



# City of Appleton

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

## Meeting Agenda - Final-revised Common Council

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Wednesday, August 21, 2024

7:00 PM

Council Chambers

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- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES  
[24-1058](#) Common Council Meeting Minutes of August 7, 2024

**Attachments:** [CC Minutes 8-7-24.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR  
[24-1093](#) Confirmation of Appointment - Police & Fire Commission

**Attachments:** [August 21 2024 Council Appointments Memo.pdf](#)

- [24-1128](#) Metropolitan Planning Organization (MPO) Policy Board

**Attachments:** [8.21.24 MPO Policy Board Memo.pdf](#)

- [24-1094](#) Women's Equality Day Proclamation

**Attachments:** [Women's Equality Proclamation 2024.pdf](#)

- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS

[24-1072](#) Initial Resolution for the Street Vacation of N. Sampson Street, South of E. Winnebago Street  
(Taken up under Consolidated Action Items)

**Attachments:** [Sampson Street - Initial Resolution - Final.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[24-1036](#) Approve Boldt Permanent Street Occupancy Permit and Sign Permit for 5 Awnings in College Avenue Right-of-Way Associated with the Fox Commons Project

**Attachments:** [Location 1 Awning Applications.pdf](#)

[Location 2 Awning Applications.pdf](#)

[Location 3 Awning Applications.pdf](#)

[Location 4 Awning Applications.pdf](#)

[Main Entrance Awning Applications.pdf](#)

**Legislative History**

8/12/24	Municipal Services Committee	recommended for approval
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[24-1037](#) Approve Findorff Long Term Temporary Street Occupancy Permit in Oneida Street and City Center Street for Fox Commons Construction

**Attachments:** [J.H Findorff - City Center St - long term permit 9-6-24.pdf](#)

**Legislative History**

8/12/24	Municipal Services Committee	recommended for approval
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[24-1038](#) Approve RODAC Long Term Temporary Street Occupancy Permit for dumpster within Morrison Street parking lane north of College Ave through 11/15/2024

**Attachments:** [RODAC - long-term occupancy permit 9-14-24.pdf](#)

**Legislative History**

8/12/24	Municipal Services Committee	recommended for approval
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[24-1039](#) Award of Contract for Land Acquisition Services for Lawe Street reconstruction to Moss & Associates, in an amount not to exceed \$217,000

**Attachments:** [MSC Memo Land Acquisition services Lawe St 08-12-2024.pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1040](#)

Approve ordinance change to Install a stop sign on Catherine Street at North Street

**Attachments:** [Catherine-North \(Yield to Stop\).pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1041](#)

Approve ordinance change to Install a stop sign on the north leg of Mary Street at North Street (for southbound traffic)

**Attachments:** [Mary-North \(north leg\) \(Uncontrolled to Stop\).pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1042](#)

Approve ordinance change to Install a stop sign on the south leg of Mary Street at North Street (for northbound traffic)

**Attachments:** [Mary-North \(south leg\) \(Uncontrolled to Stop\).pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1044](#)

Approve ordinance changes for Parking changes on Mason St by Jefferson ES (follow-up to a 6-month evaluation)

**Attachments:** [Mason St 1000S - Jefferson ES Parking Changes.pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1045](#)

Approve ordinance changes to Install a stop sign on Tonka Street at North Street

**Attachments:** [North-Tonka \(Uncontrolled to Stop\).pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1046](#)

Approve street vacation for a 50' x 70' area of Sampson Street south of E. Winnebago Street

**Attachments:** [Sampson Vacation Combined.pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1050](#) Amendment Request - Service Contract for Traffic Signal Control and Management Software

**Attachments:** [SISP Contract Award Amendment Memo.pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1051](#) Variance Request for Driveway Extension - 3039 N. Ballard Rd

**Attachments:** [3039 N Ballard Rd Drive Extension Variance Request Memo.pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee  
*Staff's recommendation to deny the variance was recommended for approval.*

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0834](#) Non-Renewal of the Class "B" Fermented Malt Beverage & "Class B" Liquor License for Corner Pub, 1123 N Mason Street. Kim Williams, Agent.

**Attachments:** [Corner Pub Alcohol Lic Non-Renewal MEMO - Atty.pdf](#)

[2024 Corner Pub Non-Renewal Hearing Notice.pdf](#)

[2023 Non-Use of License Letter- Corner Pub.pdf](#)

[CORNER\\_PUB 2023 Inspection Report.pdf](#)

[CORNER\\_PUB 2024 Inspection Report.pdf](#)

[Corner Pub 2024.2025 Renewal.pdf](#)

[Kim Williams-inspection letter.pdf](#)

[Inspections S&L Memo- Corner Pub 7-9-2024.pdf](#)

[7-10-24 - Corner Pub- Report of S&L to Common Council.pdf](#)

[Council Follow-up Memo CornerPub 7-15-24.pdf](#)

[7-24-24 Corner Pub Report of S&L to Council.pdf](#)

[8-14-24 Corner Pub S&L Findings of Fact.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing held  
Committee  
*Kim Williams addressed the committee*

7/10/24 Safety and Licensing recommended for approval  
Committee  
*Motion failed 2/3*

7/10/24	Safety and Licensing Committee	recommended for approval
	<i>Approve a 60 day extension (commencing July 10th) for the licensee to complete remaining work to reopen the business and for the alcohol license to no longer be deemed abandoned.</i>	
	<i>Motion failed 2/3.</i>	
7/10/24	Safety and Licensing Committee	recommended for approval
	<i>Approve the non-renewal of the alcohol license in accordance with the findings of the attached report.</i>	
	<i>Motion carried 3/2.</i>	
7/17/24	Common Council	referred to the Safety and Licensing Committee
7/24/24	Safety and Licensing Committee	recommended for approval
	<i>Recommend approval of the non-renewal of the license. Motion Failed 2/3</i>	
7/24/24	Safety and Licensing Committee	recommended for approval
	<i>Extend the license abandonment period to August 15th 2024. Motion Carried 3/2.</i>	
7/24/24	Safety and Licensing Committee	amended
	<i>Further extend abandonment to August 31st. Motion Failed 2/3</i>	
8/7/24	Common Council	referred to the Safety and Licensing Committee
8/14/24	Safety and Licensing Committee	recommended for approval
	<i>Motion to approve the renewal of the alcohol license. Passed 4/1</i>	

[24-0986](#)

Class "B" Beer and Reserve "Class B" Liquor License Permanent Premises Amendment application for Rye Inc d/b/a Rye Restaurant, Nicolas Morse, Agent, located at 308 W. College Ave, contingent upon approval from all departments.

**Attachments:** [Rye Restaurant Premise Amend. 2024.pdf](#)

**Legislative History**

8/14/24	Safety and Licensing Committee	recommended for approval
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[24-0987](#)

Class "A" Beer and "Class A" Liquor License application for Dolgencorp LLC d/b/a Dollar General #6535, John Greene, Agent, located at 1320 W. Wisconsin Ave.

**Attachments:** [Dollar General 6535 Redacted.pdf](#)

**Legislative History**

8/14/24	Safety and Licensing Committee	recommended for approval
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[24-0988](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Dolgencorp LLC d/b/a Dollar General #6535, John Greene, Agent, located at 1320 W. Wisconsin Ave.

**Attachments:** [Dollar General 6535 Tob Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0989](#) Class "A" Beer and "Class A" Liquor License application for Dolgencorp LLC d/b/a Dollar General #21851, John Greene, Agent, located at 1010 W. College Ave.

**Attachments:** [Dollar General 21851 Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0990](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Dolgencorp LLC d/b/a Dollar General #21851, John Greene, Agent, located at 1010 W. College Ave.

**Attachments:** [Dollar General 21851 Tob Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0992](#) Class "B" Beer and Reserve "Class B" Liquor License Temporary Premises Amendment application for The Trout Museum of Art Inc d/b/a Trout Museum of Art, Christina Turner, Agent, located at 111 W. College Ave on Sept. 5, 2024 from 6 p.m. to 10 p.m. for Party for museum, contingent upon approval from the Health, Inspections, and Public Works Departments.

**Attachments:** [Trout Museum Premise Amend. 9.5.24.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0993](#) Class "B" Beer and Reserve "Class B" Liquor License Temporary Premises Amendment application for Fox Cities Performing Arts Center Inc d/b/a Fox Cities Performing Arts Center, Maria Van Laanen, Agent, located at 400 W. College Ave, on August 21, 2024 from 3 p.m. to 9 p.m. for outdoor cookout Event, contingent upon approval from all departments.

**Attachments:** [Fox Cities PAC Temp Premise Amend 8.21.24.pdf](#)

[Temp Premises Amendment - PAC - Special Issuance Order 8.19.24.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0994](#) Class "B" Beer and Reserve "Class B" Liquor License Temporary Premises Amendment application for Fox Cities Performing Arts Center Inc d/b/a Fox Cities Performing Arts Center, Maria Van Laanen, Agent, located at 400 W. College Ave, on October 4, 2024 from 4 p.m. to 1- p.m. for fundraiser Event, contingent upon approval from all departments.

**Attachments:** [Fox Cities PAC Temp Premise Amend 10.4.24.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1004](#) Class "B" Beer & Reserve "Class B" Liquor License application for Rivera Restaurants LLC d/b/a Mr. Frogs on the Ave, Vanessa Alvarado, Agent, located at 409 W. College Ave, contingent upon approval from the Health, Inspections, and Public Works departments.

**Attachments:** [Rivera Restaurants LLC Reserve Class B Combo Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1006](#) Class "B" Beer and Reserve "Class B" Liquor License application for Gonzalez Mexican Grill LLC d/b/a Gonzalez Mexican Grill, Carolina Gonzalez Ramirez, Agent, located at 2190 S. Memorial Dr, contingent upon approval from the Finance, Inspections, and Public Works departments.

**Attachments:** [Gonzalez Mexican Grill LLC Class B Reserve Combo Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1009](#) Class "B" Beer License application for Lilac Enterprise LLC d/b/a May's Kitchen, May Vang, Agent, located at 1804 S. Lawe St. Ste 204.

**Attachments:** [May's Kitchen Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1010](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Jaliyan Gas LLC d/b/a Wisconsin Avenue Pantry, Nilesh Patel, Agent, located at 111 W. Wisconsin Ave.

**Attachments:** [Wisconsin Ave Pantry CTV Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1011](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Swami LLC d/b/a Northland Amoco, Kanu Patel, Agent, located at 800 E. Northland Ave.

**Attachments:** [Northland Amoco Tobacco Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1012](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Sai Krupa LLC d/b/a Richmond Citgo, Nilesh Patel, Agent, located at 1601 N. Richmond St.

**Attachments:** [Richmond Citgo Tobacco Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

### 3. MINUTES OF THE CITY PLAN COMMISSION

[24-1032](#) Request to approve the street discontinuance to vacate a portion of N. Sampson Street public right-of-way located south of E. Winnebago Street and adopt the Initial Resolution and exhibit map

**Attachments:** [StaffReport\\_NSampsonSt\\_StreetVacation\\_For8-14-24.pdf](#)

**Legislative History**

8/14/24 City Plan Commission recommended for approval

[24-1033](#) Request to approve the land disposition of the land locked parcel located between E. Winnebago Street and Bellaire Court (Tax Id #31-1-1275-00), in accordance with Wis. Stat. §62.23(5) pertaining to surplus of public lands, as shown on the attached map

**Attachments:** [DispositionofSurplusLand\\_MemotoCPC\\_For8-14-24.pdf](#)

**Legislative History**

8/14/24 City Plan Commission recommended for approval

### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[24-1054](#) 2024 Reid Irrigation Update Memo

**Attachments:** [2024 Reid Irrigation Update Memo.pdf](#)

[2024 Reid Irrigation Update Sole Source Request.pdf](#)

**Legislative History**

8/12/24 Parks and Recreation Committee recommended for approval



[24-1055](#) Irish Fest - Request Private Event Memo

**Attachments:** [Irish Fest - Request Private Event Memo.pdf](#)

**Legislative History**

8/12/24	Parks and Recreation Committee	recommended for approval
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*Approval of action as noted in the 8/12/2024 memo*

[24-1057](#) Mom Prom Memo - Raffle License

**Attachments:** [Mom Prom Memo - Raffle License.pdf](#)

**Legislative History**

8/12/24	Parks and Recreation Committee	recommended for approval
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*Approve request to obtain a raffle license for event as set forth in memo.*

**5. MINUTES OF THE FINANCE COMMITTEE**[24-0972](#) Resolution #8-R-24 to Require a Super Majority Vote on Wheel Tax or Wheel Tax Related Fee Increases

**Attachments:** [#8-R-24 Require Super Majority Vote on Wheel Tax Fee Changes.pdf](#)

**Legislative History**

7/22/24	Finance Committee	held
8/12/24	Finance Committee	recommended for approval

[24-1063](#) Request to approve to de-obligate a portion of two existing ARPA fund allocations and re-obligate to Human Resources Strategic Planning Project

**Attachments:** [Finance Committee Memo - HR Strategic Planning ARPA.pdf](#)

**Legislative History**

8/12/24	Finance Committee	recommended for approval
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[24-1064](#) Request to approve State/Municipal Financial Agreement for I-41/Ballard Interchange Project (2025 City Cost Share \$435,200).

**Attachments:** [I-41 Ballard SMFA Finance Memo w Attachment 08-12-2024.pdf](#)

**Legislative History**

8/12/24	Finance Committee	recommended for approval
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[24-1069](#)

Request to approve the following budget amendments:

**Valley Transit Fund**

Federal Grants (RAISE)	+\$25,000,000
Federal Grants (ARPA)	+\$ 1,800,000
Buildings	+\$26,800,000

To fund Transit Center reconstruction project with grant funds (2/3 vote of Council required)

**Valley Transit Fund**

Federal Grants (Section 5339b)	+\$15,000,000
Buildings	+\$15,000,000

To fund Whitman facility remodel with grant funds (2/3 vote Council required)

**Valley Transit Fund**

Federal Grants (Cares Act)	+\$4,191,645
Buildings	+\$4,191,645

To fund Whitman facility remodel with grant funds (2/3 vote of Council required)

**Legislative History**

8/12/24      Finance Committee      recommended for approval

6.      **MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE**
7.      **MINUTES OF THE UTILITIES COMMITTEE**
8.      **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**
9.      **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

[24-0976](#)

Authorization to Accept Fiscal Year 2024 Federal 5339 (b) Funds for \$12,000,000 for the Whitman Facility Remodel Phase 2

**Attachments:** [FY24 Bus Grant Award for Appleton - Congratulations! email .pdf](#)

**Legislative History**

7/23/24      Fox Cities Transit      recommended for approval  
 Commission  
*Proceeds to Council on August 21, 2024.*

8/12/24      Finance Committee      recommended for approval

- [24-0977](#) Authorization to Accept Fiscal Year 2024 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant for \$25,000,000 for the Downtown Appleton Regional Transit Multimodal Hub

**Attachments:** [2024 RAISE Grant Award letter.pdf](#)

**Legislative History**

7/23/24	Fox Cities Transit Commission <i>Proceeds to Council on August 21, 2024.</i>	recommended for approval
8/12/24	Finance Committee	recommended for approval

**10. MINUTES OF THE BOARD OF HEALTH**

- [24-1022](#) Policy Review: N200 Child Passenger Safety Program

**Attachments:** [POL\\_N200\\_Child Passenger Safety Program\\_DRAFT.pdf](#)  
[POL\\_N200\\_Attachments.pdf](#)

**Legislative History**

8/14/24	Board of Health <i>Presented by Deputy Director, Sonja Jensen.</i>	recommended for approval
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*A motion was made by Alderperson Vaya Jones, seconded by Alderperson Nate Wolff, that Policy Review: N200 Child Passenger Safety Program was recommended for approval. The motion carried by the following vote:*

- [24-1026](#) Animal Ordinance Memorandum

**Attachments:** [2024.08.02 AnimalOrdinanceMemorandum\\_a.pdf](#)

**Legislative History**

8/14/24	Board of Health <i>Presented by Health Officer, Charles Sepers.</i>	recommended for approval
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*A motion was made by Alderperson Nate Wolff, seconded by Deborah Werth, that Animal Ordinance Memorandum was recommended for approval. The motion carried by the following vote:*

**M. CONSOLIDATED ACTION ITEMS**

- [24-1092](#) Street Vacation for N Sampson Street Consolidated Action Items  
24-1032 City Plan Commission - *recommended for approval*  
24-1046 Municipal Services Committee - *recommended for approval*  
24-1072 Initial Resolution

**N. ITEMS HELD**

**O. ORDINANCES**

[24-1090](#) Ordinances #100-24 & #101-24

Attachments: [Ordinances to Council 8-21-24.pdf](#)

- P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION
- Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- R. OTHER COUNCIL BUSINESS
- S. ADJOURN

Kami Lynch, City Clerk

*Reasonable accommodations for persons with disabilities will be made upon request and if feasible.*

*Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.*



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Minutes - Final Common Council

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Wednesday, August 7, 2024

7:00 PM

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order by Mayor Woodford at 7:00 p.m.*

B. INVOCATION

*A moment of silent reflection was held.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt, Alderperson Chad Doran and Mayor Jake Woodford

**Absent:** 1 - Alderperson Patti Heffernan

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*All Departments were represented.*

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[24-0985](#)

Common Council Meeting Minutes of July 17, 2024

**Attachments:** [CC Minutes 7-17-24.pdf](#)

**Alderperson Hartzheim moved, seconded by Alderperson Croatt, that the Minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

**Absent:** 1 - Alderperson Patti Heffernan

**Abstained:** 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[24-1018](#)

Proclamations:

- Creative Economy Week
- Breastfeeding Awareness Month

**Attachments:**     [Creative Economy Week Proclamation 2024.pdf](#)  
[Breastfeeding Month Proclamation 2024.pdf](#)

[24-1019](#)

Public Works Director Recommendation

**Attachments:**     [DPW Director Recommendation to Council.pdf](#)  
[L. Jungwirth Resume Updated.pdf](#)

**Aldersperson Hartzheim moved, seconded by Aldersperson Alfheim, that the Public Works Director recommendation be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Absent:** 1 - Aldersperson Patti Heffernan

**Abstained:** 1 - Mayor Jake Woodford

H. PUBLIC PARTICIPATION

*Kim Williams, 1123 N Mason St. spoke regarding Item 24-0834 Corner Pub Alcohol License Non-renewal*

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[24-0834](#)

Non-Renewal of the Class "B" Fermented Malt Beverage & "Class B" Liquor License for Corner Pub, 1123 N Mason Street. Kim Williams, Agent.

**Attachments:** [Corner Pub Alcohol Lic Non-Renewal MEMO - Atty.pdf](#)  
[2024 Corner Pub Non-Renewal Hearing Notice.pdf](#)  
[2023 Non-Use of License Letter- Corner Pub.pdf](#)  
[CORNER\\_PUB\\_2023\\_Inspection\\_Report.pdf](#)  
[CORNER\\_PUB\\_2024\\_Inspection\\_Report.pdf](#)  
[Corner Pub 2024.2025 Renewal.pdf](#)  
[Kim Williams-inspection letter.pdf](#)  
[Inspections S&L Memo- Corner Pub 7-9-2024.pdf](#)  
[7-10-24 - Corner Pub- Report of S&L to Common Council.pdf](#)  
[Council Follow-up Memo CornerPub 7-15-24.pdf](#)  
[7-24-24 Corner Pub Report of S&L to Council.pdf](#)

**Motion by Croatt, seconded by Firkus to refer this item back to the Safety and Licensing Committee due back on 8/14/2024. Roll. Call. Motion carried 13/1 (Doran).**

[24-1014](#)

Request to approve a resolution authorizing and providing for the sale and issuance of \$13,500,000 General Obligation Promissory Notes, Series 2024 and all related details.

**Attachments:** [Appleton 2024 GO Promissory Notes - Award Resolution.pdf](#)  
[Appleton 2024 G.O. Promissory Notes - Award Resolution FINAL.pdf](#)

**Alderson Hartzheim moved, seconded by Alderson Fenton, that the Resolution for General Obligation Promissory Notes in the amount of \$13,500,000 be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Martyn Smith, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

**Absent:** 1 - Alderson Patti Heffernan

**Abstained:** 1 - Mayor Jake Woodford

[24-1015](#)

Request to approve a resolution authorizing and providing for the sale and issuance of ~~\$12,910,000~~ \$12,630,000 Sewerage System Revenue Bonds, Series 2024 and all related details.

**Attachments:** [Appleton 2024 Sewer Revenue Bonds - Award Resolution.pdf](#)  
[Appleton 2024 Sewer Revenue Bonds - Award Resolution FINAL.pdf](#)

**Aldersperson Fenton moved, seconded by Aldersperson Van Zeeland, that the Resolution for Sewerage System Revenue Bonds in the amount of \$12,630,000 be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Absent:** 1 - Aldersperson Patti Heffernan

**Abstained:** 1 - Mayor Jake Woodford

## L. COMMITTEE REPORTS

### Balance of the action items on the agenda.

**Aldersperson Hartzheim moved, Aldersperson Croatt seconded, to approve the balance of the agenda. The motion carried by the following vote:**

**Aye:** 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Absent:** 1 - Aldersperson Patti Heffernan

**Abstained:** 1 - Mayor Jake Woodford

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[24-0946](#)

Approve the request from The 513 Appleton, LLC for a permanent street occupancy permit at 513 W. College Avenue for five exterior sconce lights to extend into the College Avenue right-of-way approximately 5 inches at a height of approximately 11 feet and greater.

**Attachments:** [The 513 Appleton LLC - Permanent Occupancy Permit App College Ave MSC 07-22-2024.pdf](#)

**This Report Action Item was approved.**



[24-0947](#)

Approve Utility Easement Release of Rights for I-41 Project Water Main Relocation

**Attachments:** [I-41 Ballard Ease Release MSC Memo w Attachments 07-22-2024.pdf](#)

This Report Action Item was approved.

[24-0948](#)

Approve State/Municipal Agreement for the design and construction of the Lawe Street Bridge over the Navigational Canal.

**Attachments:** [4984-24-76 77 C APPLETON, LAWE STREET, STATE MUNICIPAL AGREEMENT P-44-0719.pdf](#)

This Report Action Item was approved.

[24-0949](#)

Approve ordinance changes related to the B-24 Summit St Reconstruction Project (Packard St to Elsie St).

**Attachments:** [Summit \(Packard to Elsie\) B-24 Parking Changes.pdf](#)

This Report Action Item was approved.

[24-0950](#)

Approve ordinance changes related to the B-24 Summit St Reconstruction Project (Prospect Av to Fourth St)

**Attachments:** [Summit \(Prospect to Fourth\) B-24 Parking Changes.pdf](#)

This Report Action Item was approved.

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0919](#)

Class "B" Beer & Reserve "Class B" Liquor License application for ODH Appleton, Inc d/b/a Cambria Hotel Appleton, Troy Graverson, Agent, located at 3940 N. Gateway Dr, contingent upon approval from the Health, Inspections, and Public Works departments.

