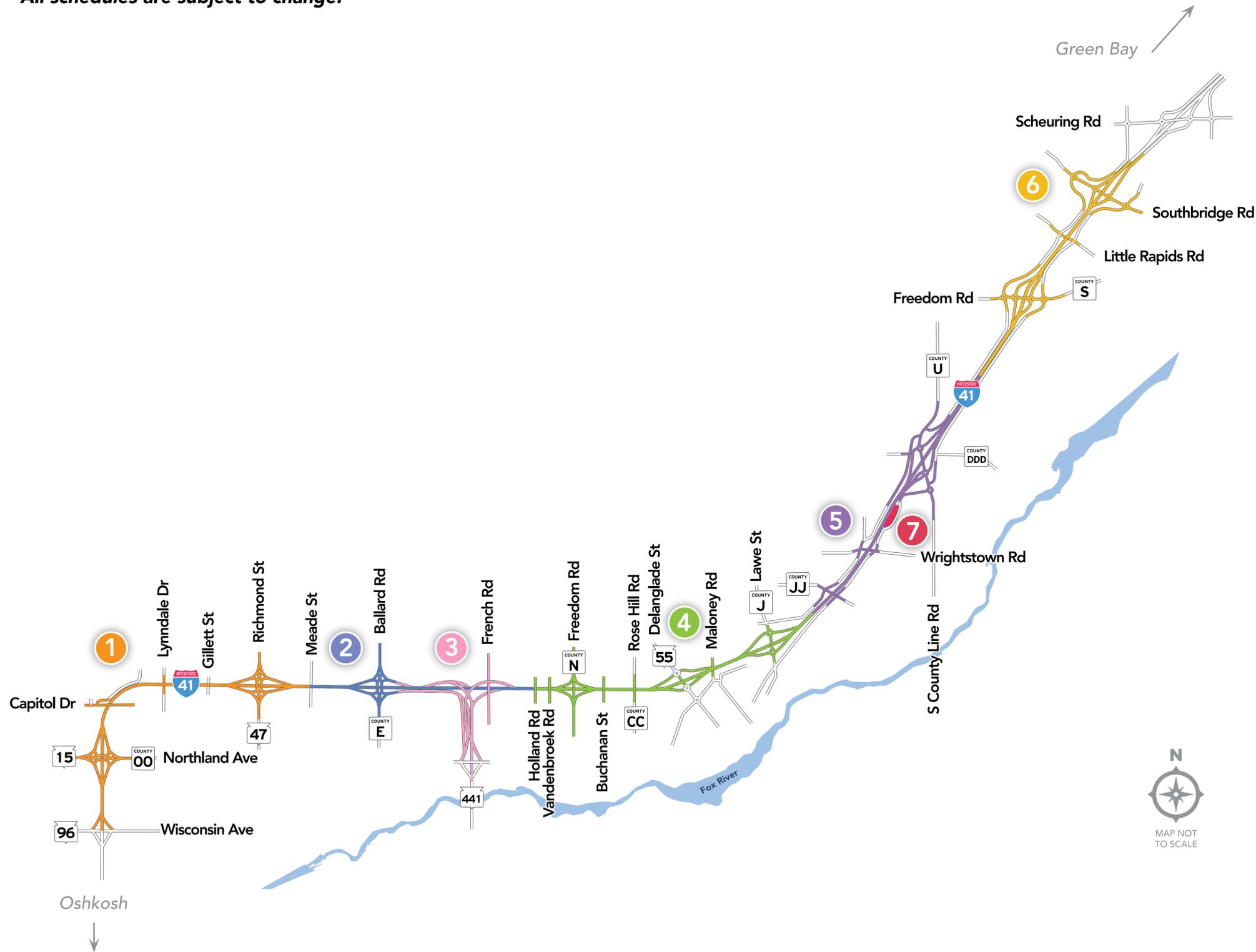
### In-Person Meeting

**Thursday, March 14**  
*from 5-7 p.m, presentation begins at 5:15 p.m.*

Fox Valley Technical College  
D.J. Bordini Center,  
5 N Systems Drive  
Appleton

Learn More at: <https://i41project.wisconsin.gov/>

All schedules are subject to change.



- 1 WIS 96 to Meade Street**
  - I-41 Mainline: 2025-2028
  - WIS 15/County OO (Northland Ave) Interchange: Summer 2024 - Fall 2025
  - Capitol Dr Overpass: Spring – Fall 2024
  - WIS 47 (Richmond St) Interchange: 2026
- 2 Meade Street to Holland Road**
  - I-41 Mainline: 2027-2029
  - County E (Ballard Rd) Interchange: 2025
- 3 WIS 441 System Interchange**
  - French Rd Overpass: 2026
  - I-41/WIS 441 System Interchange: 2027-2029
- 4 Holland Road to County J**
  - I-41 Mainline: 2026-2028
  - County N (Freedom Rd) Interchange: Summer – Fall 2024
  - WIS 55 (Delanglade St) Interchange: 2027-2028
  - County J (Lawe St) Interchange: 2025
  - Holland Rd Overpass: 2025
  - Vandebroek Rd Overpass: 2025
  - Buchanan St Overpass: 2026
  - County CC (Rose Hill Rd) Overpass: Spring – Fall 2024
- 5 County J to Miners Way**
  - I-41 Mainline: 2025-2027
  - County U (S County Line Rd) Interchange: 2025-2027
- 6 Miners Way to County F**
  - I-41 Mainline: 2028-2029
  - Southbridge Rd Early Fill: Summer 2024 – Fall 2025
  - Southbridge Interchange: 2026
  - County S (Freedom Rd) Interchange: 2029
- 7 Safety and Weight Enforcement Facility Construction**
  - SWEF Site & Building: Fall 2024 – Summer 2026