**Attachments:** [ODH Appleton.Cambria App Redacted.pdf](#)

This Report Action Item was approved.

[24-0920](#)

Class "B" Beer & "Class B" Liquor License application for Ka Lee and Peng Xiong d/b/a Shadows Food and Spirits, located at 211 S. Walter Ave, contingent upon approval from the Inspections and Public Works departments.

**Attachments:** [Shadows Food & Spirits App Redacted.pdf](#)

This Report Action Item was approved.

[24-0921](#)

Pet Store renewal application for Lucky Fish & Aquarium LLC, Keeteekune Thao, Applicant, located at 337 W. Wisconsin Ave, contingent upon approval from all departments.

**Attachments:** [Lucky Fish & Aquarium 2024 Renewal Redacted.pdf](#)

This Report Action Item was approved.

[24-0951](#)

Cigarette, Tobacco, and Electronic Vaping Device License renewal application for Patrick Flanagan d/b/a Flanagan's Stop & Shop, Patrick Flanagan, Agent, located at 522 W. College Ave.

**Attachments:** [Flanagan's Tobacco Redacted.pdf](#)

This Report Action Item was approved.

3. **MINUTES OF THE CITY PLAN COMMISSION**
4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**
5. **MINUTES OF THE FINANCE COMMITTEE**

[24-0957](#)

Request to approve Riverside Cemetery Association reimbursement request for maintenance of Veteran graves.

**Attachments:** [RS cemetery grave reimbursment 2024 1-1.pdf](#)  
[Copy of Military Report 2023 - 2024.pdf](#)  
[VETERANS JULY 2023 - JUNE 2024.pdf](#)

This Report Action Item was approved.

[24-0958](#)

Request to reject bid from Neumann Pools Inc. for the Mead Pool Plastering Project.

**Attachments:** [2024 Mead Pool Re-Coating Project \(reject bids\).pdf](#)

This Report Action Item was approved.

[24-0959](#)

Request to approve Change Order No. 2 to contract 21-24 for H-23 Lightning Drive Extension Phase 1 for added drain tile and earthwork, in the amount of \$72,830.00 resulting in a decrease in contingency from \$92,934.82 to \$20,104.82. Overall contract increases from \$1,622,361.12 to \$1,695,191.12.

**Attachments:** [H-23 Change Order 2 Finance Memo Final.pdf](#)  
[Copy of H-23 Change Order 2 Final.pdf](#)

**This Report Action Item was approved.**

[24-0960](#)

Request to award the 2024 Police Station Gun Range Door Project to IEI general contractor in the amount of \$44,838 with a 10% contingency of \$4,484 for a project total not to exceed \$49,322, along with the following budget amendment (2/3 vote of Council required):

2024 Fire Station Alarm Upgrade Project	- \$3,502
2024 Police Station Gun Range Door project	+\$3,502

**Attachments:** [Police Station Firing Range Door.pdf](#)

**This Report Action Item was approved.**

[24-0961](#)

Request to reject base bid from August Winter & Sons in the amount of \$2,617,900 for the Appleton Wastewater Treatment Plant Primary Clarifier #1 - #4 Rehabilitation Project.

**Attachments:** [PrimClarifer1-4 Rehab Bid rejection memo.pdf](#)

**This Report Action Item was approved.**

[24-0962](#)

Request to approve Change Order #1 to Sabel Mechanical as part of the AWWTP Final Clarifier Tank Underdrain and Tank Drain Rehabilitation Contract Project totaling \$8,837 resulting in a decrease in contingency from \$6,662 to \$0.00 with the balance of \$2,175 covered by available project funds.

**Attachments:** [240719\\_Finance Memo\\_Change Order 1\\_Sabel amended.pdf](#)

**This Report Action Item was approved.**

[24-1016](#)

Resolution for Emergency Green Ramp Repairs and Reconstruction

**Attachments:** [0360 - Finance Memo - Emergency Green Ramp Repairs - FINAL.pdf](#)  
[0360 - Resolution - Emergency Green Ramp Repairs - FINAL.pdf](#)

**This Report Action Item was approved.**

[24-1017](#)

Request to approve sole source contract with Restoration Systems, Inc. to complete Phase 1 of the Green Ramp Barrier Panel Emergency Repair in an amount not to exceed \$47,230.

**Attachments:** [Finance Award Memo Green Ramp Phase 1 Shoring Installation Contract RSI\\_FINAL.pdf](#)

This Report Action Item was approved.

**6. MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE**

**7. MINUTES OF THE UTILITIES COMMITTEE**

[24-0953](#)

Award Apple Hill Farms Pond 4 Outlet Pipe Repair Contract to Advance Construction, Inc. in an amount not to exceed \$28,000.

**Attachments:** [AHF Pond 4 Outlet Repairs - UC Memo Final 07-23-2024.pdf](#)  
[Contract Award Form - AHF Pond 4 Outlet Repair - Final.pdf](#)

This Report Action Item was approved.

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

[24-0941](#)

Request to Approve RingCentral SaaS for \$209,000.

**Attachments:** [Request to Approve RingCentral SaaS for \\$209,000.pdf](#)

This Report Action Item was approved.

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**10. MINUTES OF THE BOARD OF HEALTH**

**M. CONSOLIDATED ACTION ITEMS**

**N. ITEMS HELD**

**O. ORDINANCES**

[24-0984](#)

Ordinance #99-24 (Rescinding No Mow May)

**Attachments:** [Ordinances to Council 8-7-24.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Hayden, that the Ordinance be approved. Roll Call. Motion carried by the following vote:

**Aye:** 12 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

**Nay:** 2 - Alderperson Vered Meltzer and Alderperson Nate Wolff

**Absent:** 1 - Alderperson Patti Heffernan

**Abstained:** 1 - Mayor Jake Woodford

- P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION
- Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- R. OTHER COUNCIL BUSINESS
- S. ADJOURN

**Alderperson Hartzheim moved, seconded by Alderperson Hayden, that the meeting be adjourned at 7:16 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

**Absent:** 1 - Alderperson Patti Heffernan

**Abstained:** 1 - Mayor Jake Woodford

Kami Lynch, City Clerk



# CITY OF APPLETON

**Date:** August 21, 2024  
**To:** Members of the Common Council  
**From:** Mayor Jacob A. Woodford  
**Subject:** Confirmation of Appointment

---

It is with pleasure that I present the following recommendation for your confirmation at the August 21, 2024, Common Council meeting.

**Police and Fire Commission** – Appointment

Dan Weiske

Term Ends May 2029

Dan Weiske is a retired police officer with a 30-year career in law enforcement. He has served in various capacities at the Appleton Police Department, culminating in his last role as Police Captain. Throughout his career, Dan has also held other key positions, including Lieutenant of Investigative Services, Lieutenant of Operations (Coordination), Investigator, Crime Scene Processor (ID Technician), Community Liaison Officer, and Field Training Officer (FTO). In addition to his service in Appleton, Dan has contributed his skills to the Woodville (WI) Police Department and served as a part-time Game Warden with the Department of Natural Resources (WI). He is also a proud veteran of the United States Air Force, where he served a four-year term as a Crew Chief. Dan currently owns and operates his own business as a licensed contractor.



# CITY OF APPLETON

**Date:** August 21, 2024  
**To:** Members of the Common Council  
**From:** Mayor Jacob A. Woodford  
**Subject:** MPO Policy Board Appointments

---

East Central Wisconsin Regional Planning Commission has undergone a process to better align with best governance practices and federal regulations with respect to the Metropolitan Planning Organization (MPO). Previously, the Commission Board served as the MPO policy board, which oversees planning initiatives and state/federal funding allocation for projects within the MPO area.

As a part of this change, the City of Appleton will have a total of four voting members on the board. The board must be made up of elected officials. After consideration of options and absent any regulatory guidance on how appointments are handled, I recommend the following:

1. Mayor
2. Council President
3. Council Vice President
4. Council-Appointed Plan Commission Representative

The rationale for these recommendations is that the mayor is a citywide elected official and has administrative oversight of city departments responsible for implementation of plans. Each of the three Common Council appointees are elected by the Council to serve in their roles. Moving forward, my recommendation would be to simply include the MPO Policy Board role as a component of the respective roles for each of these positions. This should make the process relatively seamless and ensure that our MPO representatives are recognized by their fellow alders as leaders of the Council.

# PROCLAMATION



## Office of the Mayor

**WHEREAS**, women of all races and ethnicities fought for the right to vote from the founding of our country; the 19<sup>th</sup> Amendment of the U.S. Constitution was officially certified on August 26, 1920, after a 72-year battle, granting the right to vote regardless of sex; and

**WHEREAS**, although the 19<sup>th</sup> Amendment was a milestone in women's equality, it did not immediately guarantee the right to vote for all women. Japanese, Asian Indian, Chinese American, Filipino, and Native American women were not eligible to become naturalized and, therefore, could not vote until 1952 for Asian American women and 1957 for Native American women; and

**WHEREAS**, African American women faced discrimination and racism at the polls until the passage of the Voting Rights Act of 1965, and it was another 10 years before Latina women gained the right to vote; and

**WHEREAS**, the right to vote did not come easily for women and people of color in the United States, and we must remain vigilant against barriers that disenfranchise any citizen's sexual orientation, identity, socioeconomic status, color, education, or disability; and

**WHEREAS**, on August 16, 1973, with the authorization of Congress, President Richard M. Nixon issued Proclamation 4236 and every President since 1973 has issued a proclamation designating August 26 as Women's Equality Day.

**NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD**, Mayor of the City of Appleton, Wisconsin, do hereby proclaim Monday, August 26, 2024, as

## Women's Equality Day

in Appleton and encourage all citizens to join in the commemoration of this historic day to honor all women who have fought for and won the right to vote in all national elections.

Signed and sealed this 13th day of August 2024.



**JACOB A. WOODFORD**  
MAYOR OF APPLETON



**INITIAL RESOLUTION**

**WHEREAS**, the public interest requires that a portion of Sampson Street, south of East Winnebago Street, that has not previously been vacated, be vacated and discontinued,

**BE IT RESOLVED**, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of Sampson Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

**LEGAL DESCRIPTION**

*The North 70 feet of Sampson Street, bounded on the North by the South line of Winnebago Street, on the West by Block 79 of the 1st Ward Plat, and on the East by Block 77 of the 1st Ward Plat and also Lot 44 of the Garfield Place Plat, all according to the recorded Assessor's Plat of the City of Appleton, being located in the NW ¼ of Section 25, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin.*

See also attached Exhibit "A" for illustration.

**COMMON DESCRIPTION:**

Portion of Sampson Street, south of East Winnebago Street that has not previously been vacated

**FURTHER RESOLVED**, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

**FURTHER RESOLVED**, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said part of Sampson Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

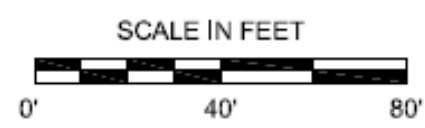
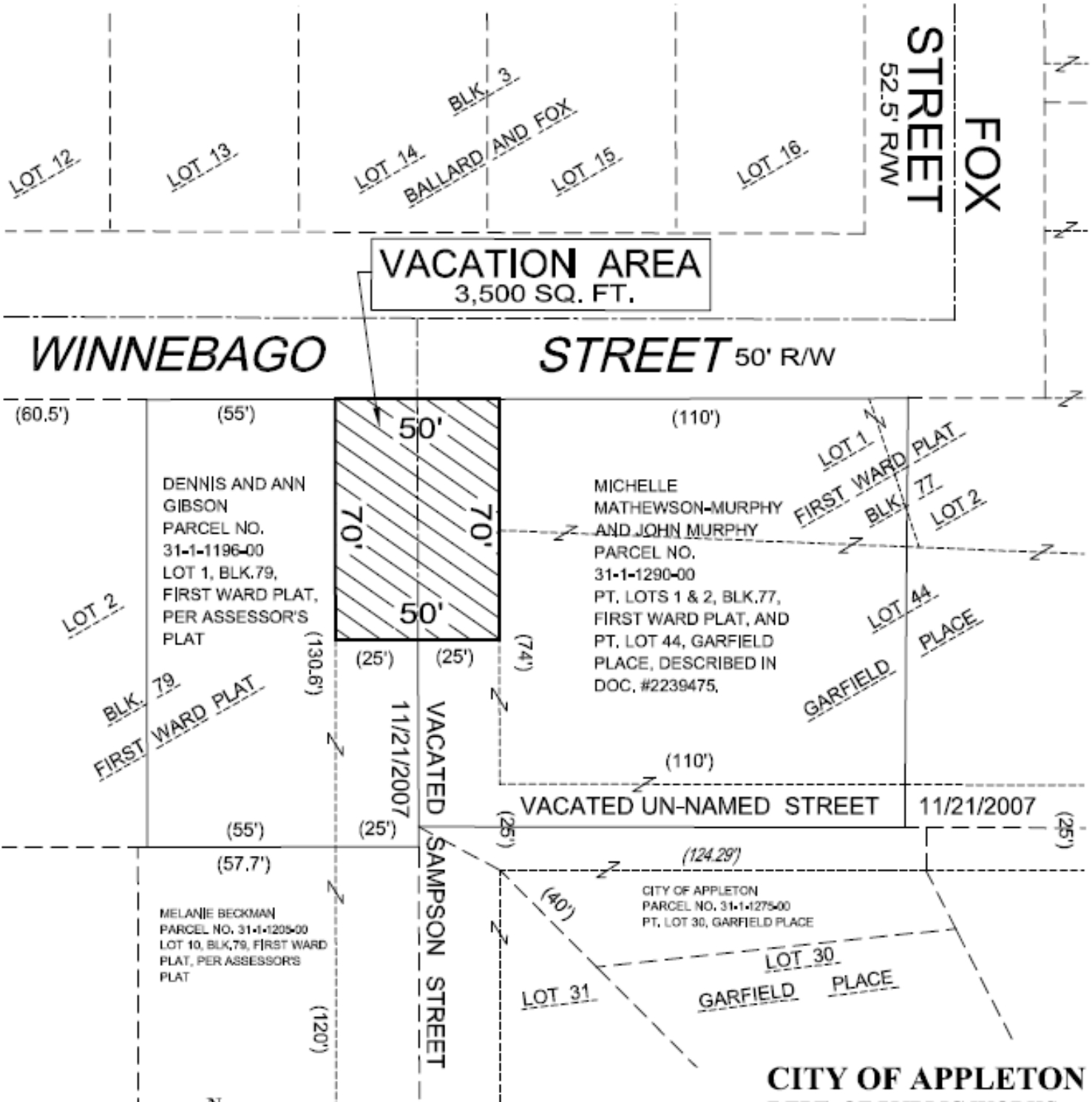
By: \_\_\_\_\_

Date: \_\_\_\_\_

# EXHIBIT "A"

## SAMPSON STREET VACATION

The North 70 feet of Sampson Street, bounded on the North by the South line of Winnebago Street, on the West by Block 79 of the 1st Ward Plat, and on the East by Block 77 of the 1st Ward Plat and also Lot 44 of the Garfield Place Plat, all according to the recorded Assessor's Plat of the City of Appleton, being located in the NW ¼ of Section 25, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin.



**CITY OF APPLETON**  
DEPT. OF PUBLIC WORKS  
ENGINEERING DIVISION  
100 NORTH APPLETON STREET  
APPLETON, WI 54911  
920-832-6474  
DRAFTED BY: T. KROMM  
Acad/Vacation/2024/Sampson\_0717\_2024

**City of Appleton**  
**100 North Appleton Street, Appleton WI 54911**  
**Phone: (920) 832-6411 Fax: (920) 832-6464**

Permit No.: \_\_\_\_\_  
 Key No.: 31-2-0290-01  
 Receipt No.: 159922620  
 Date: \_\_\_\_\_

## SIGN PERMIT

A separate permit is required for each proposed sign.

Permit Fee: \$100.00  Penalty Fee

Site Address: 10 E College Ave Location #1  
 Business Name: Fox Common Properties, LLC

Single Tenant  
 Multi- Tenant      Estimated Cost: **\$4,000.00**

### Type of Sign

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Ground Sign       | <input checked="" type="checkbox"/> Awning Sign          | <input type="checkbox"/> Changeable Copy Sign (No animation) |
| <input type="checkbox"/> Wall Mounted Sign | <input type="checkbox"/> Temporary Sign (Sandwich, Etc.) | <input type="checkbox"/> Painted Wall Sign                   |
| <input type="checkbox"/> Projecting Sign   | <input type="checkbox"/> Canopy Sign                     | <input type="checkbox"/> Other _____                         |
| <input type="checkbox"/> Window Sign       | <input type="checkbox"/> Portable Sign                   |  |

### Zoning District

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> C2- General Commercial | <input type="checkbox"/> M1- Industrial Park    | <input type="checkbox"/> PI- Public Institution                    |
| <input type="checkbox"/> CO- Commercial Office  | <input type="checkbox"/> M2- General Industrial | <input type="checkbox"/> P- Park District                          |
| <input type="checkbox"/> AG- Agriculture        |   | <input checked="" type="checkbox"/> CBD- Central Business District |

### Dimensions/Other Information

Width of Sign: 28'6"	Height of Sign: 12"
Height Above Normal Grade: 10'-2"	<b>Underclearance: 10'-2"</b>
<b>Projecting into ROW: 5'</b>	Distance to Side Lot Line (5' Min): 8'
Setback from R-O-W:	Setback from Driveway: N/A
Design Exception (Sec. 23-529):	Material: Aluminum & Steel

### Wall Sign Details (Wall/Painted Signs Only)

	Proposed Size Width x Height (ft)	Proposed Area of Sign (sq. ft.)	Existing Size Width x Height (ft)	Existing Area of Sign (sq. ft.)	Area of Entire Wall
Wall North	X		X		
Wall East	X		X		
Wall West	X		X		
Wall South	X		X		

### Electrical Information of Sign

- |                                   |                                       |                                     |   |
|-----------------------------------|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> Internal | <input type="checkbox"/> Florescent   | <input type="checkbox"/> LED        | <input type="checkbox"/> Message Center |
| <input type="checkbox"/> External | <input type="checkbox"/> Incandescent | <input type="checkbox"/> Electronic | <input type="checkbox"/> Neon           |

**UL Design No:** N/A, this is a canopy with no lights      **Electrical Contractor:** \_\_\_\_\_

### Office Information

BZA Variance Date: \_\_\_\_\_      Street Occupancy Permit No.: \_\_\_\_\_

Sign Contractor	Contractor Address	Contractor Phone	Contractor Email
Cole	10 E College Ave	920-213-0823	cole@darkhorsedevelopment.com

Applicant hereby agrees to comply with all laws and regulations of the State of Wisconsin and of the Ordinances of the City of Appleton. Applicant further agrees in consideration of the issuance of the permit to save the City of Appleton harmless for any injury or damage caused by reason of the erection or maintenance of the sign or signboard. If any sign erected pursuant to the permit occupies public street right-of-way, it is subject to all of the provisions of Wis. State. 60.045, but without charge or bond. This permit as applied for is granted subject to revocation when any law or regulation of the State of Wisconsin or the Ordinance of the City of Appleton is violated or when inspection reveals that the sign or signboard creates a hazard.

Name of Applicant: <b>Chris Buday</b>	Phone: <b>414-305-4930</b>
Address: 301 W Wisconsin Ave Suite 310, Milwaukee, WI 53203	Inspector Approval: _____

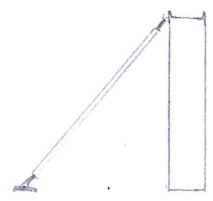
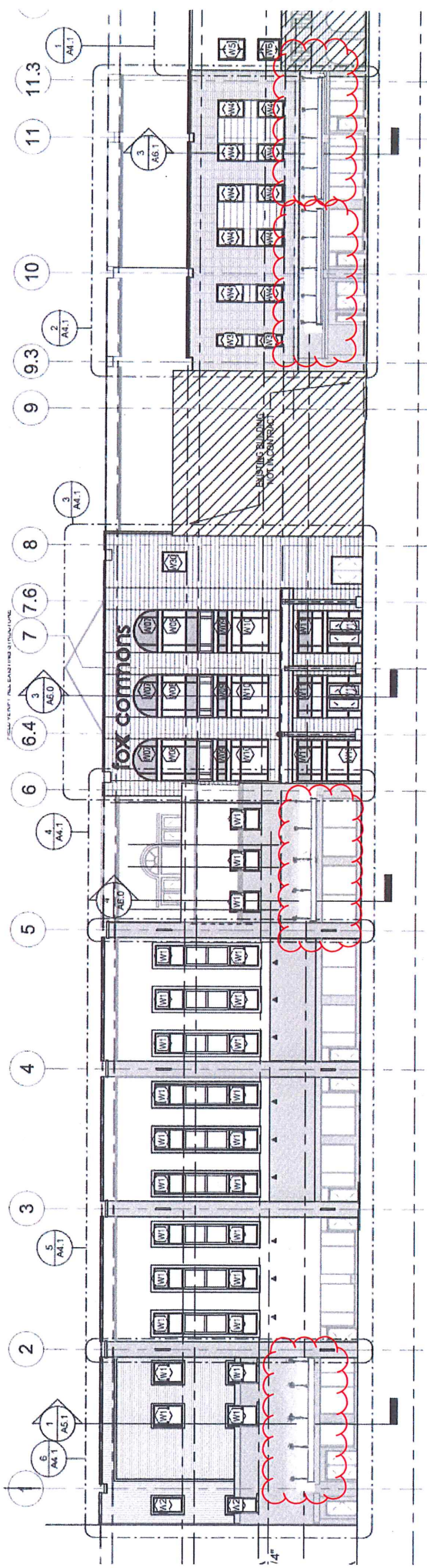
By checking this box, I confirm this as signature and have owner's permission. I also agree that this permit is not valid until an approved permit is e-mailed back to me.

Location #1

Location #2

Location #3

Location #4

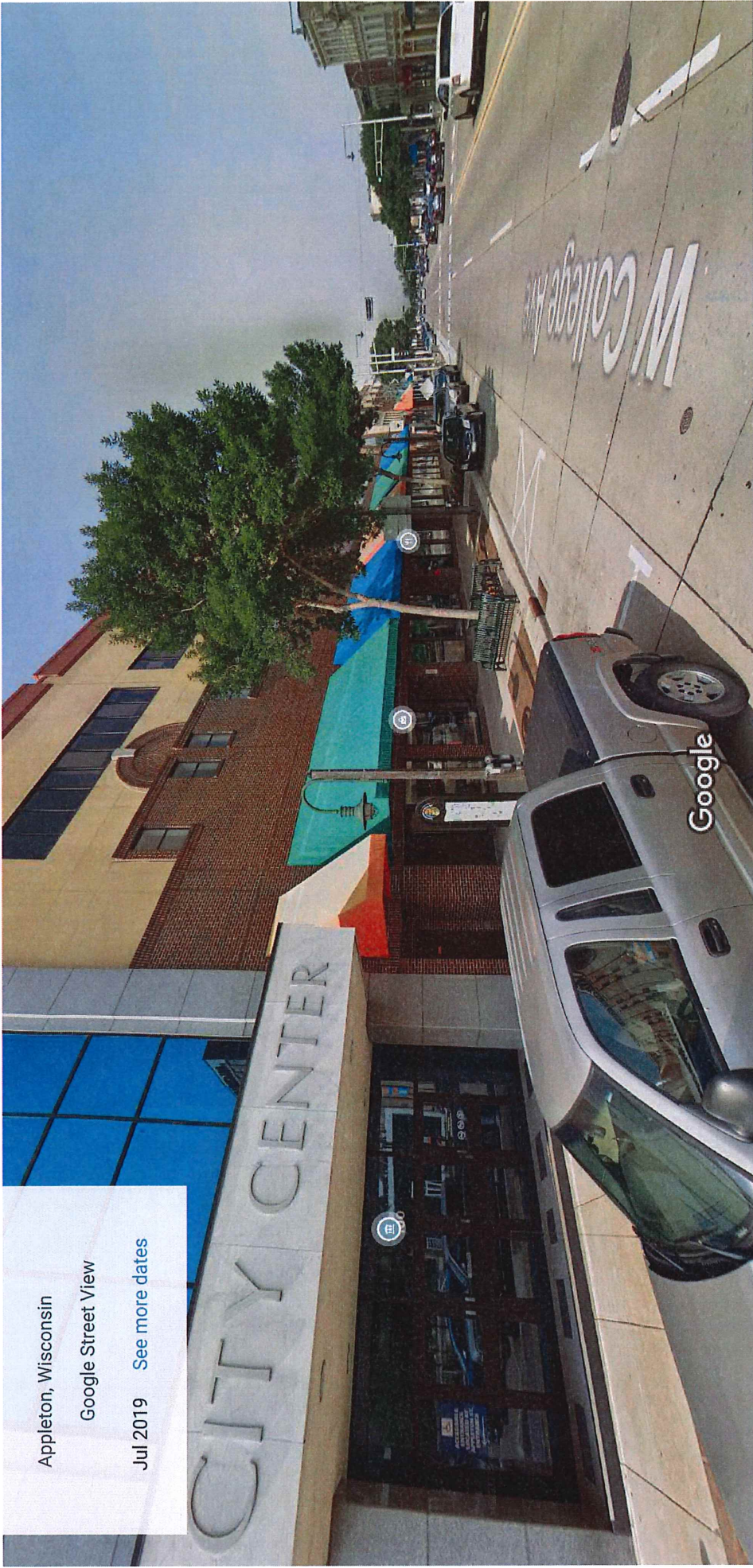


PREVIOUS  
DESIGN  
2/16/24

I → C FACES  
EAST  
ON  
INTERMEDIATES

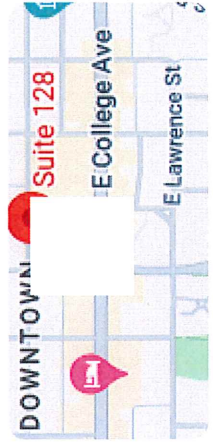
Google Maps 121 W College Ave

LOC 1

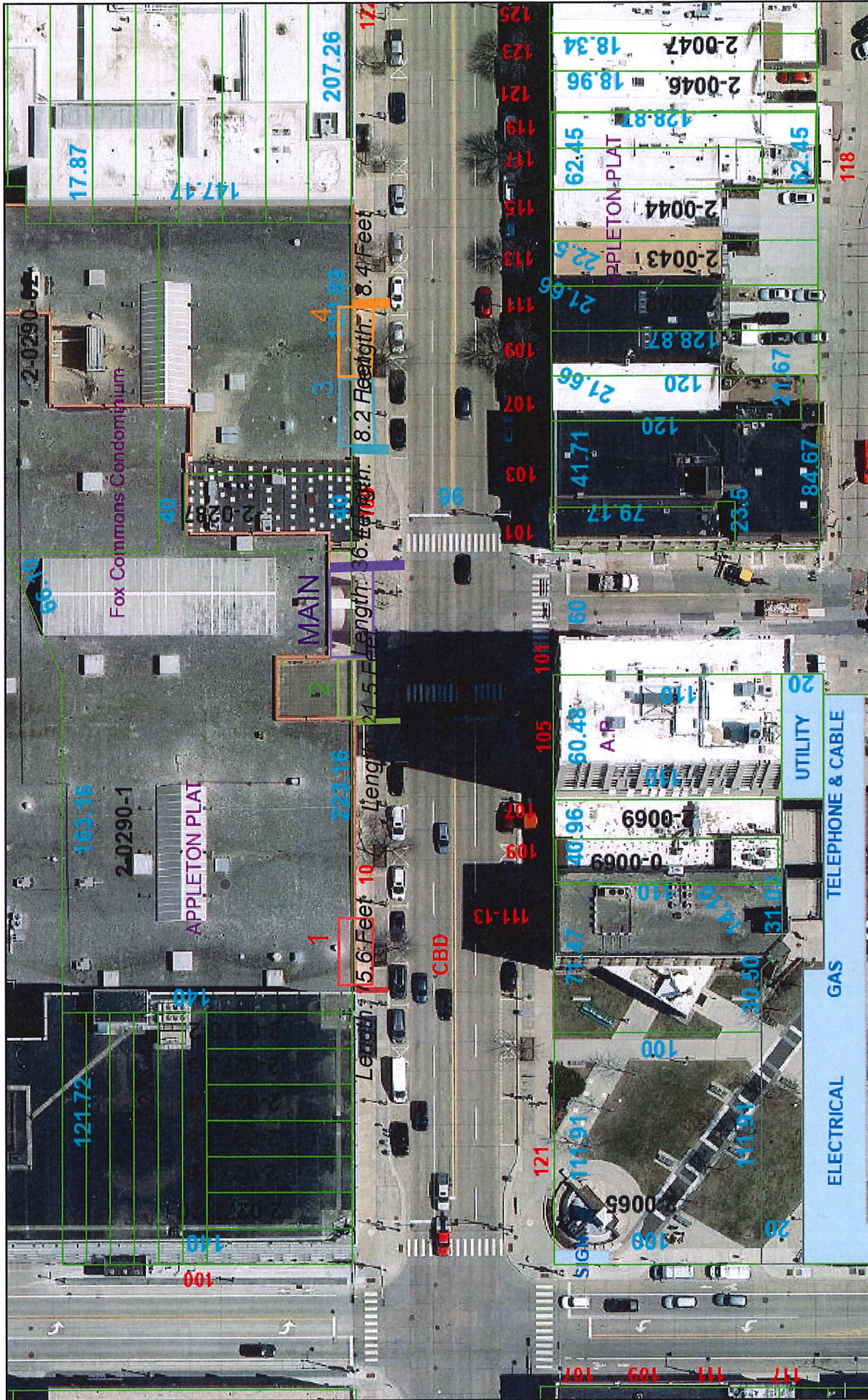


Appleton, Wisconsin  
 Google Street View  
 Jul 2019 See more dates

Image capture: Jul 2019 © 2024 Google



# ArcGIS Web Map



7/30/2024, 3:46:22 PM

- Lines
- █ Override 4
  - █ Override 2
  - █ Override 5
  - █ Override 1
  - █ Override 3
  - █ Override 4
  - █ Override 1
- Parcels
- █ City Parcels
  - █ Parcels
  - █ Parcels
  - █ Parcels
  - █ Parcels
- Other
- █ Closed ROW
  - █ Easements

Length: FACE OF BUILDING  
TO SIDEWALK

SIGN CODE 23-527 (b)(2) requires aft  
from street curb line.  
5ft projections would comply - V.DREHMEL



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: Effective Date: Expiration Date: Non-Refundable Fee: Included WITH SIGN Paid (yes or no): 159922620

Rev. 05-2024

Applicant Information

Name (print): Chris Buday - Owners Agent Company: Fox Commons Properties, LLC Address: 301 W Wisconsin Ave, Suite 310 Telephone: 414-305-4930 Milwaukee, WI 53203 E-mail: chris.buday@boldt.com Applicant Signature: Chris Buday Date:

Occupancy Information

General Description/Reason: Building exterior canopy within ROW on College Ave LOC. 1 Street Address: 10 E College Ave, Appleton, WI 54911 Sidewalk/roadway obstruction requested Y or N Date(s) From: 7/26/24 To: 35 days or < 35 days or >

(Department use only)

Occupancy Type

- Permanent - Obstruction (\$40) Temporary - Obstruction (\$40) Amenity/Annual (\$40) Blanket/Annual (\$250) Block Party (\$15)

Sub-Type

- Awning Dumpster Sign Obstruction / Other POD / Container

Location

- Sidewalk Terrace Roadway

Additional Requirements

Plan/Sketch Certificate of Insurance Bond Committee and Council Approval Date:

Traffic Control Requirements

Type of Street: Arterial/CBD Collector Local Proposed Traffic Control: City Manual Page(s) State Manual Page(s) Other (attach plan)

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:

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. Dumpsters/PODs/Containers shall be located within 12" of face of curb. 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.

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.

APPROVED BY: DATE: (Department of Public Works)

# Statement of Insurance Coverage

**Insurance Coverage:**

Insurance Carrier: Secura Insurance Company  
Insurance Agent Name and Phone Number: Family Insurance Center LLC, 920-439-1777  
Policy Number: CP3376246  
Policy Period: 11/15/23-11/15/24

**Bond Coverage:**

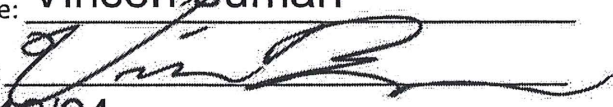
\* Bond Carrier: \_\_\_\_\_  
\* Bond Agent Name and Phone Number: \_\_\_\_\_  
\* Bond Number: \_\_\_\_\_  
\* Bond Period: \_\_\_\_\_

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: Appleton Awning Shop Inc  
Print Name: Vinson Buman  
Signature:   
Date: 7/12/24

- \* 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)



**City of Appleton**  
 100 North Appleton Street, Appleton WI 54911  
 Phone: (920) 832-6411 Fax: (920) 832-6464

Permit No.: \_\_\_\_\_  
 Key No.: 31-2-0290-01  
 Receipt No.: 159922930  
 Date: \_\_\_\_\_

## SIGN PERMIT

A separate permit is required for each proposed sign.

Permit Fee: \$100.00  Penalty Fee

Site Address: 10 E College Ave Location #2  
 Business Name: Fox Common Properties, LLC

Single Tenant  
 Multi- Tenant

Estimated Cost: **\$4,000.00**

### Type of Sign

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Ground Sign       | <input checked="" type="checkbox"/> Awning Sign          | <input type="checkbox"/> Changeable Copy Sign (No animation) |
| <input type="checkbox"/> Wall Mounted Sign | <input type="checkbox"/> Temporary Sign (Sandwich, Etc.) | <input type="checkbox"/> Painted Wall Sign                   |
| <input type="checkbox"/> Projecting Sign   | <input type="checkbox"/> Canopy Sign                     | <input type="checkbox"/> Other _____                         |
| <input type="checkbox"/> Window Sign       | <input type="checkbox"/> Portable Sign                   |  |

### Zoning District

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> C2- General Commercial | <input type="checkbox"/> M1- Industrial Park    | <input type="checkbox"/> PI- Public Institution                    |
| <input type="checkbox"/> CO- Commercial Office  | <input type="checkbox"/> M2- General Industrial | <input type="checkbox"/> P- Park District                          |
| <input type="checkbox"/> AG- Agriculture        |   | <input checked="" type="checkbox"/> CBD- Central Business District |

### Dimensions/Other Information

Width of Sign: 28'6"	Height of Sign: 12"
Height Above Normal Grade: 10'-2"	<b>Underclearance: 10'-2"</b>
<b>Projecting into ROW: 5'</b>	Distance to Side Lot Line (5' Min): 80'
Setback from R-O-W:	Setback from Driveway: N/A
Design Exception (Sec. 23-529):	Material: Aluminum & Steel

### Wall Sign Details (Wall/Painted Signs Only)

	Proposed Size Width x Height (ft)	Proposed Area of Sign (sq. ft.)	Existing Size Width x Height (ft)	Existing Area of Sign (sq. ft.)	Area of Entire Wall
Wall North	X		X		
Wall East	X		X		
Wall West	X		X		
Wall South	X		X		

### Electrical Information of Sign

- |                                   |                                       |                                     |   |
|-----------------------------------|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> Internal | <input type="checkbox"/> Florescent   | <input type="checkbox"/> LED        | <input type="checkbox"/> Message Center |
| <input type="checkbox"/> External | <input type="checkbox"/> Incandescent | <input type="checkbox"/> Electronic | <input type="checkbox"/> Neon           |

**UL Design No:** N/A, this is a canopy with no lights **Electrical Contractor:** \_\_\_\_\_

### Office Information

BZA Variance Date: \_\_\_\_\_ Street Occupancy Permit No.: \_\_\_\_\_

Sign Contractor	Contractor Address	Contractor Phone	Contractor Email
Cole	10 E College Ave	920-213-0823	cole@darkhorsedevelopment.com

Applicant hereby agrees to comply with all laws and regulations of the State of Wisconsin and of the Ordinances of the City of Appleton. Applicant further agrees in consideration of the issuance of the permit to save the City of Appleton harmless for any injury or damage caused by reason of the erection or maintenance of the sign or signboard. If any sign erected pursuant to the permit occupies public street right-of-way, it is subject to all of the provisions of Wis. State. 60.045, but without charge or bond. This permit as applied for is granted subject to revocation when any law or regulation of the State of Wisconsin or the Ordinance of the City of Appleton is violated or when inspection reveals that the sign or signboard creates a hazard.

Name of Applicant: <b>Chris Buday</b>	Phone: <b>414-305-4930</b>
Address: 301 W Wisconsin Ave Suite 310, Milwaukee, WI 53203	Inspector Approval: _____

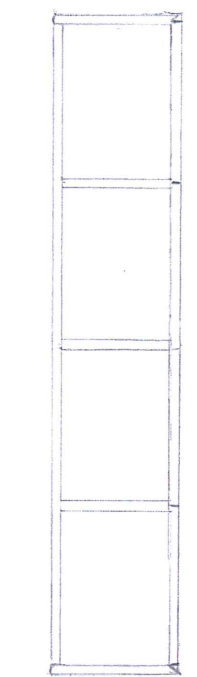
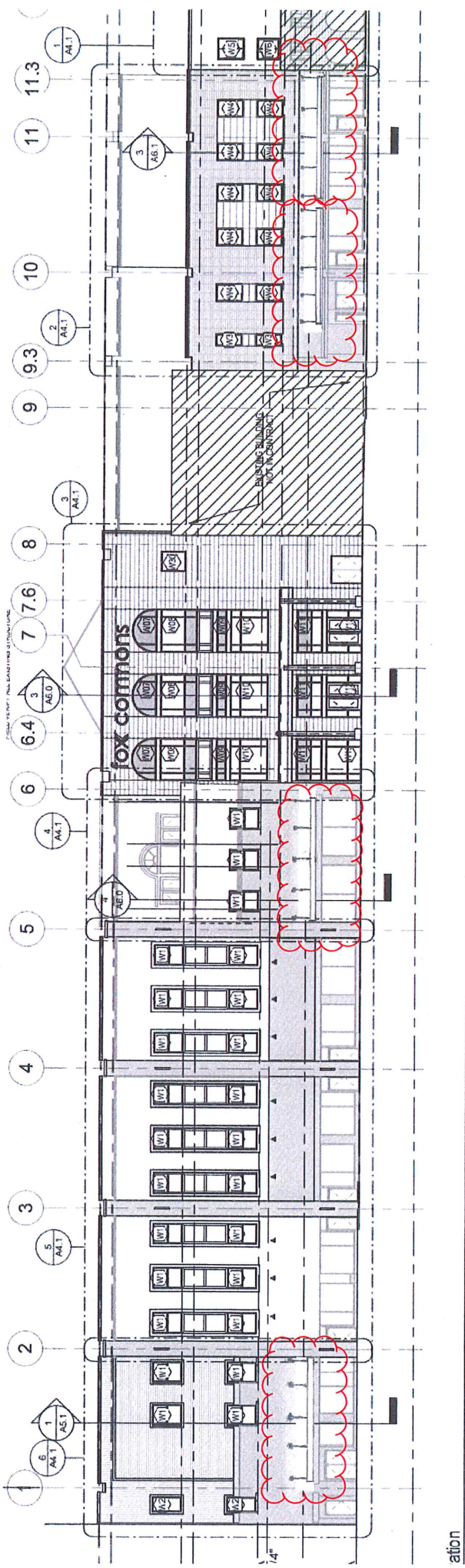
By checking this box, I confirm this as signature and have owner's permission. I also agree that this permit is not valid until an approved permit is e-mailed back to me.

Location #1

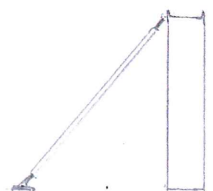
Location #2

Location #3

Location #4



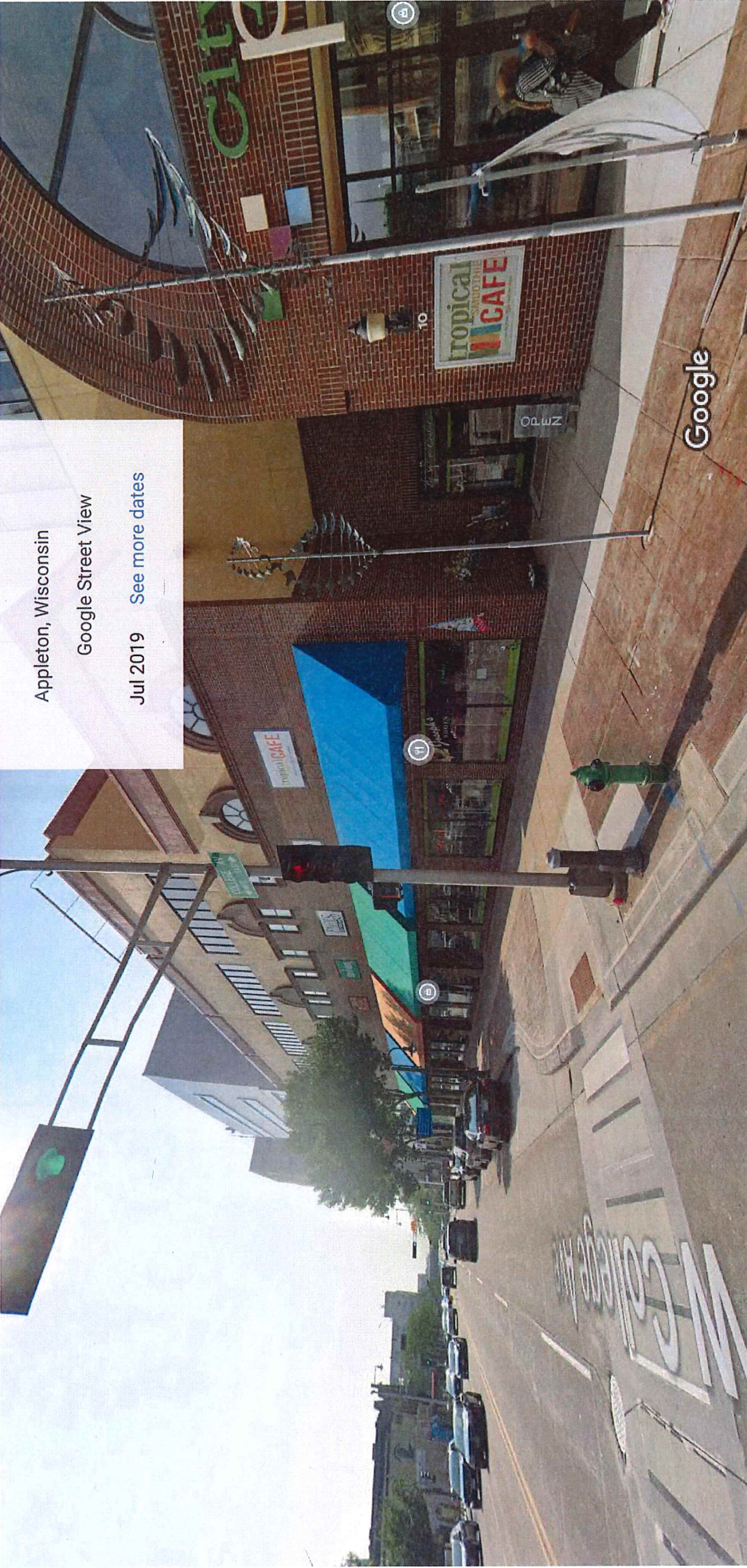
[ → ] C FACES  
 EAST  
 ON  
 INTERMEDIATES