## Overall Construction Timeline

I-41 | Outagamie and Brown Counties, Wisconsin

2023-11-28



Department of Public Works Inspections Division

Permit Summary Count YTD Comparison

01/01/24 Thru 02/29/24

Report Date: 3/1/2024

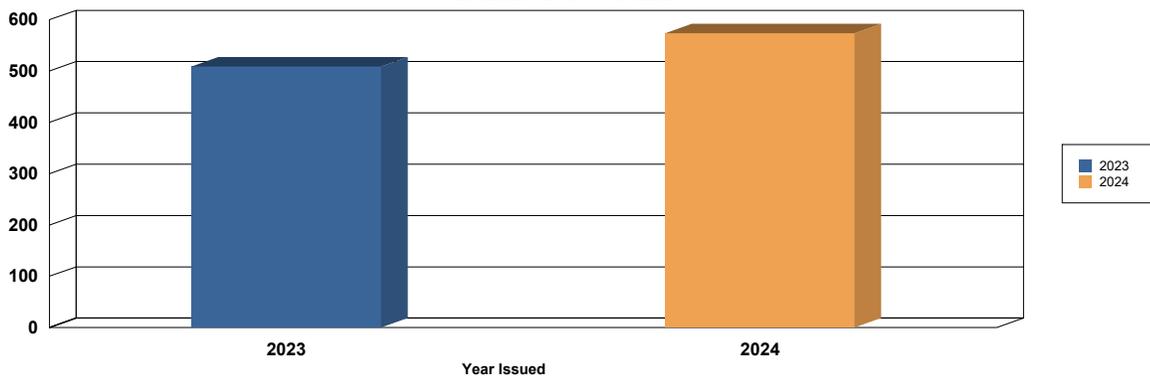


Permit Type	Year Issued	Permit Count	Total Estimated Cost	Total Receipt Amount
<b>BUILDING</b>	2023	91	28,244,856	154,410.39
	2024	83	28,256,708	145,789.10
		<b>-8.79 %</b>	<b>0.04 %</b>	<b>-5.58 %</b>
<b>DISPLAY SIGN</b>	2023	48	630,976	1,920.00
	2024	11	147,771	1,100.00
		<b>-77.08 %</b>	<b>-76.58 %</b>	<b>-42.71 %</b>
<b>ELECTRICAL</b>	2023	103	1,618,931	16,201.87
	2024	203	3,638,049	22,786.47
		<b>97.09 %</b>	<b>124.72 %</b>	<b>40.64 %</b>
<b>EROSION CNTL</b>	2023	5		600.00
	2024	5		750.00
		<b>%</b>	<b>%</b>	<b>25.00 %</b>
<b>HEATING</b>	2023	114	1,685,756	11,898.23
	2024	122	5,332,895	13,452.89
		<b>7.02 %</b>	<b>216.35 %</b>	<b>13.07 %</b>
<b>PLAN REVIEW</b>	2023	26		8,692.50
	2024	14		5,715.00
		<b>-46.15 %</b>	<b>%</b>	<b>-34.25 %</b>
<b>PLUMBING</b>	2023	91	1,138,550	6,219.00
	2024	104	2,273,388	9,694.00
		<b>14.29 %</b>	<b>99.67 %</b>	<b>55.88 %</b>
<b>SEWER</b>	2023	31	154,417	3,567.00
	2024	30	116,597	4,999.00
		<b>-3.23 %</b>	<b>-24.49 %</b>	<b>40.15 %</b>
<b>WELL</b>	2024	2		80.00
		<b>%</b>	<b>%</b>	<b>%</b>

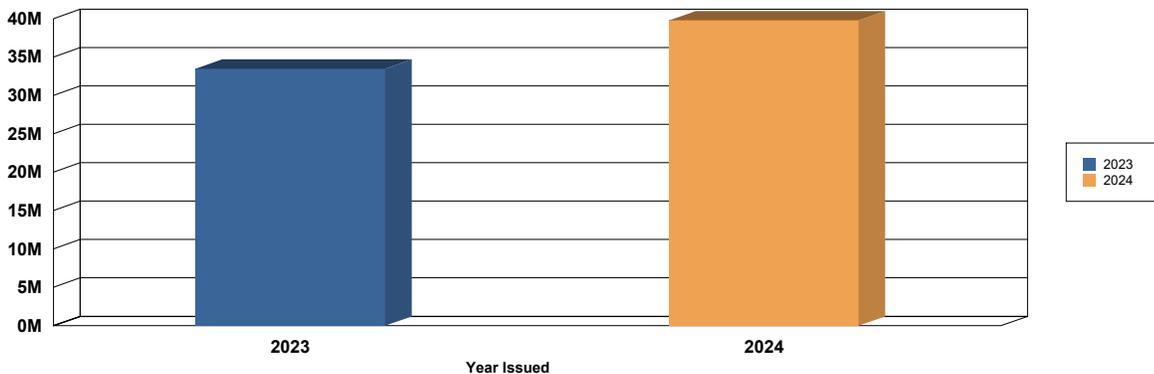


	2023	2024
<b>Permits</b>	<b>509</b>	<b>574</b>
<b>Estimated Cost</b>	<b>33,473,486.00</b>	<b>39,765,408.00</b>
<b>Receipt Amount</b>	<b>203,508.99</b>	<b>204,366.46</b>

**Number of Permits**



**Estimated Cost**



**Receipt Amount**