PREVIOUS  
 DESIGN  
 2/16/24

Google Maps 10 W College Ave

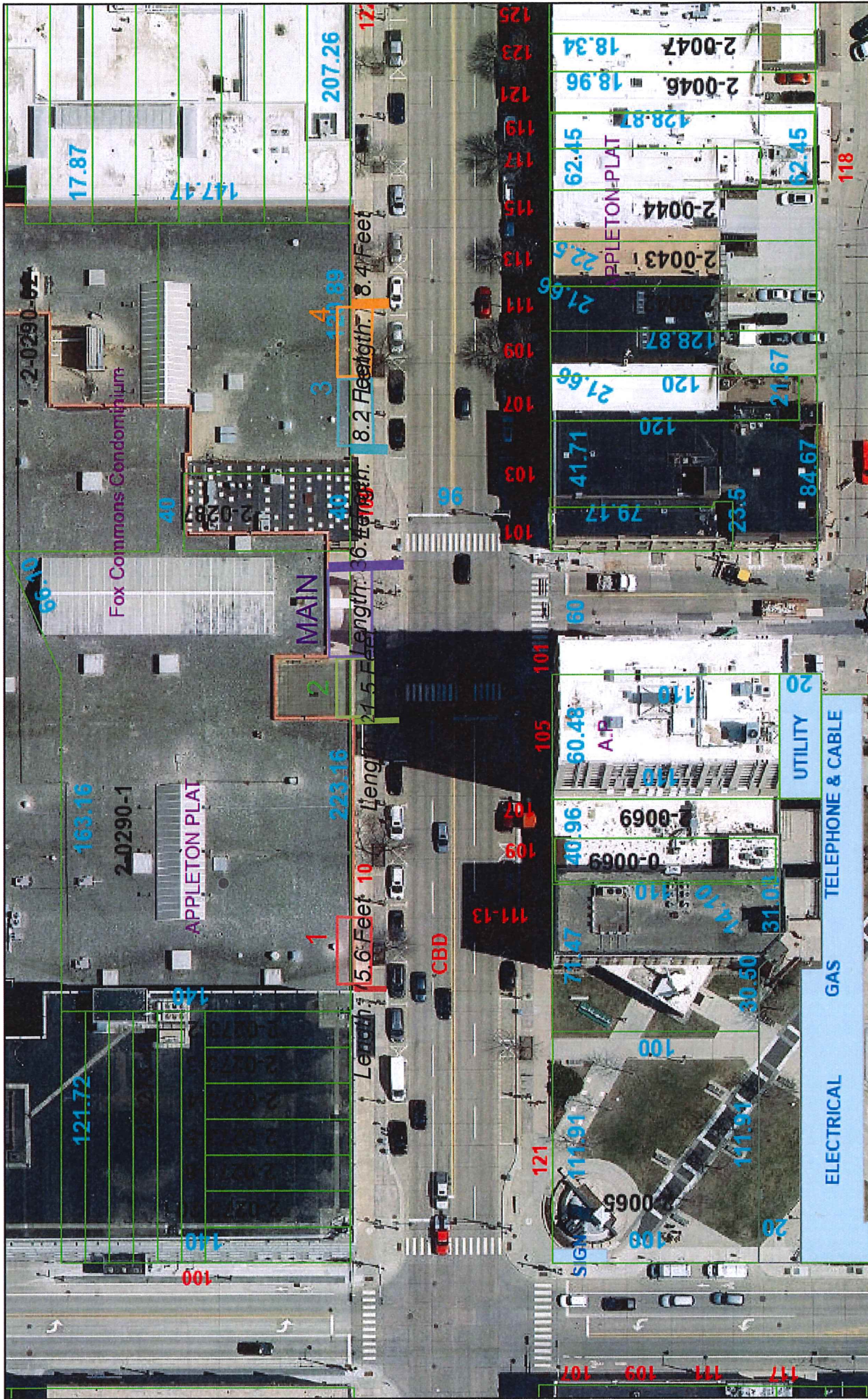
LOC 2



Appleton, Wisconsin  
 Google Street View  
 Jul 2019 See more dates

Image capture: Jul 2019 © 2024 Google

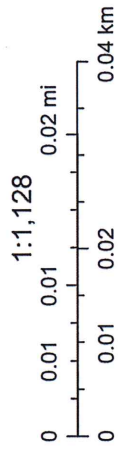
# ArcGIS Web Map



7/30/2024, 3:46:22 PM

- Lines
- █ Override 4
  - █ Override 2
  - █ Override 5
  - █ Override 1
  - █ Override 3
  - █ Override 4
  - █ Override 1
- Parcels
- City Parcels
  - Closed ROW
  - Parcels
  - Parcels
  - Parcels
  - Parcels

Length: FACE OF BUILDING  
TO SIDEWALK



SIGN CODE 23-527 (b)(2) requires aft  
from street curb line.  
5ft projections would comply. - V.DREHMEL



# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_  
Non-Refundable Fee: incl. WITH SIGN  
Paid (yes) or no: 159922930

Rev. 05-2024

### Applicant Information

Name (print): Chris Buday - Owners Agent Company: Fox Commons Properties, LLC  
Address: 301 W Wisconsin Ave, Suite 310 Telephone: 414-305-4930  
Milwaukee, WI 53203 E-mail: chris.buday@boldt.com  
Applicant Signature: Chris Buday Date: \_\_\_\_\_

### Occupancy Information

General Description/Reason: Building exterior canopy within ROW on College Ave Loc. 2 ++  
Street Address: 10 E College Ave, Appleton, WI 54911 Sidewalk/roadway obstruction requested  Y or  N  
Multiple Streets: \_\_\_\_\_  
Date(s) From: 7/26/24 To: \_\_\_\_\_ 35 days or <  35 days or >   
(Requires Committee and Council Approval)

#### (Department use only)

#### Occupancy Type

#### Sub-Type

#### Location

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

### Additional Requirements

Plan/Sketch  Certificate of Insurance  Bond Committee and Council Approval  
 Other : \_\_\_\_\_ Date: \_\_\_\_\_

### 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: \_\_\_\_\_  
 Arterial/CBD  City Manual Page(s) \_\_\_\_\_  
 Collector  State Manual Page(s) \_\_\_\_\_  
 Local  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. **Dumpsters/PODs/Containers shall be located within 12" of face of curb.**
- 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: Secura Insurance Company

Insurance Agent Name and Phone Number: Family Insurance Center LLC, 920-439-1777

Policy Number: CP3376246

Policy Period: 11/15/23-11/15/24

## 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: Appleton Awning Shop Inc

Print Name: Vinson Buman

Signature: 

Date: 7/12/24

- \* 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)*

**City of Appleton**  
**100 North Appleton Street, Appleton WI 54911**  
**Phone: (920) 832-6411 Fax: (920) 832-6464**

Permit No.: \_\_\_\_\_  
 Key No.: 31-2-0290-01  
 Receipt No.: 159923166  
 Date: \_\_\_\_\_

## SIGN PERMIT

A separate permit is required for each proposed sign.

Permit Fee: \$100.00  Penalty Fee

Site Address: 10 E College Ave Location #3

Single Tenant

Business Name: Fox Common Properties, LLC

Multi- Tenant

Estimated Cost: \$4,000.00

### Type of Sign

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Ground Sign       | <input checked="" type="checkbox"/> Awning Sign          | <input type="checkbox"/> Changeable Copy Sign (No animation) |
| <input type="checkbox"/> Wall Mounted Sign | <input type="checkbox"/> Temporary Sign (Sandwich, Etc.) | <input type="checkbox"/> Painted Wall Sign                   |
| <input type="checkbox"/> Projecting Sign   | <input type="checkbox"/> Canopy Sign                     | <input type="checkbox"/> Other _____                         |
| <input type="checkbox"/> Window Sign       | <input type="checkbox"/> Portable Sign                   |  |

### Zoning District

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> C2- General Commercial | <input type="checkbox"/> M1- Industrial Park    | <input type="checkbox"/> PI- Public Institution                    |
| <input type="checkbox"/> CO- Commercial Office  | <input type="checkbox"/> M2- General Industrial | <input type="checkbox"/> P- Park District                          |
| <input type="checkbox"/> AG- Agriculture        |   | <input checked="" type="checkbox"/> CBD- Central Business District |

### Dimensions/Other Information

Width of Sign: 25'-11"	Height of Sign: 12"
Height Above Normal Grade: 10'-2"	Underclearance: 10'-2"
Projecting into ROW: 5'	Distance to Side Lot Line (5' Min): 100'
Setback from R-O-W:	Setback from Driveway: N/A
Design Exception (Sec. 23-529):	Material: Aluminum & Steel

### Wall Sign Details (Wall/Painted Signs Only)

	Proposed Size Width x Height (ft)	Proposed Area of Sign (sq. ft.)	Existing Size Width x Height (ft)	Existing Area of Sign (sq. ft.)	Area of Entire Wall
Wall North	X		X		
Wall East	X		X		
Wall West	X		X		
Wall South	X		X		

### Electrical Information of Sign

- |                                   |                                       |                                     |   |
|-----------------------------------|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> Internal | <input type="checkbox"/> Florescent   | <input type="checkbox"/> LED        | <input type="checkbox"/> Message Center |
| <input type="checkbox"/> External | <input type="checkbox"/> Incandescent | <input type="checkbox"/> Electronic | <input type="checkbox"/> Neon           |

UL Design No: N/A, this is a canopy with no lights      Electrical Contractor: \_\_\_\_\_

### Office Information

BZA Variance Date: \_\_\_\_\_ Street Occupancy Permit No.: \_\_\_\_\_

Sign Contractor	Contractor Address	Contractor Phone	Contractor Email
Cole	10 E College Ave	920-213-0823	cole@darkhorsedevelopment.com

Applicant hereby agrees to comply with all laws and regulations of the State of Wisconsin and of the Ordinances of the City of Appleton. Applicant further agrees in consideration of the issuance of the permit to save the City of Appleton harmless for any injury or damage caused by reason of the erection or maintenance of the sign or signboard. If any sign erected pursuant to the permit occupies public street right-of-way, it is subject to all of the provisions of Wis. State. 60.045, but without charge or bond. This permit as applied for is granted subject to revocation when any law or regulation of the State of Wisconsin or the Ordinance of the City of Appleton is violated or when inspection reveals that the sign or signboard creates a hazard.

Name of Applicant: Chris Buday	Phone: 414-305-4930
Address: 301 W Wisconsin Ave Suite 310, Milwaukee, WI 53203	Inspector Approval: _____

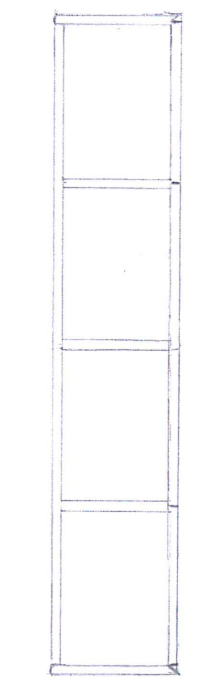
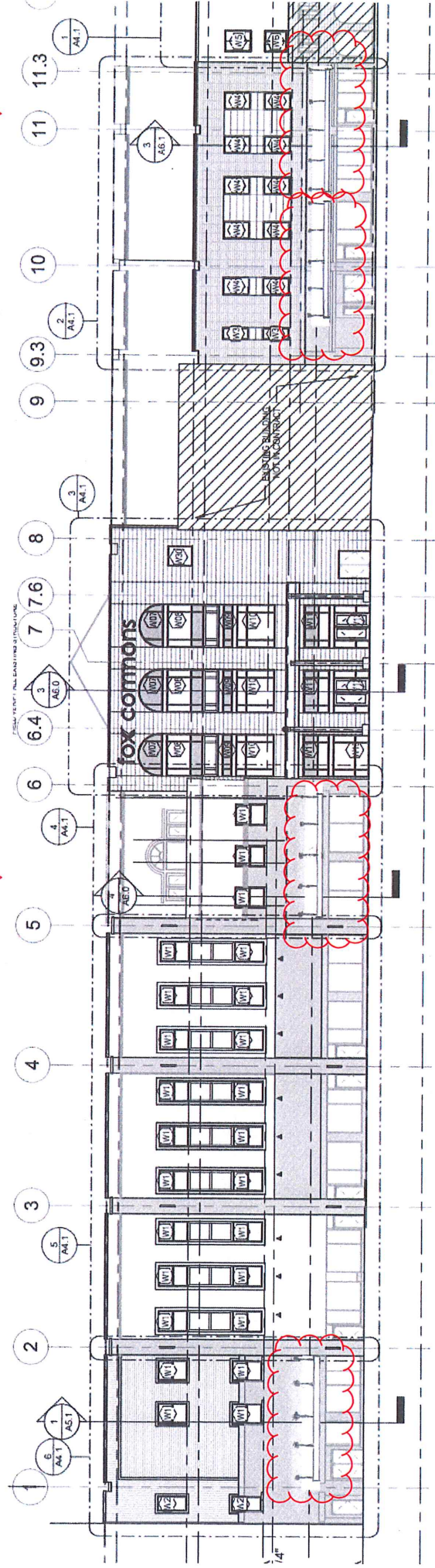
By checking this box, I confirm this as signature and have owner's permission. I also agree that this permit is not valid until an approved permit is e-mailed back to me.

Location #1

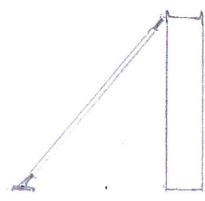
Location #2

Location #3

Location #4



[ ] → C FACES  
 EAST  
 ON  
 INTERMEDIATES



PREVIOUS  
 DESIGN  
 2/16/24



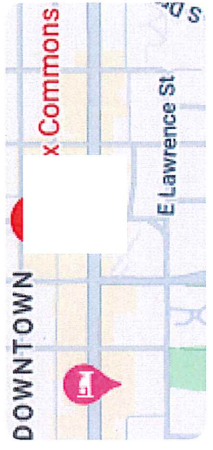
# Google Maps 103 E College Ave

Appleton, Wisconsin  
 Google Street View  
 Jul 2019 See more dates

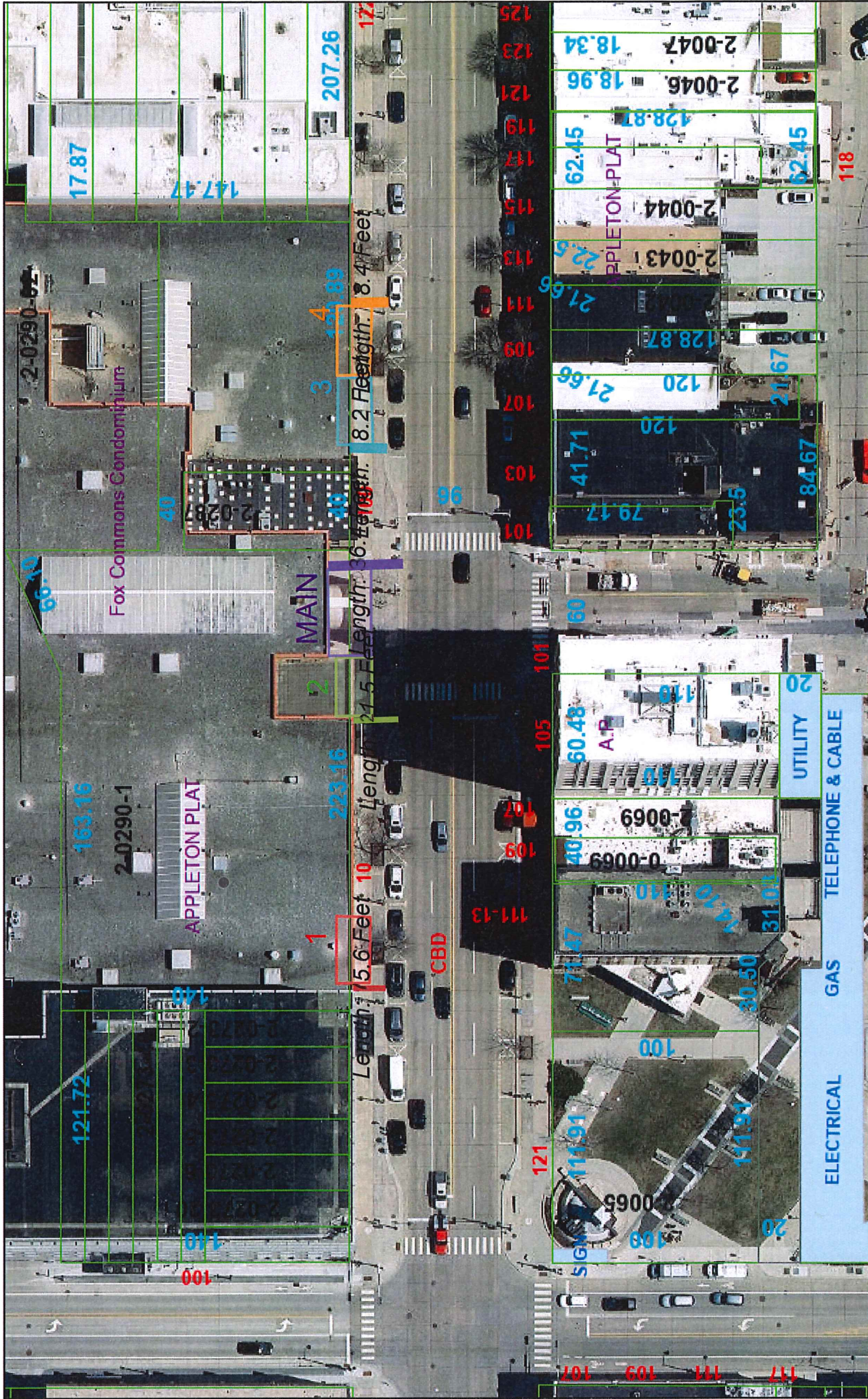
LOC 3  
 LOC 4



Image capture: Jul 2019 © 2024 Google



# ArcGIS Web Map

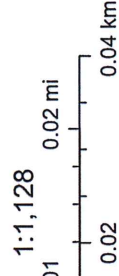


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- Lines
- █ Override 1
  - █ Override 2
  - █ Override 3
  - █ Override 4
  - █ Override 5
  - █ Override 5
  - █ City Parcels
  - █ Areas
  - █ Override 1
  - █ Override 2
  - █ Override 3
  - █ Override 4
  - █ Override 5
  - █ Parcels
  - █ Parcels
  - █ Closed ROW
  - █ Easements
  - █ Parcels

Length: FACE OF BUILDING  
TO SIDEWALK

Length: 15.6 Feet  
Length: 36.4 Feet  
Length: 8.4 Feet



SIGN CODE 23-527 (b)(2) requires 2ft from street curb line.  
5ft projections would comply. - V.DREHMEL



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: Effective Date: Expiration Date: Non-Refundable Fee: Paid (yes) or no:

Rev. 05-2024

Applicant Information section containing Name, Address, Company, Telephone, E-mail, and Applicant Signature fields.

Occupancy Information section containing General Description, Reason, Street Address, Multiple Streets, Date(s) From, and To fields.

Department use only section containing Occupancy Type, Sub-Type, and Location checkboxes.

Additional Requirements section containing checkboxes for Plan/Sketch, Certificate of Insurance, Bond, and Other.

Traffic Control Requirements section containing checkboxes for Type of Street, Proposed Traffic Control, and Contact Traffic Division.

- This permit approval is subject to the following conditions: 1. Permittee is responsible to obtain any further permits... 2. Permittee shall adhere to any plan(s)...

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein.

APPROVED BY: (Department of Public Works) and DATE: fields.

# Statement of Insurance Coverage

## Insurance Coverage:

Insurance Carrier: Secura Insurance Company

Insurance Agent Name and Phone Number: Family Insurance Center LLC, 920-439-1777

Policy Number: CP3376246

Policy Period: 11/15/23-11/15/24

## 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: Appleton Awning Shop Inc

Print Name: Vinson Buman

Signature: 

Date: 7/12/24

*\* 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)

**City of Appleton**  
**100 North Appleton Street, Appleton WI 54911**  
**Phone: (920) 832-6411 Fax: (920) 832-6464**

Permit No.: \_\_\_\_\_  
 Key No.: 31-2-0290-01  
 Receipt No.: 159923359  
 Date: \_\_\_\_\_

## SIGN PERMIT

A separate permit is required for each proposed sign.

Permit Fee: \$100.00  Penalty Fee

Site Address: 10 E College Ave Location #4  
 Business Name: Fox Common Properties, LLC

Single Tenant  
 Multi- Tenant

Estimated Cost: **\$4,000.00**

### Type of Sign

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Ground Sign       | <input checked="" type="checkbox"/> Awning Sign          | <input type="checkbox"/> Changeable Copy Sign (No animation) |
| <input type="checkbox"/> Wall Mounted Sign | <input type="checkbox"/> Temporary Sign (Sandwich, Etc.) | <input type="checkbox"/> Painted Wall Sign                   |
| <input type="checkbox"/> Projecting Sign   | <input type="checkbox"/> Canopy Sign                     | <input type="checkbox"/> Other _____                         |
| <input type="checkbox"/> Window Sign       | <input type="checkbox"/> Portable Sign                   |  |

### Zoning District

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> C2- General Commercial | <input type="checkbox"/> M1- Industrial Park    | <input type="checkbox"/> PI- Public Institution                    |
| <input type="checkbox"/> CO- Commercial Office  | <input type="checkbox"/> M2- General Industrial | <input type="checkbox"/> P- Park District                          |
| <input type="checkbox"/> AG- Agriculture        |   | <input checked="" type="checkbox"/> CBD- Central Business District |

### Dimensions/Other Information

Width of Sign: 29'-0"	Height of Sign: 12"
Height Above Normal Grade: 10'-2"	<b>Underclearance: 10'-2"</b>
<b>Projecting into ROW: 5'</b>	Distance to Side Lot Line (5' Min): 60'
Setback from R-O-W:	Setback from Driveway: N/A
Design Exception (Sec. 23-529):	Material: Aluminum & Steel

### Wall Sign Details (Wall/Painted Signs Only)

	Proposed Size Width x Height (ft)	Proposed Area of Sign (sq. ft.)	Existing Size Width x Height (ft)	Existing Area of Sign (sq. ft.)	Area of Entire Wall
Wall North	X		X		
Wall East	X		X		
Wall West	X		X		
Wall South	X		X		

### Electrical Information of Sign

- |                                   |                                       |                                     |   |
|-----------------------------------|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> Internal | <input type="checkbox"/> Florescent   | <input type="checkbox"/> LED        | <input type="checkbox"/> Message Center |
| <input type="checkbox"/> External | <input type="checkbox"/> Incandescent | <input type="checkbox"/> Electronic | <input type="checkbox"/> Neon           |

**UL Design No:** N/A, this is a canopy with no lights **Electrical Contractor:** \_\_\_\_\_

### Office Information

BZA Variance Date: \_\_\_\_\_ Street Occupancy Permit No.: \_\_\_\_\_

Sign Contractor	Contractor Address	Contractor Phone	Contractor Email
Cole	10 E College Ave	920-213-0823	cole@darkhorsedevelopment.com

Applicant hereby agrees to comply with all laws and regulations of the State of Wisconsin and of the Ordinances of the City of Appleton. Applicant further agrees in consideration of the issuance of the permit to save the City of Appleton harmless for any injury or damage caused by reason of the erection or maintenance of the sign or signboard. If any sign erected pursuant to the permit occupies public street right-of-way, it is subject to all of the provisions of Wis. State. 60.045, but without charge or bond. This permit as applied for is granted subject to revocation when any law or regulation of the State of Wisconsin or the Ordinance of the City of Appleton is violated or when inspection reveals that the sign or signboard creates a hazard.

Name of Applicant: <b>Chris Buday</b>	Phone: <b>414-305-4930</b>
Address: 301 W Wisconsin Ave Suite 310, Milwaukee, WI 53203	Inspector Approval: _____

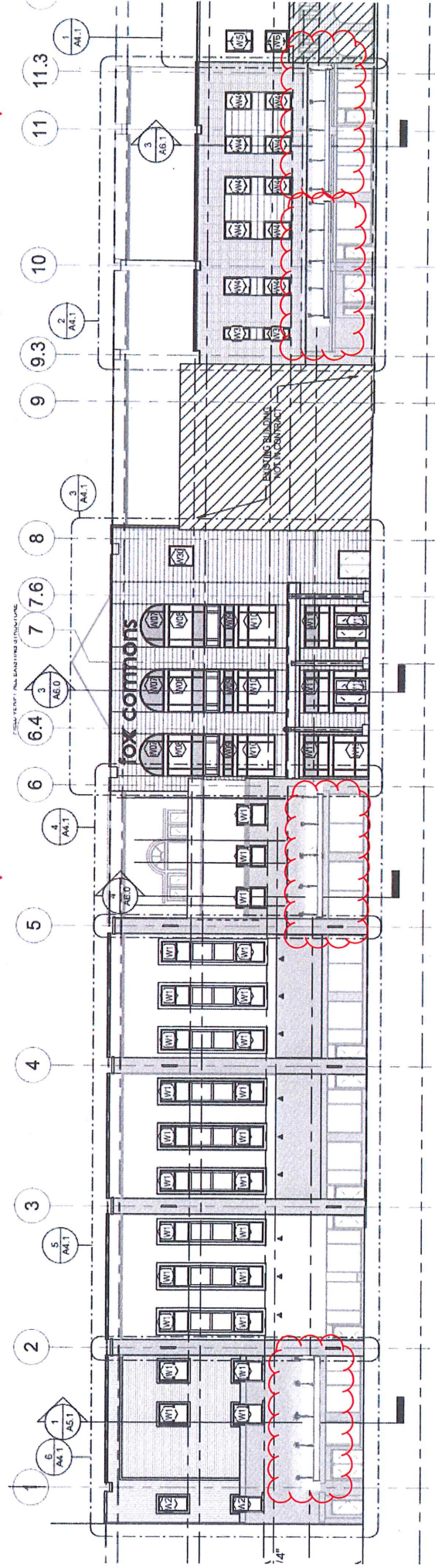
By checking this box, I confirm this as signature and have owner's permission. I also agree that this permit is not valid until an approved permit is e-mailed back to me.

Location #1

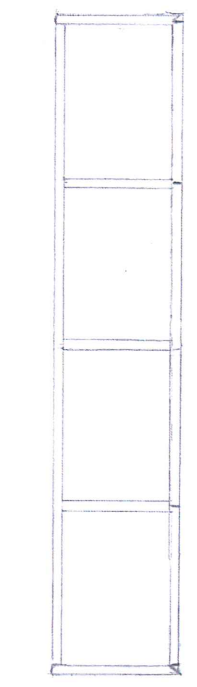
Location #2

Location #3

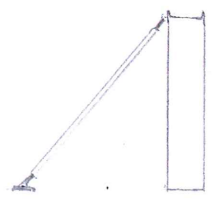
Location #4



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[ ] → C FACES  
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 INTERMEDIATES



PREVIOUS  
 DESIGN  
 2/16/24

Google Maps 103 E College Ave

Appleton, Wisconsin  
 Google Street View  
 Jul 2019 See more dates

LOC 3 LOC 4

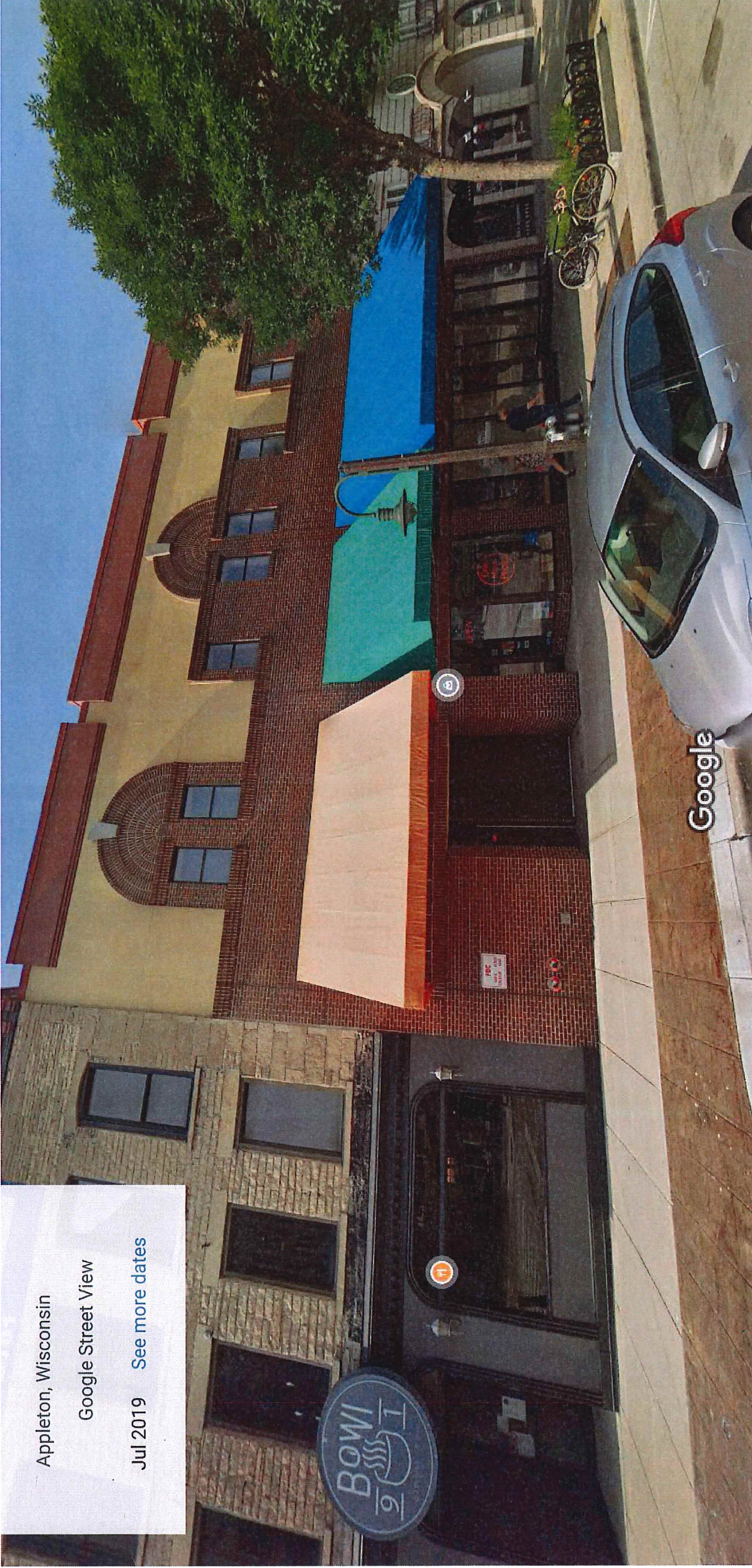
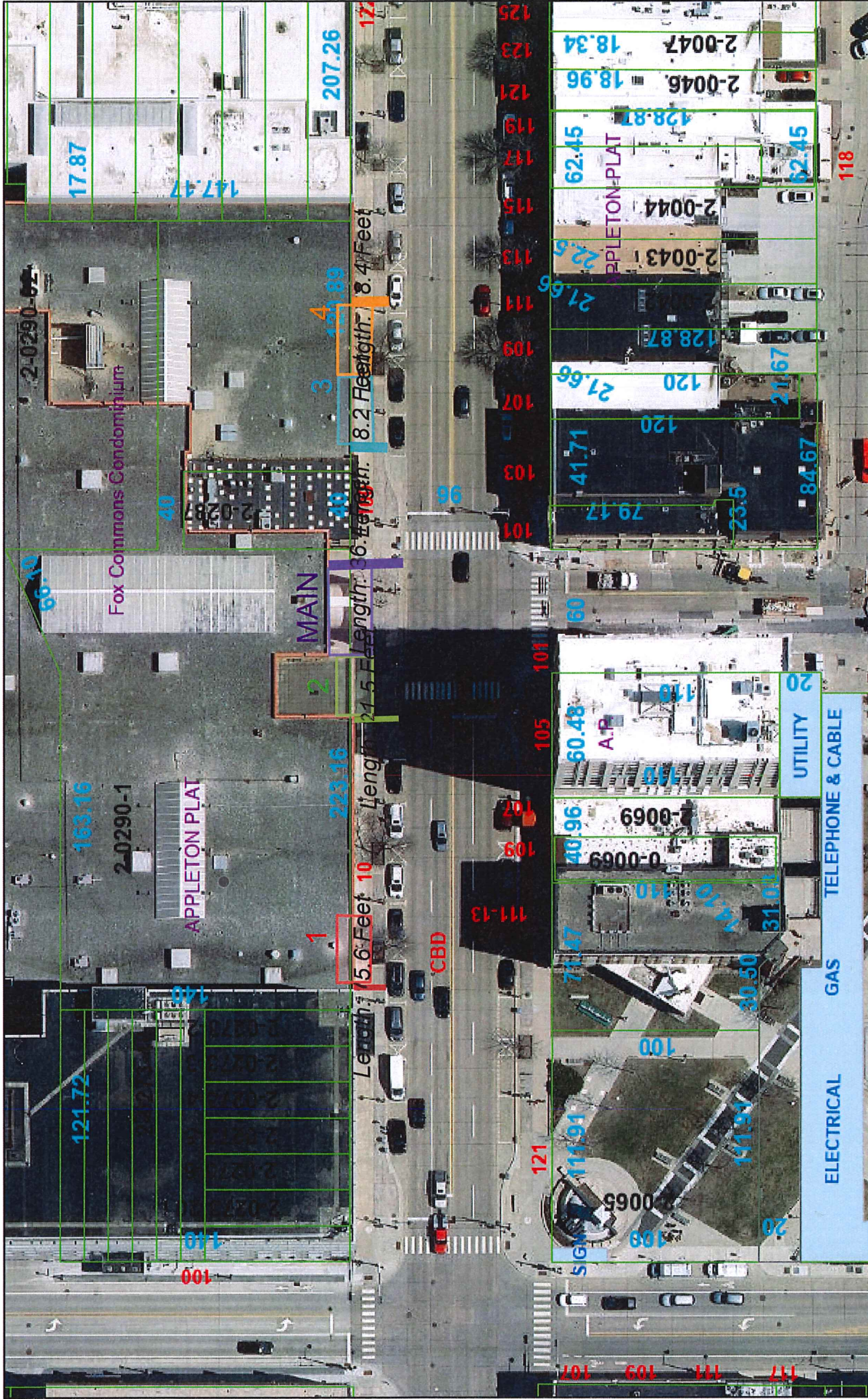


Image capture: Jul 2019 © 2024 Google



# ArcGIS Web Map



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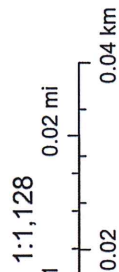
Length: FACE OF BUILDING  
TO SIDEWALK

Length: 15.6 Feet

Length: 36.4 Feet

Length: 8.2 Feet

Length: 8.4 Feet







# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_  
Non-Refundable Fee: Incl. WITH SIGN  
Paid (yes) or no: 1599 23359

Rev. 05-2024

### Applicant Information

Name (print): Chris Buday - Owners Agent Company: Fox Commons Properties, LLC  
Address: 301 W Wisconsin Ave, Suite 310 Telephone: 414-305-4930  
Milwaukee, WI 53203 E-mail: chris.buday@boldt.com  
Applicant Signature: Chris Buday Date: \_\_\_\_\_

\*Digitally signed by Chris Buday  
(DN: cn=Chris Buday, o=Fox Commons Properties, LLC, ou=Fox Commons  
Properties, LLC, email=chris.buday@boldt.com, date=2024.07.26 15:18:24-0500)

### Occupancy Information

General Description/Reason: Building exterior canopy within ROW on College Ave LOC 4 +  
Street Address: 10 E College Ave, Appleton, WI 54911 Sidewalk/roadway obstruction requested  Y or  N  
- or -  
Multiple Streets: \_\_\_\_\_  
Date(s) From: 7/26/24 To: \_\_\_\_\_ 35 days or <  35 days or >   
(Requires Committee and Council Approval)

#### (Department use only)

#### Occupancy Type

#### Sub-Type

#### Location

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

### Additional Requirements

Plan/Sketch  Certificate of Insurance  Bond Committee and Council Approval  
 Other : \_\_\_\_\_ Date: \_\_\_\_\_

### 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: \_\_\_\_\_  
 Arterial/CBD  City Manual Page(s) \_\_\_\_\_  
 Collector  State Manual Page(s) \_\_\_\_\_  
 Local  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. **Dumpsters/PODs/Containers shall be located within 12" of face of curb.**
- 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: Secura Insurance Company

Insurance Agent Name and Phone Number: Family Insurance Center LLC, 920-439-1777

Policy Number: CP3376246

Policy Period: 11/15/23-11/15/24

**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: Appleton Awning Shop Inc

Print Name: Vinson Buman

Signature: 

Date: 7/12/24

*\* 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)

**City of Appleton**  
**100 North Appleton Street, Appleton WI 54911**  
**Phone: (920) 832-6411 Fax: (920) 832-6464**

Permit No.: \_\_\_\_\_  
 Key No.: 31-2-0290-01  
 Receipt No.: 159945480  
 Date: \_\_\_\_\_

## SIGN PERMIT

A separate permit is required for each proposed sign.

Permit Fee: \$100.00  Penalty Fee

Site Address: 10 E College Ave - MAIN ENTRANCE  Single Tenant  
 Business Name: Fox Commons Properties, LLC  Multi- Tenant

Estimated Cost: \$10,000.00

### Type of Sign

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Ground Sign       | <input checked="" type="checkbox"/> Awning Sign          | <input type="checkbox"/> Changeable Copy Sign (No animation) |
| <input type="checkbox"/> Wall Mounted Sign | <input type="checkbox"/> Temporary Sign (Sandwich, Etc.) | <input type="checkbox"/> Painted Wall Sign                   |
| <input type="checkbox"/> Projecting Sign   | <input type="checkbox"/> Canopy Sign                     | <input type="checkbox"/> Other _____                         |
| <input type="checkbox"/> Window Sign       | <input type="checkbox"/> Portable Sign                   |  |

### Zoning District

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> C2- General Commercial | <input type="checkbox"/> M1- Industrial Park    | <input type="checkbox"/> PI- Public Institution                    |
| <input type="checkbox"/> CO- Commercial Office  | <input type="checkbox"/> M2- General Industrial | <input type="checkbox"/> P- Park District                          |
| <input type="checkbox"/> AG- Agriculture        |   | <input checked="" type="checkbox"/> CBD- Central Business District |

### Dimensions/Other Information

Width of Sign: 44'-6"	Height of Sign: 19'
Height Above Normal Grade: 17'-2"	<b>Underclearance: 17'-2"</b>
<b>Projecting into ROW: 4'-4.25"</b>	Distance to Side Lot Line (5' Min): 100'
Setback from R-O-W:	Setback from Driveway:
Design Exception (Sec. 23-529):	Material: Steel

### Wall Sign Details (Wall/Painted Signs Only)

	Proposed Size Width x Height (ft)	Proposed Area of Sign (sq. ft.)	Existing Size Width x Height (ft)	Existing Area of Sign (sq. ft.)	Area of Entire Wall
Wall North	X		X		
Wall East	X		X		
Wall West	X		X		
Wall South	X		X		

### Electrical Information of Sign

- |                                   |                                       |                                     |   |
|-----------------------------------|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> Internal | <input type="checkbox"/> Florescent   | <input type="checkbox"/> LED        | <input type="checkbox"/> Message Center |
| <input type="checkbox"/> External | <input type="checkbox"/> Incandescent | <input type="checkbox"/> Electronic | <input type="checkbox"/> Neon           |

UL Design No: \_\_\_\_\_ Electrical Contractor: \_\_\_\_\_

### Office Information

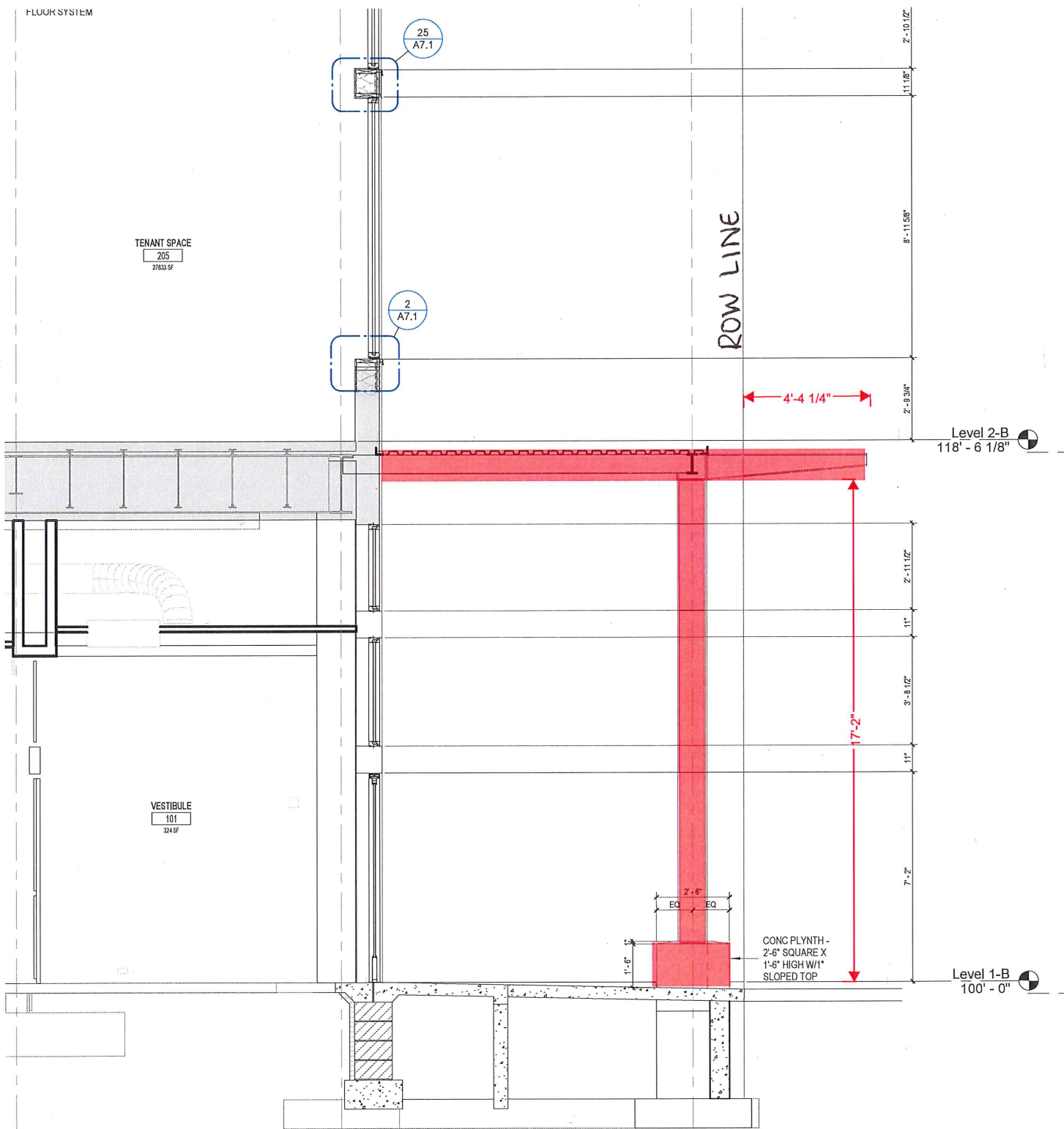
BZA Variance Date: \_\_\_\_\_ Street Occupancy Permit No.: \_\_\_\_\_

Sign Contractor	Contractor Address	Contractor Phone	Contractor Email
Chris Buday	301 W Wisconsin Ave, Suite 310, Milwaukee, WI 53203	414-305-4930	chris.buday@boldt.com

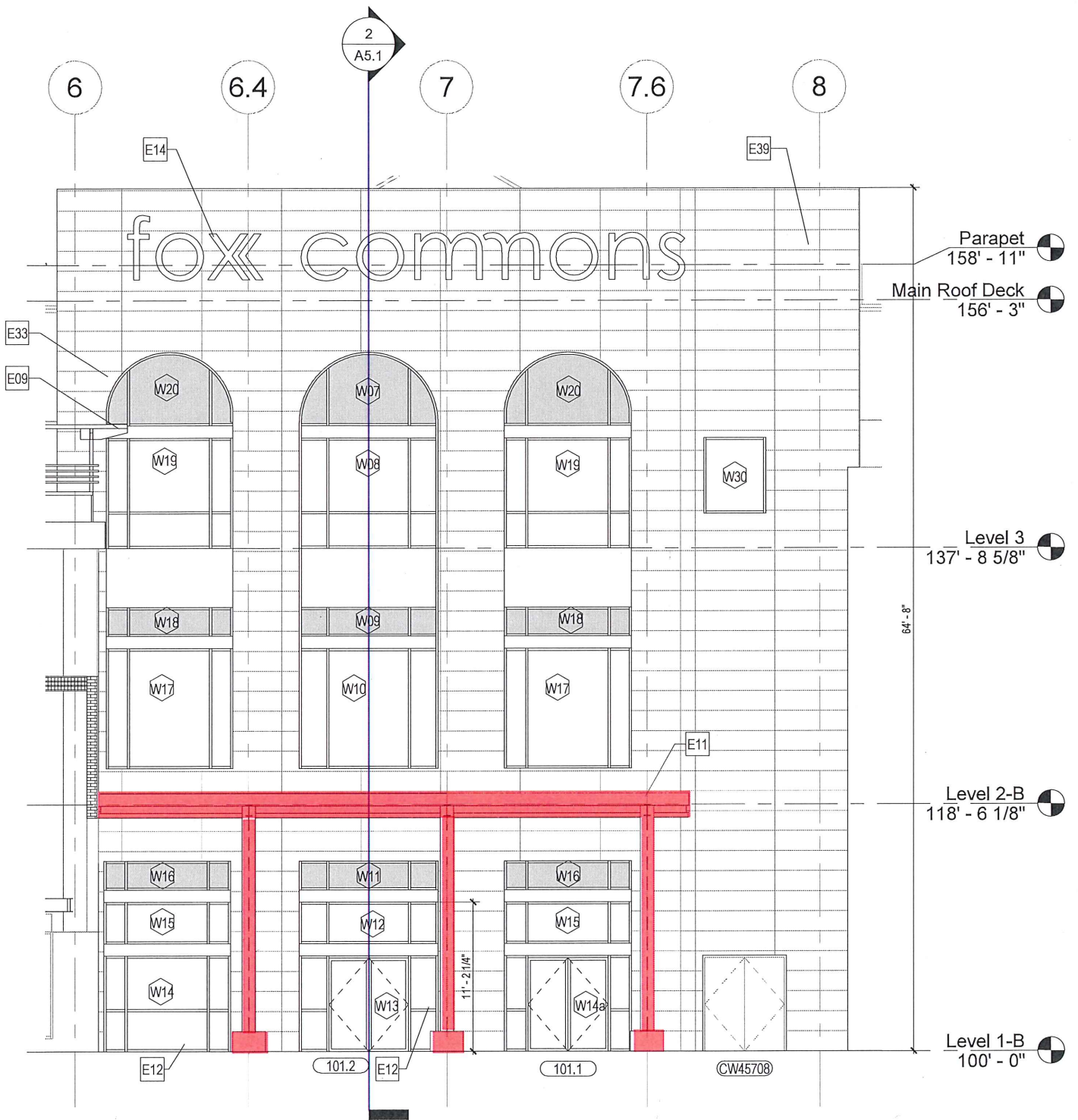
Applicant hereby agrees to comply with all laws and regulations of the State of Wisconsin and of the Ordinances of the City of Appleton. Applicant further agrees in consideration of the issuance of the permit to save the City of Appleton harmless for any injury or damage caused by reason of the erection or maintenance of the sign or signboard. If any sign erected pursuant to the permit occupies public street right-of-way, it is subject to all of the provisions of Wis. State. 60.045, but without charge or bond. This permit as applied for is granted subject to revocation when any law or regulation of the State of Wisconsin or the Ordinance of the City of Appleton is violated or when inspection reveals that the sign or signboard creates a hazard.

Name of Applicant: Chris Buday	Phone: 414-305-4930
Address: 301 W Wisconsin Ave, Suite 310, Milwaukee, WI 53203	Inspector Approval:

By checking this box, I confirm this as signature and have owner's permission. I also agree that this permit is not valid until an approved permit is e-mailed back to me.



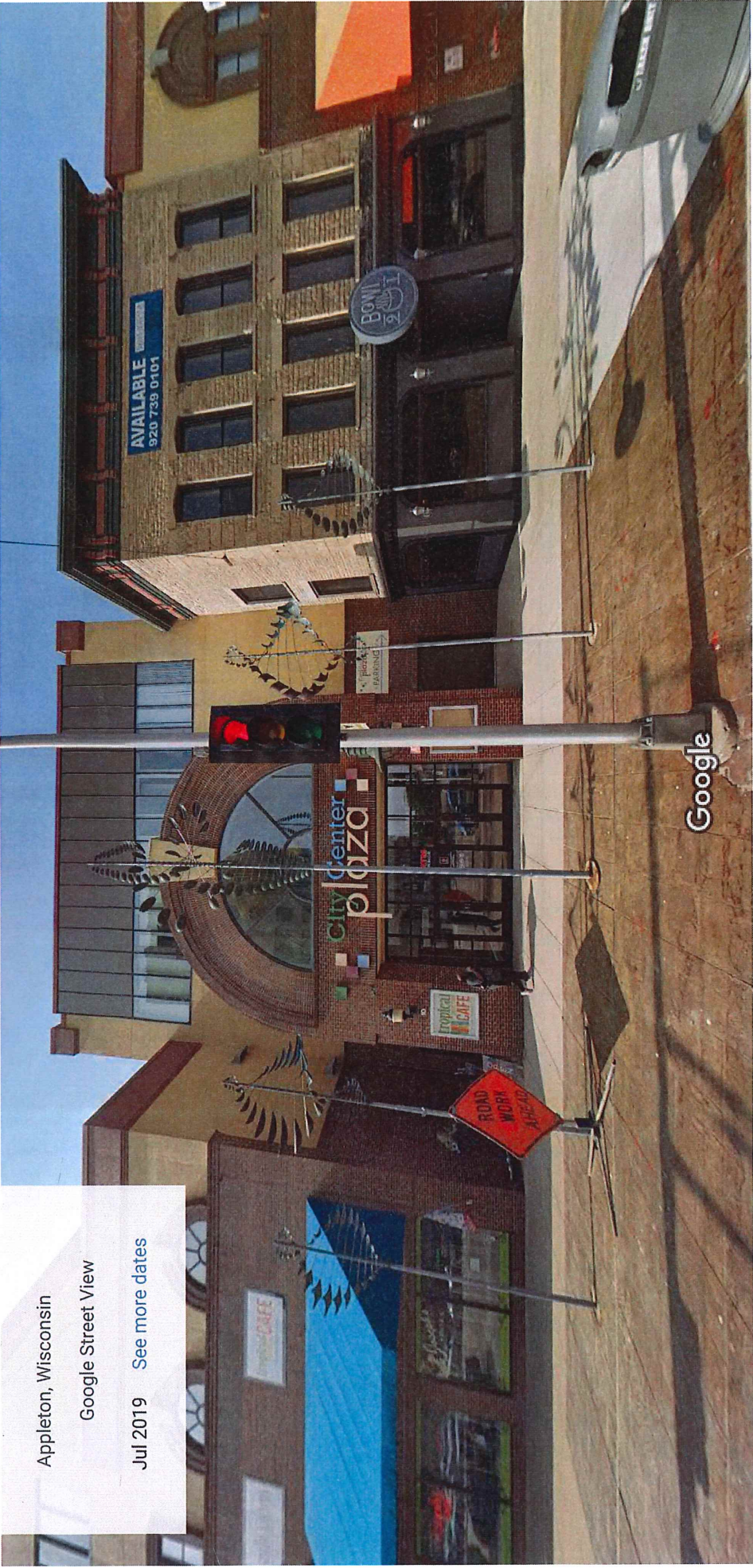
**3** NEW CANOPY ENTRANCE AT RECESSED WALL  
 3/8" = 1'-0"



**3** South Elevation - Callout 5  
 1/8" = 1'-0"

# Google Maps 101 E College Ave

MAIN AWNING



Appleton, Wisconsin

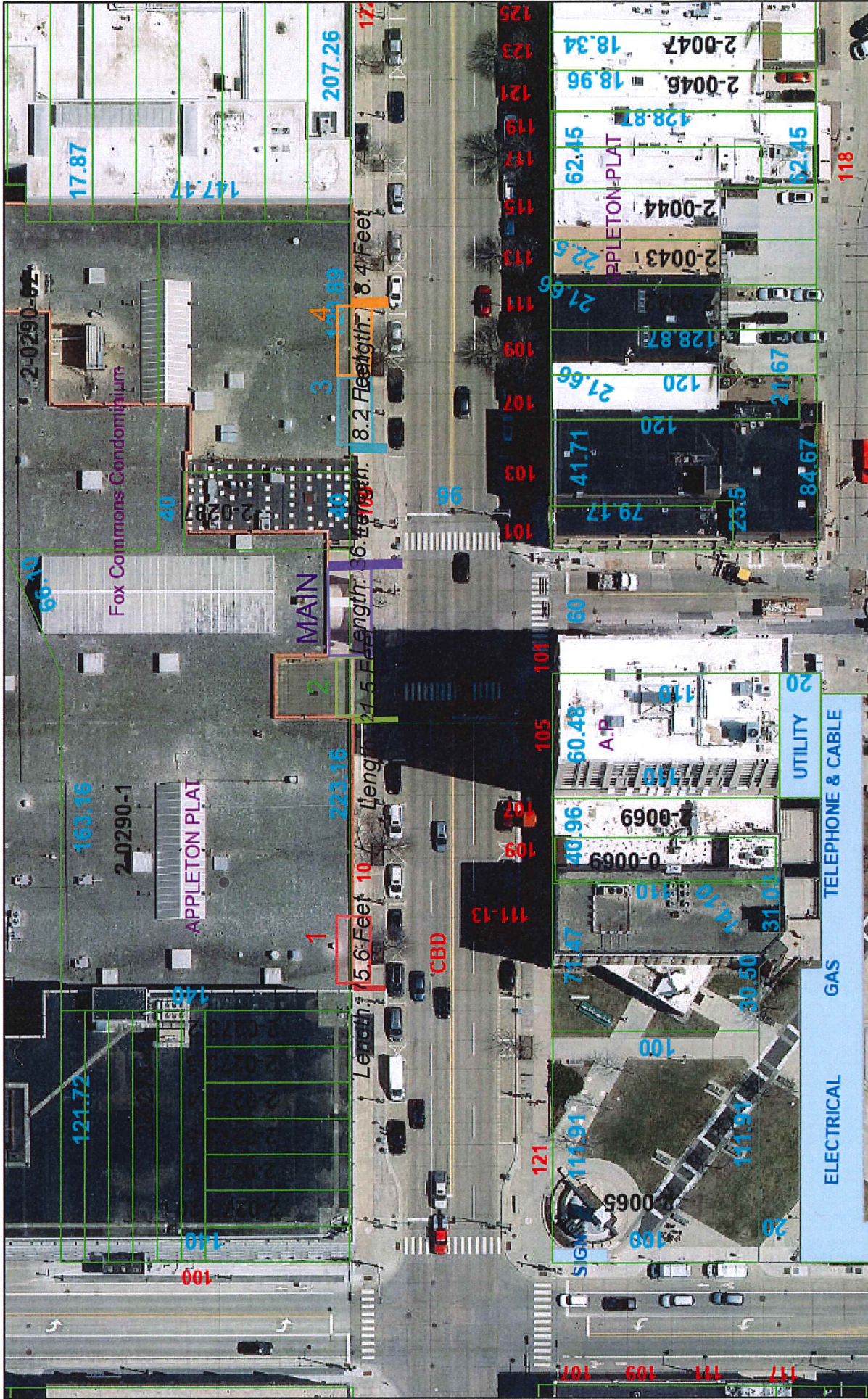
Google Street View

Jul 2019 See more dates

Image capture: Jul 2019 © 2024 Google

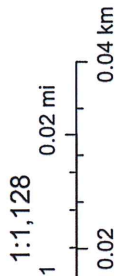


# ArcGIS Web Map



7/30/2024, 3:46:22 PM

- Lines
- █ Override 1
  - █ Override 2
  - █ Override 3
  - █ Override 4
  - █ Override 5
  - █ City Parcels
  - █ Areas
  - █ Override 1
  - █ Override 2
  - █ Override 3
  - █ Override 4
  - █ Override 5
  - █ Parcels
  - █ Closed ROW
  - █ Easements
  - █ Parcels



Length: FACE OF BUILDING TO SIDEWALK

SIGN CODE 23-527 (b)(2) requires aft from street curb line. 5ft projections would comply. - V.DREHMEL



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: Effective Date: 07/29/2024 Expiration Date: PERMANENT Non-Refundable Fee: INC. WITH SIGN Paid (yes or no): 159945480

Rev. 05-2024 MAIN AWNING #5

Applicant Information

Name (print): Chris Buday - Owners Agent Company: Fox Commons Properties, LLC Address: 301 W Wisconsin Ave, Suite 310 Telephone: 414-305-4930 Milwaukee, WI 53203 E-mail: chris.buday@boldt.com Applicant Signature: Chris Buday Date:

Occupancy Information

General Description/Reason: Building exterior canopy within ROW on College Ave Street Address: 10 E College Ave, Appleton, WI 54911 Sidewalk/roadway obstruction requested Y or N Date(s) From: 7/26/24 To: 35 days or < 35 days or >

(Department use only) Occupancy Type

Sub-Type: Awning, Dumpster, Sign, Obstruction / Other, POD / Container Location: Sidewalk, Terrace, Roadway

Additional Requirements

Plan/Sketch Certificate of Insurance Bond Committee and Council Approval Date:

Traffic Control Requirements

Type of Street: Arterial/CBD, Collector, Local Proposed Traffic Control: City Manual Page(s), State Manual Page(s), Other (attach plan) Contact Traffic Division (920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.

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. Dumpsters/PODs/Containers shall be located within 12" of face of curb. 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.

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.

APPROVED BY: DATE:



# Statement of Insurance Coverage

## Insurance Coverage:

Insurance Carrier: Secura Insurance Company

Insurance Agent Name and Phone Number: Family Insurance Center LLC, 920-439-1777

Policy Number: CP3376246

Policy Period: 11/15/23-11/15/24

## 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: Appleton Awning Shop Inc

Print Name: Vinson Buman

Signature: 

Date: 7/12/24

*\* 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)*



# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_  
Non-Refundable Fee: \$40.00  
Paid (yes or no): yes/160179551

Rev. 10-05-2023

### Applicant Information

Name (print): Ethan Buechel Company: J.H. Findorff & Son Inc  
Address: 226890 Harrier Avenue Telephone: 715-323-3337  
Wausau, WI, 54401 E-mail: ebuechel@findorff.com

Applicant Signature: Ethan Buechel Date: 7/29/2024

Digitally signed by Ethan Buechel  
DN: cn=US, email=ebuechel@findorff.com, o=J.H. Findorff & Son Inc, ou=Ethan Buechel  
Date: 2024.07.29 11:37:41-0800'

### Occupancy Information

General Description: Closing Oneida Street and City Center Street for Fox Commons construction

Street Address: 10E College Ave Sidewalk/roadway obstruction requested  Y or  N

- or -  
Multiple Streets: \_\_\_\_\_

Date(s) From: 8/1/2024 To: 12/8/2024 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"/> Temporary - Obstruction (\$40)	<input type="checkbox"/> Dumpster	<input type="checkbox"/> Table / Chairs
<input type="checkbox"/> Amenity/Annual (\$40)	<input type="checkbox"/> Sign	<input checked="" type="checkbox"/> Sidewalk
<input type="checkbox"/> Blanket/Annual (\$250)	<input checked="" type="checkbox"/> Obstruction / Other	<input checked="" type="checkbox"/> Terrace
<input type="checkbox"/> Block Party (\$15)	<input type="checkbox"/> POD / Container	<input checked="" type="checkbox"/> Roadway

### Additional Requirements

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

### Traffic Control Requirements

Type of Street: \_\_\_\_\_ Proposed Traffic Control:  N/A  
 Arterial/CBD  City Manual Page(s) \_\_\_\_\_  
 Collector  State Manual Page(s) \_\_\_\_\_  
 Local  Other (attach plan)

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:

Additional notes for Permit:  
• Signs and Barricades may reside on the existing fence/gate until such time they are removed. They will need to transition to convention barricade stands when fence is removed. Please review the existing barricade rails and signs on the fence for compliance.  
• City will invoice Findorff for our sign fabrication and installation noted on Appleton Street at City Center Exit, page 3.  
• The parking meters on the west side of Oneida Street will be reinstalled on or before Oneida Street opens, tentatively December 8th.

Approved by: MICHAEL HARAY Date: 7/30/24

### 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: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Department of Public Works)

**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 City Observed 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 **J.H FINDORFF & SON INC**  
Agent **ETHAN BUECHEL**  
Company Address **226890 Harrier Ave | Wausau, Wisconsin 54401**  
Phone Number | Email **Direct: 715.803.2226 | Cell: 715.323.3337**  
Reason **FOX COMMONS**  
Location **Alley/N Oneida St**

**\*Required\***

Meter Zone & Space# **Zone 9201 - 205,206,207,208, and 102,104,106**  
Date(s) **8/17 to 10/31/24 (\$2,126.88(50%)) and 11/1 to 12/8/24(\$1,993.95(11/1 to 12/8))**

**(Department use only)**

Amount Due **\$4,120.83 (-July credit \$1,993.95) = \$2,126.88/160213725**  
(\$9.00 per bag per day plus tax)

Approved by **PETE NEUBERGER/ds**  
Department of Public Works Representative

Today's Date **7/31/24**

**STREET VIEW OF  
ROADWAY CLOSED  
TO TRAFFIC FOR  
DRIVE-THRU**

**CLOSURE TO START  
AUGUST 1ST  
THROUGH DECEMBER  
8TH, 2024**



Owner **CITY OF APPLETON**

Project Name City Center Plaza Project Number N/A

Prime Contractor Findorff Traffic Control Contractor Warning Lites of Appleton, Inc.

Phone 920-725-0757 Sheet Number 1 Date 07/29/2024

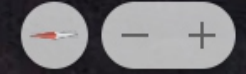
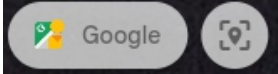
Prepared By Lance G Mauel



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.

- LEGEND**
- SIGN SYMBOL
  - CHANNELIZER DRUM
  - TYPE III BARRICADE
  - DIRECTION OF TRAFFIC
  - 42" DELINEATOR CONE



**STREET VIEW OF ALLEY  
CLOSURE. BARRICADES  
FACING WEST**

Owner		<b>CITY OF APPLETON</b>	
Project Name	City Center Plaza	Project Number	N/A
Prime Contractor	Findorff	Traffic Control Contractor	Warning Lites of Appleton, Inc.
Phone	920-725-0757	Sheet Number	2
		Date	07/29/2024
Prepared By	Lance G Mauel		

920-725-0757    www.warningliteswi.com

START DATE & TIME

---

DURATION:

**GENERAL NOTES:**  
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**LEGEND**

- SIGN SYMBOL
- 42" DELINEATOR CONE
- CHANNELIZER DRUM
- TYPE III BARRICADE
- DIRECTION OF TRAFFIC



# SIDEWALK CLOSURE AT ALLEY EXIT



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.

LEGEND	
	SIGN SYMBOL
	42" DELINEATOR CONE
	CHANNELIZER DRUM
	TYPE III BARRICADE
	DIRECTION OF TRAFFIC

Owner	<b>CITY OF APPLETON</b>	
Project Name	City Center Plaza	Project Number N/A
Prime Contractor	Findorff	Traffic Control Contractor Warning Lites of Appleton, Inc.
Phone	920-725-0757	Sheet Number 3
		Date 07/29/2024
Prepared By	Lance G Mauerl	



## ARIAL VIEW WHEN ALLEY IS CLOSED








START DATE & TIME

DURATION:

### GENERAL NOTES:

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### LEGEND

-  SIGN SYMBOL
-  CHANNELIZER DRUM
-  TYPE III BARRICADE
-  DIRECTION OF TRAFFIC
-  42" DELINEATOR CONE

Owner	CITY OF APPLETON		
Project Name	City Center Plaza	Project Number	N/A
Prime Contractor	Findorff	Traffic Control Contractor	Warning Lites of Appleton, Inc.
Phone	920-725-0757	Sheet Number	4
Prepared By	Lance G Mauel	Date	07/29/2024

**ROAD TO REMAIN  
OPEN FROM  
DECEMBER 9TH OR  
SOONER THROUGH  
JANUARY 31ST 2025**

**WHEN ROAD IS OPEN, PROVIDE  
SIGN INDICATING "ROAD OPEN TO  
DRIVE UP WINDOW". VERIFY  
MESSAGE WITH CITY FINANCE  
DEPARTMENT**

**SIDEWALK  
CLOSED**

**SIDEWALK  
CLOSED**

**City Center  
plaza**  
BUSINESS ♦ COMMUNITY ♦ RETAIL

Owner **CITY OF APPLETON**

Project Name City Center Plaza Project Number N/A

Prime Contractor Findorff Traffic Control Contractor Warning Lites of Appleton, Inc.

Phone 920-725-0757 Sheet Number 5 Date 07/29/2024

Prepared By Lance G Mauel






START DATE & TIME

DURATION:

**GENERAL NOTES:**

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**LEGEND**

-  SIGN SYMBOL
-  42" DELINEATOR CONE
-  CHANNELIZER DRUM
-  TYPE III BARRICADE
-  DIRECTION OF TRAFFIC







# ARIAL VIEW WHEN ALLEY IS OPEN



START DATE & TIME

DURATION:

**GENERAL NOTES:**

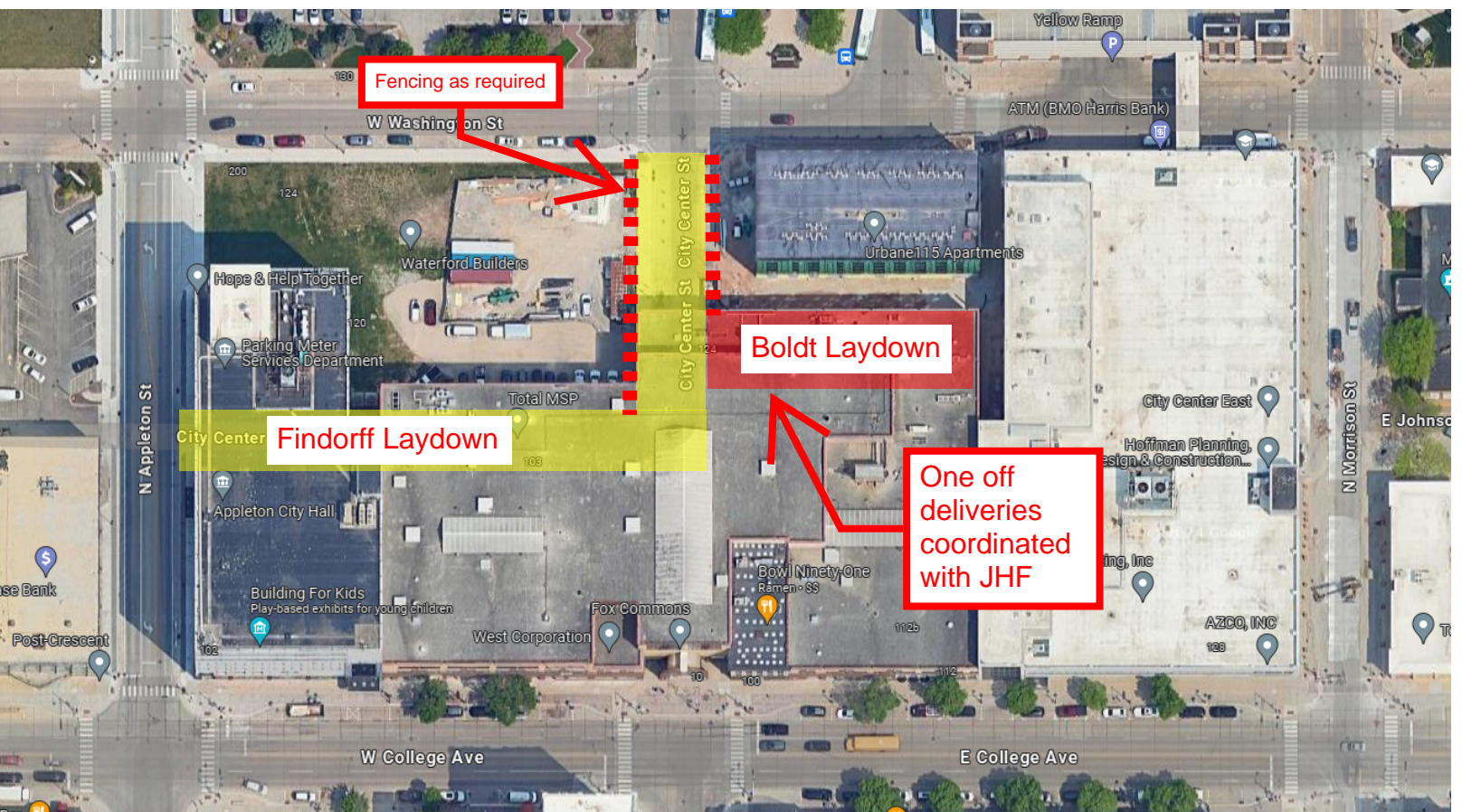
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- LEGEND**
- SIGN SYMBOL
  - CHANNELIZER DRUM
  - TYPE III BARRICADE
  - DIRECTION OF TRAFFIC
  - 42" DELINEATOR CONE

Owner	CITY OF APPLETON		
Project Name	City Center Plaza	Project Number	N/A
Prime Contractor	Findorff	Traffic Control Contractor	Warning Lites of Appleton, Inc.
Phone	920-725-0757	Sheet Number	6
Prepared By	Lance G Mauel	Date	07/29/2024



August 1 - October 31, 2024 - Permit paid for by Findorff, Meter bagged paid for by Findorff and Boldt (50/50 split) TCP paid and managed by Boldt



November 2024 Permit paid for by Findorff, Meter bagged paid for by Findorff, TCP paid for and managed by Findorff

# Findorff and Boldt - Alley/Oneida St - Meter Bags

8/17/24 to 10/31/24

TOTAL BAG DAYS =

448

Rate = \$9.00/day + tax

\$ 4,253.76

DATE	DAY	Alley/Oneida St						
		ZONE 9201 - ONN205	ZONE 9201 - ONN206	ZONE 9201 - ONN207	ZONE 9201 - ONN208	ZONE 9201 - ONN102	ZONE 9201 - ONN104	ZONE 9201 - ONN106
8/17/24	Saturday	Y	Y	Y	Y	Y	Y	Y
8/18/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
8/19/24	Monday	Y	Y	Y	Y	Y	Y	Y
8/20/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
8/21/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
8/22/24	Thursday	Y	Y	Y	Y	Y	Y	Y
8/23/24	Friday	Y	Y	Y	Y	Y	Y	Y
8/24/24	Saturday	Y	Y	Y	Y	Y	Y	Y
8/25/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
8/26/24	Monday	Y	Y	Y	Y	Y	Y	Y
8/27/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
8/28/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
8/29/24	Thursday	Y	Y	Y	Y	Y	Y	Y
8/30/24	Friday	Y	Y	Y	Y	Y	Y	Y
8/31/24	Saturday	Y	Y	Y	Y	Y	Y	Y
9/1/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/2/24	Monday	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY
9/3/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
9/4/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
9/5/24	Thursday	Y	Y	Y	Y	Y	Y	Y
9/6/24	Friday	Y	Y	Y	Y	Y	Y	Y
9/7/24	Saturday	Y	Y	Y	Y	Y	Y	Y
9/8/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/9/24	Monday	Y	Y	Y	Y	Y	Y	Y
9/10/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
9/11/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
9/12/24	Thursday	Y	Y	Y	Y	Y	Y	Y
9/13/24	Friday	Y	Y	Y	Y	Y	Y	Y
9/14/24	Saturday	Y	Y	Y	Y	Y	Y	Y
9/15/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/16/24	Monday	Y	Y	Y	Y	Y	Y	Y
9/17/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
9/18/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
9/19/24	Thursday	Y	Y	Y	Y	Y	Y	Y
9/20/24	Friday	Y	Y	Y	Y	Y	Y	Y
9/21/24	Saturday	Y	Y	Y	Y	Y	Y	Y
9/22/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/23/24	Monday	Y	Y	Y	Y	Y	Y	Y
9/24/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
9/25/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
9/26/24	Thursday	Y	Y	Y	Y	Y	Y	Y
9/27/24	Friday	Y	Y	Y	Y	Y	Y	Y
9/28/24	Saturday	Y	Y	Y	Y	Y	Y	Y
9/29/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/30/24	Monday	Y	Y	Y	Y	Y	Y	Y
10/1/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
10/2/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
10/3/24	Thursday	Y	Y	Y	Y	Y	Y	Y
10/4/24	Friday	Y	Y	Y	Y	Y	Y	Y
10/5/24	Saturday	Y	Y	Y	Y	Y	Y	Y
10/6/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
10/7/24	Monday	Y	Y	Y	Y	Y	Y	Y

10/8/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
10/9/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
10/10/24	Thursday	Y	Y	Y	Y	Y	Y	Y
10/11/24	Friday	Y	Y	Y	Y	Y	Y	Y
10/12/24	Saturday	Y	Y	Y	Y	Y	Y	Y
10/13/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
10/14/24	Monday	Y	Y	Y	Y	Y	Y	Y
10/15/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
10/16/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
10/17/24	Thursday	Y	Y	Y	Y	Y	Y	Y
10/18/24	Friday	Y	Y	Y	Y	Y	Y	Y
10/19/24	Saturday	Y	Y	Y	Y	Y	Y	Y
10/20/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
10/21/24	Monday	Y	Y	Y	Y	Y	Y	Y
10/22/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
10/23/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
10/24/24	Thursday	Y	Y	Y	Y	Y	Y	Y
10/25/24	Friday	Y	Y	Y	Y	Y	Y	Y
10/26/24	Saturday	Y	Y	Y	Y	Y	Y	Y
10/27/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
10/28/24	Monday	Y	Y	Y	Y	Y	Y	Y
10/29/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
10/30/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
10/31/24	Thursday	Y	Y	Y	Y	Y	Y	Y
		64	64	64	64	64	64	64

**TOTAL BAG DAYS =**  
**Rate = \$9.00/dav + tax**

**448**  
**\$ 4,253.76**

# Findorff and Boldt - Alley/Oneida St - Meter Bags

11/1 to 12/8/24

TOTAL BAG DAYS =

210

Rate = \$9.00/day + tax

\$ 1,993.95

DATE	DAY	Alley/Oneida St						
		ZONE 9201 - ONN205	ZONE 9201 - ONN206	ZONE 9201 - ONN207	ZONE 9201 - ONN208	ZONE 9201 - ONN102	ZONE 9201 - ONN104	ZONE 9201 - ONN106
11/1/24	Friday	Y	Y	Y	Y	Y	Y	Y
11/2/24	Saturday	Y	Y	Y	Y	Y	Y	Y
11/3/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
11/4/24	Monday	Y	Y	Y	Y	Y	Y	Y
11/5/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
11/6/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
11/7/24	Thursday	Y	Y	Y	Y	Y	Y	Y
11/8/24	Friday	Y	Y	Y	Y	Y	Y	Y
11/9/24	Saturday	Y	Y	Y	Y	Y	Y	Y
11/10/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
11/11/24	Monday	Y	Y	Y	Y	Y	Y	Y
11/12/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
11/13/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
11/14/24	Thursday	Y	Y	Y	Y	Y	Y	Y
11/15/24	Friday	Y	Y	Y	Y	Y	Y	Y
11/16/24	Saturday	Y	Y	Y	Y	Y	Y	Y
11/17/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
11/18/24	Monday	Y	Y	Y	Y	Y	Y	Y
11/19/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
11/20/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
11/21/24	Thursday	Y	Y	Y	Y	Y	Y	Y
11/22/24	Friday	Y	Y	Y	Y	Y	Y	Y
11/23/24	Saturday	Y	Y	Y	Y	Y	Y	Y
11/24/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
11/25/24	Monday	Y	Y	Y	Y	Y	Y	Y
11/26/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
11/27/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
11/28/24	Thursday	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY
11/29/24	Friday	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY	HOLIDAY
11/30/24	Saturday	Y	Y	Y	Y	Y	Y	Y
12/1/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
12/2/24	Monday	Y	Y	Y	Y	Y	Y	Y
12/3/24	Tuesday	Y	Y	Y	Y	Y	Y	Y
12/4/24	Wednesday	Y	Y	Y	Y	Y	Y	Y
12/5/24	Thursday	Y	Y	Y	Y	Y	Y	Y
12/6/24	Friday	Y	Y	Y	Y	Y	Y	Y
12/7/24	Saturday	Y	Y	Y	Y	Y	Y	Y
12/8/24	Sunday	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
		30	30	30	30	30	30	30

TOTAL BAG DAYS =

210

Rate = \$9.00/day + tax

\$ 1,993.95

# Statement of Insurance Coverage

## Insurance Coverage:

Insurance Carrier: Phoenix Insurance Company  
Insurance Agent Name and Phone Number: Willis Tower Watson Midwest, Inc. (952) 842-7000  
Policy Number: VTC2N-CO-7W348078-PHX-23  
Policy Period: 10/1/23-10/1/24

## Bond Coverage:


\* Bond Carrier: N/A  
\* Bond Agent Name and Phone Number: N/A  
\* Bond Number: NA  
\* Bond Period: NA

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: J.H. Findorff & Son, Inc.  
Print Name: Katie Bader  
Signature:   
Date: 2/21/24

*\* 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)*



# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_  
Non-Refundable Fee: \_\_\_\_\_  
Paid (yes or no): \_\_\_\_\_

Rev. 05-2024

## Applicant Information

Name (print): \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
\_\_\_\_\_ E-mail: \_\_\_\_\_  
Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Occupancy Information

General Description/Reason: \_\_\_\_\_  
Street Address: \_\_\_\_\_ 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)**

<u>Occupancy Type</u>	<u>Sub-Type</u>	<u>Location</u>
Permanent - Obstruction (\$40)	Awning	Sidewalk
Temporary - Obstruction (\$40)	Dumpster	Terrace
Amenity/Annual (\$40)	Sign	Roadway
Blanket/Annual (\$250)	Obstruction / Other	
Block Party (\$15)	POD / Container	

## Additional Requirements

Plan/Sketch Certificate of Insurance Bond Committee and Council Approval  
 Other : \_\_\_\_\_ Date: \_\_\_\_\_

## Traffic Control Requirements

*Type of Street:* \_\_\_\_\_ *Proposed Traffic Control:* \_\_\_\_\_  
 Arterial/CBD  City Manual Page(s) \_\_\_\_\_  
 Collector  State Manual Page(s) \_\_\_\_\_  
 Local  Other (attach plan) \_\_\_\_\_

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:

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. **Dumpsters/PODs/Containers shall be located within 12" of face of curb.**
- 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)

**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 City Observed 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 .....

Agent.....

Company Address.....

Phone Number | Email .....

Reason .....

Location .....

**\*Required\***

Meter Zone & Space#.....

Date(s).....

**(Department use only)**

Amount Due.....  
(\$9.00 per bag per day plus tax)

Approved by .....  
Department of Public Works Representative

Today's Date.....



# Statement of Insurance Coverage

## Insurance Coverage:

Insurance Carrier: \_\_\_\_\_

Insurance Agent Name and Phone Number: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Policy Period: \_\_\_\_\_

## 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: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*\* 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**

**MEMORANDUM**

**Date:** August 12, 2024

**To:** Municipal Services Committee

**From:** Mark Lahay, Assistant City Engineer

**Subject:** Award of Contract for Land Acquisition Services for Lawe Street Reconstruction to Moss & Associates, in an amount not to exceed \$217,000.

---

The Department of Public Works requests approval to contract with Moss & Associates, in an amount not to exceed \$217,000 to provide Land Acquisition Services for the Lawe Street reconstruction project scheduled for construction in 2026. The Wisconsin Department of Transportation requires that the City obtain all right-of-way prior to the PS&E date for this construction project. This contract will authorize Moss & Associates to provide services enabling the City to meet this requirement.

The Department of Public Works issued Requests for Proposals to six qualified firms. The only proposal received was from Moss & Associates. Moss & Associates demonstrated the personnel necessary and a good understanding of the project to complete the required tasks. The not-to-exceed cost of \$217,000 provides for appraisals for all 66 parcels along the project limits. Based on future design refinements, some of these parcels may not require an appraisal, and the scope of work and associated costs would be reduced accordingly.



# CITY OF APPLETON

## MEMORANDUM

**Date:** 8/5/24  
**To:** Municipal Services Committee  
**From:** Eric Lom, P.E., City Traffic Engineer  
**Subject:** Catherine Street / North Street intersection control (proposed 1-way stop)

---

Based on a request from Alderperson Smith, the Traffic Section recently reviewed the traffic control at the yield-controlled intersection of Catherine Street / North Street. This three-legged "T" intersection is located two block-equivalents east of Rankin Street and one block south of Pacific Street. The land use in this area is primarily residential. Both streets are functionally classified as *Local*.

In a typical intersection control study, we consider traffic volumes, crash history, safe approach speeds, etc. In this case, the entering volume of this intersection is relatively low (less than 1000 vehicles per day). A review of crash records indicated zero reportable crashes for the past five years. The critical approach speed for the intersection was found to be approximately 9 mph, which is primarily due to buildings and vegetation located in the SE and SW quadrants, resulting in poor sight lines.

While this intersection does not meet the traffic volume or the crash frequency thresholds for stop control, the critical approach speed is below the standard for yield control. As such, we recommend implementing one-way stop control. To accomplish this, the following ordinance action is required:

1. **Create:** "Install a stop sign on Catherine Street at North Street."



# CITY OF APPLETON

## MEMORANDUM

**Date:** 8/5/24  
**To:** Municipal Services Committee  
**From:** Eric Lom, P.E., City Traffic Engineer  
**Subject:** Mary St / North Street (north leg) intersection control (proposed 1-way stop)

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Based on a request from Alderperson Smith, the Traffic Section recently reviewed the traffic control at the uncontrolled intersection of Mary Street / North Street (north leg). This three-legged "T" intersection is located three block-equivalents east of Rankin Street and one block south of Pacific Street. The land use in this area is primarily residential. Both streets are functionally classified as *Local*.

In a typical intersection control study, we consider traffic volumes, crash history, safe approach speeds, etc. In this case, the entering volume of this intersection is relatively low (less than 1000 vehicles per day). A review of crash records indicated zero reportable crashes for the past five years. The critical approach speed for the intersection was found to be approximately 6 mph, which is primarily due to homes and vegetation located in the NW and NE quadrants.

While this intersection does not meet the traffic volume or crash frequency thresholds for stop control, the critical approach speed is below the standard for no control/yield control. As such, we recommend implementing one-way stop control. To accomplish this, the following ordinance action is required:

1. **Create:** "Install a stop sign on the north leg of Mary Street at North Street (for southbound traffic)."



# CITY OF APPLETON

## MEMORANDUM

**Date:** 7/26/24

**To:** Municipal Services Committee

**From:** Eric Lom, P.E., City Traffic Engineer

**Subject:** Mary St / North Street (south leg) intersection control (proposed 1-way stop)

---

Based on a citizen complaint, the Traffic Section recently reviewed the traffic control at the uncontrolled intersection of Mary Street / North Street (south leg). This three-legged “T” intersection is located three block-equivalents east of Rankin Street and one block south of Pacific Street. The land use in this area is primarily residential. Both streets are functionally classified as *Local*.

In a typical intersection control study, we consider traffic volumes, crash history, safe approach speeds, etc. In this case, the entering volume of this intersection is relatively low (less than 1000 vehicles per day). A review of crash records indicated zero reportable crashes for the past five years. The critical approach speed for the intersection was found to be approximately 10 mph, which is primarily due to homes located in the SW and SE quadrants.

While this intersection does not meet the traffic volume or crash frequency thresholds for stop control, the critical approach speed is below the standard for no control/yield control. As such, we recommend implementing one-way stop control. To accomplish this, the following ordinance action is required:

1. **Create:** “Install a stop sign on the south leg of Mary Street at North Street (for northbound traffic).”



# CITY OF APPLETON

## MEMORANDUM

**Date:** 7/17/24  
**To:** Municipal Services Committee  
**From:** Eric Lom, P.E., City Traffic Engineer  
**Subject:** Parking changes on Mason St by Jefferson ES  
(follow-up to a 6-month evaluation)

---

At the request of the Principal at Jefferson Elementary School, the City's Traffic Section recently assessed the possibility of making numerous changes to the on-street parking along the east side of Mason Street, adjacent to the school, as a means of improving traffic safety and operations. Based on our evaluation, we initiated an evaluation period to coincide with the 2023-2024 school year. The evaluation generally included the following:

1. Removed the existing *4-Hour Parking* zone (7:30 a.m. to 4:30 p.m. on school days)
2. Created a small *15-minute Parking* zone (7:30 a.m. to 4:30 p.m. on school days)
3. Created one handicapped accessible stall
4. Created a small *Passenger Loading Zone* south of their south driveway (7:30 a.m. to 4:30 p.m. on school days)
5. Created a small *No Stopping* zone adjacent to small parking lot at the south end of their property (7:30 a.m. to 4:30 p.m. on school days)

This arrangement has had the desired effect, and we have not received any feedback from the community. Based on this, we recommend the changes be made permanent. To accomplish this, the following ordinance changes are necessary:

1. **Repeal Ord. 97-52:** "Parking be restricted to four hours during school hours on the east side of Mason Street from the south right-of-way line of Prospect Avenue to a point 415 feet south."
2. **Repeal Ord. 97-52:** "Stopping, standing, or parking be prohibited, except for bus loading, during school hours, on the east side of Mason Street from a point 415 feet south of the south right-of-way line of Prospect Avenue extending 50 feet south."

3. **Create:** “Designate a 15-minute parking zone from 7:30 a.m. to 4:30 p.m. on school days on the east side of Mason Street from a point 286 feet south of Prospect Avenue to a point 348 feet south of Prospect Avenue.”
4. **Create:** “Parking be restricted to vehicles displaying handicapped license plates or Wisconsin handicapped permit only on the east side of Mason Street from a point 348 feet south of Prospect Avenue to a point 373 feet south of Prospect Avenue.”
5. **Create:** “Stopping, standing and parking be prohibited, except for buses, from 7:30 a.m. to 4:30 p.m. on school days on the east side of Mason Street from a point 420 feet south of Prospect Avenue to a point 470 feet south of Prospect Avenue.”
6. **Create:** “No Parking/Passenger Loading Zone (driver must remain behind wheel/pull forward when possible) 7:30 a.m. to 4:30 p.m. on school days on the east side of Mason Street from a point 470 feet south of Prospect Avenue to a point 550 feet south of Prospect Avenue.”
7. **Create:** “Stopping, standing and parking be prohibited from 7:30 a.m. to 4:30 p.m. on school days on the east side of Mason Street from a point 550 feet south of Prospect Avenue to a point 615 feet south of Prospect Avenue.”



# CITY OF APPLETON

## MEMORANDUM

**Date:** 7/26/24

**To:** Municipal Services Committee

**From:** Eric Lom, P.E., City Traffic Engineer

**Subject:** North Street /Tonka Street intersection control (proposed 1-way stop)

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Based on a citizen complaint, the Traffic Section recently reviewed the traffic control at the uncontrolled intersection of North Street / Tonka Street. This three-legged “T” intersection is located two block-equivalents east of Rankin Street and one block south of Pacific Street. The land use in this area is primarily residential. Both streets are functionally classified as *Local*.

In a typical intersection control study, we consider traffic volumes, crash history, safe approach speeds, etc. In this case, the entering volume of this intersection is relatively low (less than 1000 vehicles per day). A review of crash records indicated zero reportable crashes for the past five years. The critical approach speed for the intersection was found to be approximately 2 mph, which is primarily due to building located in the NW quadrants, causing *extremely* poor sight lines.

While this intersection does not meet the traffic volume or the crash frequency thresholds for stop control, the critical approach speed is well below the standard for no control/yield control. As such, we recommend implementing one-way stop control. To accomplish this, the following ordinance action is required:

1. **Create:** “Install a stop sign on Tonka Street at North Street.”





**APPLICATION FOR STREET VACATION**  
 Community Development Department  
 100 N. Appleton St. PH: 920-832-6468  
 Appleton, WI 54911 FAX: 920-832-5994

Received  
 7/17/2024

Stamp date received

APPLICANT		STREET VACATION INITIATED BY	
Name <b>Tom Kromm</b>		<input type="checkbox"/> Citizen Requested/Initiated	<input type="checkbox"/> Aldermanic Resolution
		<input checked="" type="checkbox"/> City Staff Initiated	
Mailing Address <b>100 N. Appleton Street, Appleton, WI 54956</b>			
Phone <b>920-832-6480</b>			
E-mail <b>tom.kromm@appleton.org</b>			

STREET INFORMATION	
Name of Street(s) to be Vacated: <b>Sampson Street</b>	
Location: <b>50'X70' of Sampson Street south of E. Winnebago Street</b>	
Legal Description of Proposed Street Vacation <b>*Please submit an electronic copy of the legal description in Microsoft Word format.</b>	
Current Zoning: <b>R-1C</b>	Proposed Zoning: <b>R-1C</b>
Current Uses: <b>Driveway for 937 E. Winnebago Street</b>	

PLEASE STATE THE REASON(S) FOR STREET VACATION REQUEST
<p><b>*Please attach a location map of the property or portion of the property in question and facts to support the request.</b></p>    <p><small>The Department of Public Works has determined based on topography of the area and lack of need for an additional street in this location, the City is initiating to vacate Sampson Street right-of-way. Additionally, the Department of Public Works has determined that retaining an easement within</small></p>

Date	Applicant Signature

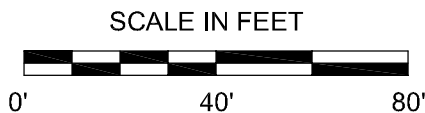
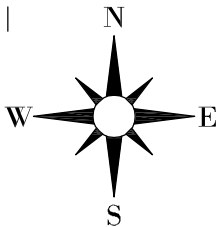
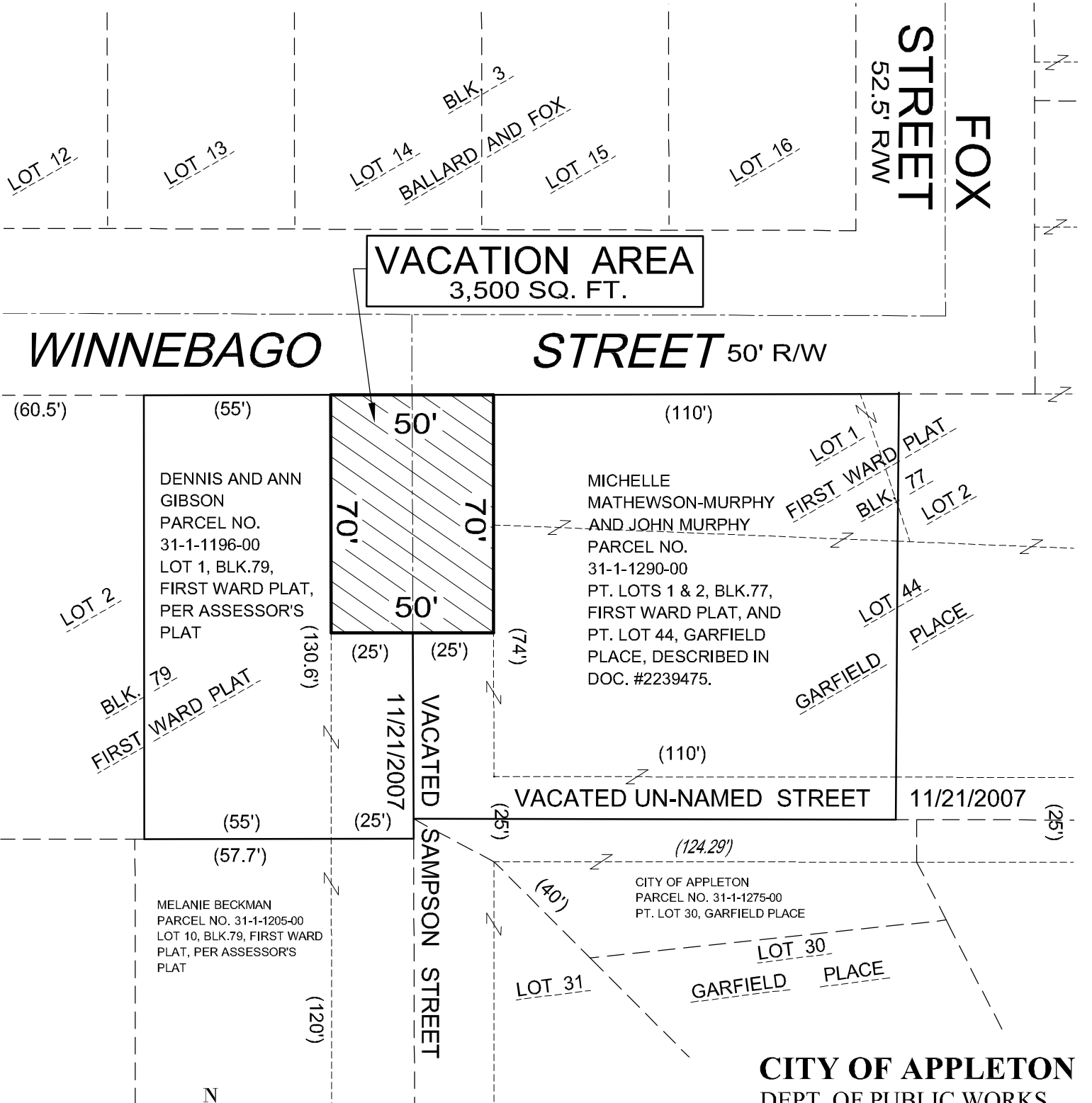
<b>OFFICE USE ONLY</b>		
Application Complete	<u>Lindsey Smith</u>	<u>7/17/2024</u> Date Filed _____
<del>Fee for Citizen Requested or Initiated: \$200.00 Acct #PWZNIG Receipt # _____ Date Paid _____</del>		

Reasonable accommodations for persons with disabilities will be made upon request and if feasible. 1/23

# EXHIBIT "A"

## SAMPSON STREET VACATION

The North 70 feet of Sampson Street, bounded on the North by the South line of Winnebago Street, on the West by Block 79 of the 1st Ward Plat, and on the East by Block 77 of the 1st Ward Plat and also Lot 44 of the Garfield Place Plat, all according to the recorded Assessor's Plat of the City of Appleton, being located in the NW ¼ of Section 25, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin.



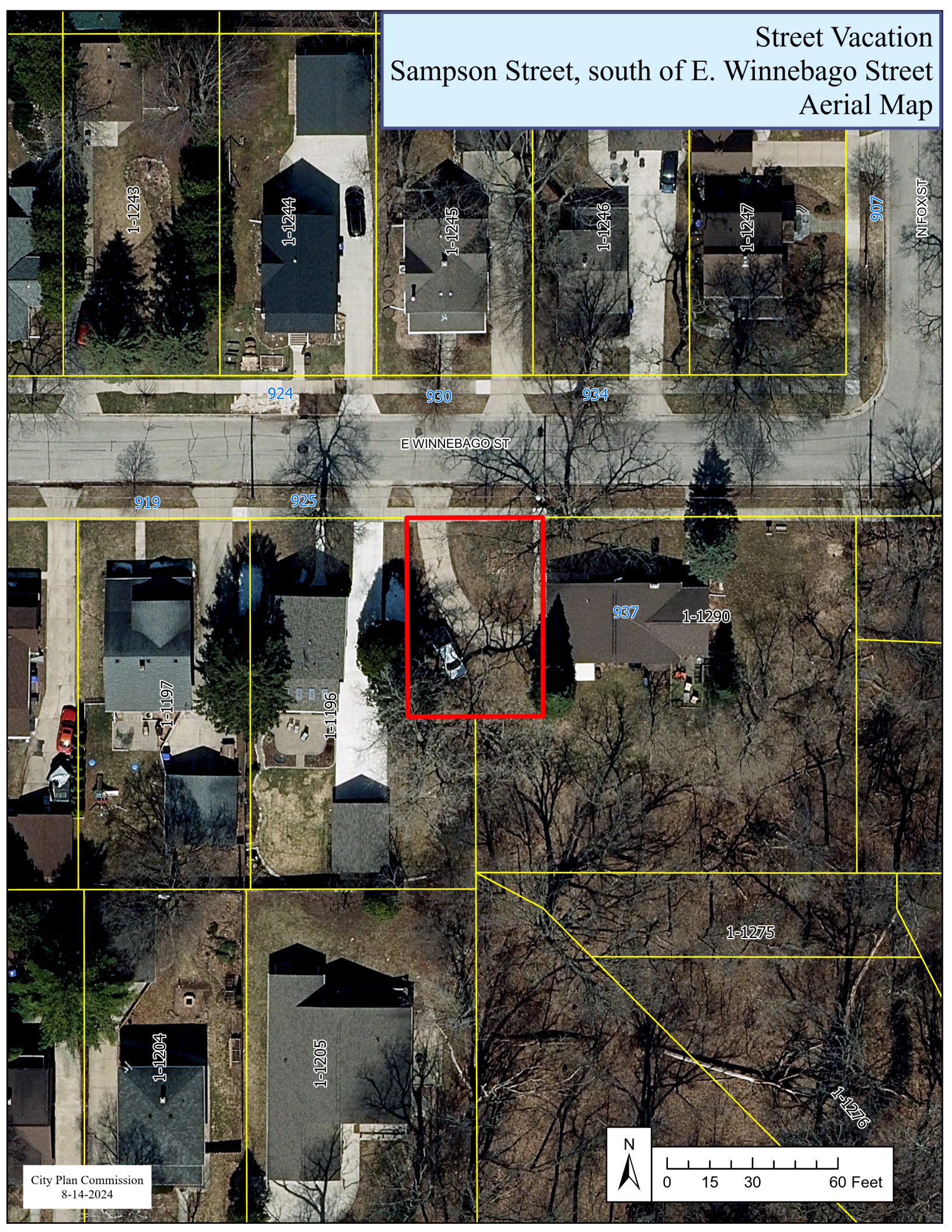
### CITY OF APPLETON

DEPT. OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 100 NORTH APPLETON STREET  
 APPLETON, WI 54911  
 920-832-6474

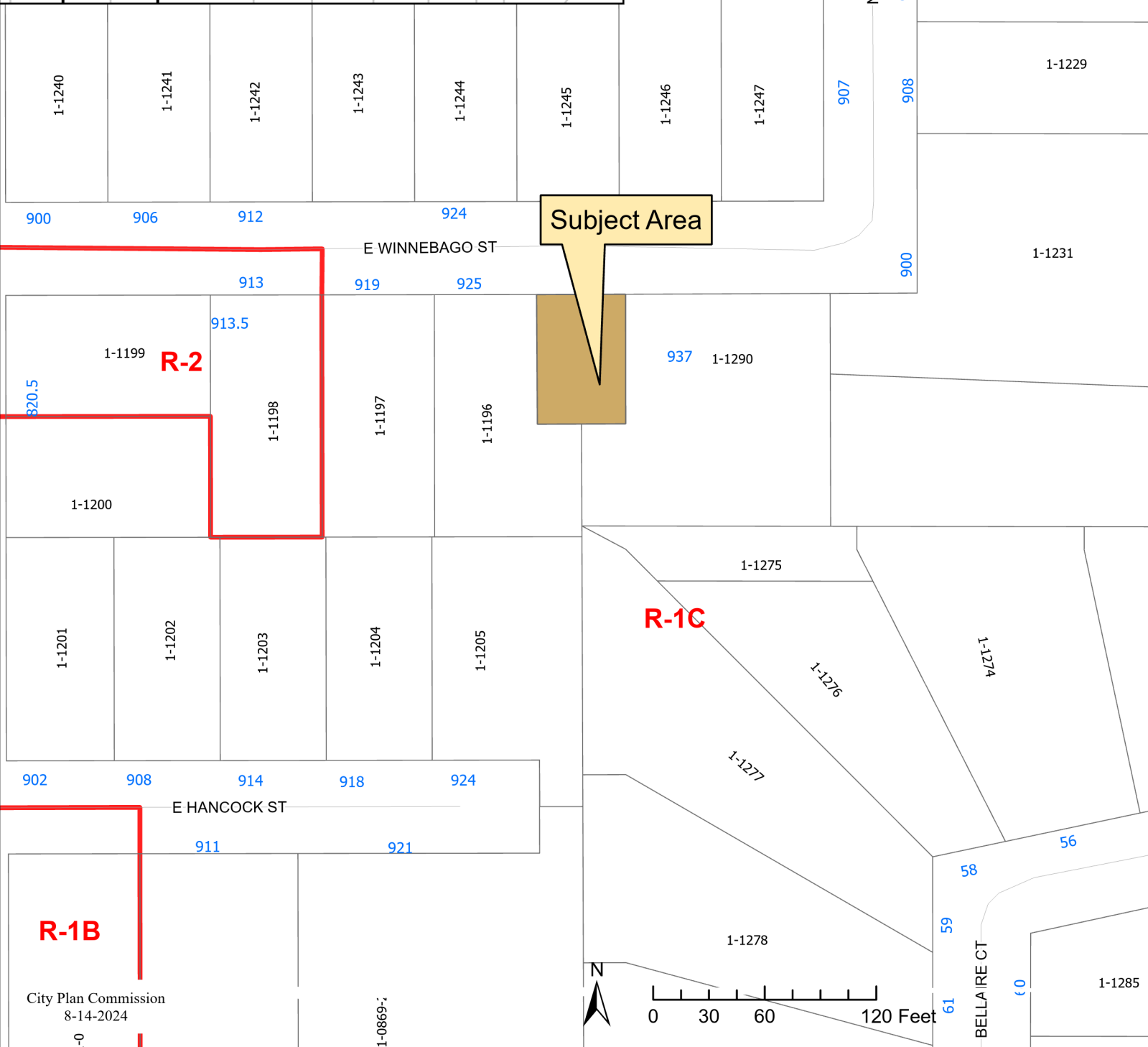
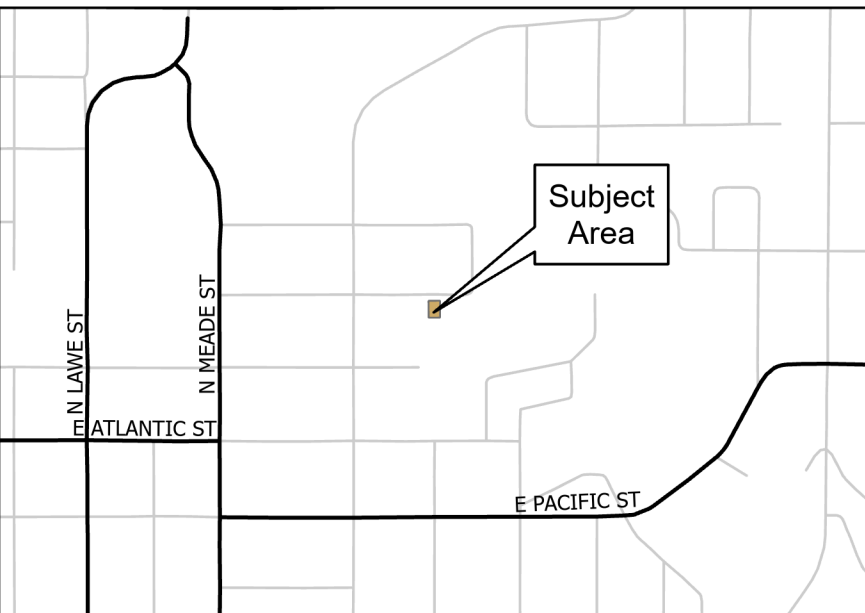
DRAFTED BY: T. KROMM

Acad\Vacation\2024\Sampson\_0717\_2024

# Street Vacation Sampson Street, south of E. Winnebago Street Aerial Map



# Street Vacation Sampson Street, south of E. Winnebago Street



City Plan Commission  
8-14-2024

1-0869;

1-0



# CITY OF APPLETON

## MEMORANDUM

**Date:** 08/07/2024  
**To:** Municipal Services Committee  
**From:** Michael Hardy, P.E., Traffic Engineer  
**Subject:** Amendment Request - Service Contract for Traffic Signal Control and Management Software

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Department of Public Works recommends for approval an amendment to the current service contract for new Econolite brand traffic signal control and management software. The current service contract with Traffic Control Corporation was approved at the June 10, 2024 meeting of the Municipal Service Committee. The original service contract was approved for \$103,400.00, plus a contingency of \$5,000 only to be utilized as needed. The new amount would be \$132,510.00, an increase of \$29,110.00.

This recommendation is a result of; 1) switching from an on-premise software and server application to a cloud-based System as a Software (SaaS) service as requested by Information Technology Department, and 2) Permission by Wisconsin Department of Transportation (WisDOT) to use all remaining authorized grant funds for advanced purchase of future SaaS annual subscriptions (through 2032). The Information Technology Department will budget for annual subscriptions once the prepayment term ends.

Twenty-one new intersection controllers were separately purchased from Wisconsin Department of Transportation (WisDOT) procurement contract #510465. The total amount of that purchase order was \$86,343.00.

This is related to the *WisDOT Signals and ITS Standalone Program (SISP)* grant that the Municipal Services Committee and Finance Committee approved for acceptance on March 25, 2024. The City's local match of the \$220,750.00 grant award is 10% (\$22,075.00).

The combined cost of the revised service contract and purchase order would be \$219,675.00, which remains within budget. The procurement of the Econolite brand software has been detailed throughout the grant process. Written approval for sole source procurement of Econolite software was formally received from WisDOT on March 13, 2024.

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

100 North Appleton Street

Appleton, WI 54911

Phone (920) 832-6411

TO: Municipal Services Committee

FROM: Kurt W. Craanen, Inspections Supervisor

SUBJECT: Variance Request for Driveway Extension – 3039 N. Ballard Rd.

DATE: August 12, 2024

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On August 1, 2024, Inspections Division of Community Development Department received a complaint about pavement installed in the front yard of a residential property at 3039 N. Ballard Rd. The City responded and found that a 15' x 15' slab was installed, three (3) feet from the sidewalk.

Section 19-91(f)(3) of the Municipal Code requires a permit for driveway extension and limits driveway extensions into the front yard to four (4) feet. This installation is in violation of this section of the Municipal Code.

Contact was made with the owner, Micheal Strege, who stated that this slab was not a parking space, but a “turn around” so he and his wife do not need to back onto Ballard Road.

Section 19-91(g) of the Municipal Code states that appeals shall be filed with the Inspection Supervisor and heard by the Municipal Services Committee.

**The Department of Community Development recommends to deny the appeal to allow a driveway extension 15' into the front yard.**

**From:** michael strege <[mb\\_strege@yahoo.com](mailto:mb_strege@yahoo.com)>

**Sent:** Wednesday, August 7, 2024 11:01 AM

**To:** Kurt Craanen <[Kurt.Craanen@Appleton.org](mailto:Kurt.Craanen@Appleton.org)>

**Subject:** Driveway Extension /Request for Variance

This request for the extension is for usage as a turnaround only to Ballard Rd. When we lived in Tennessee my wife was involved in a car accident causing her fear/ anxiety when backing out of our driveway. This is my soul purpose for this turnaround, safety for my wife and grandchildren of driving age. Dimensions from turnaround to sidewalk taper 3ft. 3in. , 6ft. slab to sidewalk. Full Size of Slab 15x15 I have noticed on Ballard Rd. south an apartment complex with parking close to the sidewalk and roadway. Also other businesses on Ballard with the same parking features, that are close to the road. Of course with an apartment complex, vehicles are parked at all times of the day and night.

Michael B. Strege







DEPARTMENT OF  
**LEGAL AND  
ADMINISTRATIVE  
SERVICES**

**CITY ATTORNEY'S OFFICE**  
100 North Appleton Street  
Appleton, WI 54911  
p: 920.832.6423  
f: 920.832.5962  
www.appleton.org

TO: Safety and Licensing Committee, Common Council

From: ACA Zak Buruin

Date: 6/21/24

RE: Corner Pub, Alcohol Beverage Abandonment and Non-Renewal

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Wisconsin Statutes §125.12(3) and (2)(ag) authorize an issuing municipality to refuse to renew an alcohol beverage license where the licensee has violated a local regulation adopted under §125.10. Appleton Code §9-52 is such a regulation.

Appleton Code §9-52(9) provides that abandonment of an alcohol beverage license shall be sufficient grounds for revocation or non-renewal of such license. It defines "abandonment" as "continuing refusal or failure of the licensee to use the license for the purpose for which the license was granted by the city council for a period of one (1) year." The Common Council may extend such period if good cause is shown.

On May 30, 2023, the Appleton Health Department conducted an inspection of the Corner Pub, an alcohol beverage licensed establishment located at 1123 N. Mason Street in Appleton. The inspection was prompted by a broken water pipe in the rental unit above the bar, resulting in significant damage to the licensed premises. The inspection report noted several significant areas of concern and several city departments that would need to approve of the repairs and conditions of the bar before it would be able to reopen.

On July 28, 2023, license holder Kim Williams was notified of the situation via a letter from Clerk Lynch. The letter advised Ms. Williams that if her business was not reopened by May 30, 2024, would result in grounds for her alcohol beverage license(s) to be revoked or not renewed. It advised that the letter was intended to provide her ample notice of the potential loss of her alcohol beverage license and to remedy the situation by reopening the business.

On May 30, 2024, the given deadline to reopen, the Appleton Health Department conducted an inspection to determine if the premises was compliant with requirements to reopen. The inspection report noted that the bar area was not complete, and the business did not look as though it was ready to open. It was further noted that multiple city departments were unable to confirm that the establishment was able to resume

operation. The Health, Fire, and Inspections departments had not been able to approve the condition of the premises due to necessary additional work. The establishment could not reopen.

The following day, Clerk Lynch provided written notice to Ms. Williams of the intent to not renew her alcohol beverage license(s) based upon abandonment. The letter provided her with the required opportunity to be heard on the issue of the non-renewal of her alcohol beverage license at the meeting of the Safety and Licensing Committee of the Appleton Common Council on June 26 at 5:30 PM, The same letter advised her of the option to withdraw the renewal application and have the associated license fee refunded.

Based upon the above, the alcohol license in question is considered “abandoned” and is therefore subject to revocation or non-renewal under Appleton Code §9-52(9).



# CITY OF APPLETON

## OFFICE OF THE CITY CLERK

100 N Appleton Street  
Appleton, WI 54911  
p: 920.832.6443  
f: 920.832.5823  
[www.appleton.org](http://www.appleton.org)

**May 31, 2024**

**Kim Williams  
200 E Harding Drive  
Appleton, WI 54915**

**Re: Notice of Non-renewal of Alcohol License for Corner Pub**

Ms. Williams,

The purpose of this letter is to inform you of the status of your alcohol license application for Corner Pub, located at 1123 N Mason Street. On July 28<sup>th</sup>, 2023, you were sent a letter regarding the abandonment/non-use of your alcohol license. A copy of this letter is enclosed. Pursuant to 9-52(9) of the City of Appleton Municipal Code any licensee granted or issued a license to sell alcohol beverages that abandons such business shall forfeit any right or preference the licensee may have to the holding or renewal of such license. Abandonment shall be sufficient grounds for revocation or non-renewal of any alcohol beverage license. The referenced letter informed you of this and provided that your business must be operational by May 30, 2024 to avoid non-renewal or revocation of your alcohol license. The following departments confirmed on May 30<sup>th</sup> that your business was not operational and additional work is required before you would be able to re-open: health, fire and inspections.

A hearing for the non-renewal of your alcohol license has been scheduled for Wednesday, June 26<sup>th</sup>, 2024, before the Safety & Licensing Committee. The hearing will take place at 5:30 p.m. in the Council Chambers – 6<sup>th</sup> floor at City Hall, 100 N Appleton St., Appleton, WI 54911.

In lieu of the hearing you may surrender your alcohol license by sending an email to [kami.lynch@appletonwi.gov](mailto:kami.lynch@appletonwi.gov) stating your intent to surrender the license and withdraw your renewal application. This option allows you to receive a refund for the alcohol license fee.

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

Respectfully,

Kami Lynch, City Clerk

*Encl: Abandonment/Non-use of Alcohol License Letter*



LEGAL & ADMINISTRATIVE  
SERVICES DEPARTMENT

Office of the City Clerk

**Kami Lynch, Clerk**

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

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July 28, 2023

**Kim Williams**

200 E Harding Drive

Appleton, WI 54915

Re: Abandonment/Non-Use of Alcohol License

Appleton Municipal Code Section 9-52 (9) states that an alcohol license may be revoked or non-renewed for failure to use the license for the purpose in which it was granted for a period of 1 (one) year. As of May 30, 2023 your establishment with the trade name, Corner Pub, located at 1123 N Mason St. has remained closed to the public, and your Class "B" Fermented Malt Beverage & "Class B" Liquor License have not been used. Failure to open your business and use your alcohol license for the intended purpose of a bar/tavern by May 30, 2024 may be grounds for license revocation or non-renewal. This letter is to provide you ample notice of potential non-renewal or revocation should the business not be operational by the time specified.

If you have any questions regarding this matter, please do not hesitate to contact me at the number listed above.

Respectfully,

Kami Lynch  
City Clerk

## Retail Food Establishment Inspection Report

<b>Establishment Information</b>	
Facility Name <b>CORNER PUB</b>	Facility Type <b>Retail Food - Serving Meals</b>
Facility ID # <b>HSAT-7QWT54</b>	Facility Telephone # <b>920 073-1097</b>
Facility Address <b>1123 N MASON ST APPLETON , WI 54914</b>	
Licensee Name <b>KIM-RICK WILLIAMS</b>	Licensee Address <b>1123 N MASON ST APPLETON , WI 54914</b>

<b>Inspection Information</b>		
Inspection Type <b>Routine</b>	Inspection Date <b>May 30, 2023</b>	Total Time Spent

<b>Equipment Temperatures</b>	
Description walkin beer cooler pizza freezer	Temperature (Fahrenheit)

<b>Warewashing Info</b>					
Machine Name	Sanitization Method	Thermo Label	PPM	Sanitizer Name	Sanitizer Type
manual	bleach				

**OPERATOR** - The violations in operating procedure or physical arrangement indicated below must be corrected by the next routine inspection or by a date specified in this report.

<b>Comments:</b>
<p>Water pipe broke in rental over bar. Ceiling down to rafters, walls have stud exposed. Can lighting hanging down. Bar needs to be essentially put back together and have all departments sign off prior to reopening. Fire, HVAC, Building, Plumbing, Electrical and Health will all need to come through and inspection prior to opening back up for business.</p> <p>Re attach the faucet on the 4 compartment sink. (Faucet is onsite)</p> <p>Report will be mailed to 200 E. Harding Drive 54915</p>

Any operator aggrieved by an order of this department under this chapter may request a hearing as provided in ch.227 statute, if state licensed, or a local ordinance if licensed by an agent health department.

Person in Charge

Sanitarian

  
**Rick Williams**

  
**Michelle Roberts**  
**(920) 832-6429**

## Retail Food Establishment Inspection Report

<b>Establishment Information</b>	
Facility Name <b>CORNER PUB</b>	Facility Type <b>Retail Food - Serving Meals</b>
Facility ID # <b>HSAT-7QWT54</b>	Facility Telephone # <b>920 730-1097</b>
Facility Address <b>1123 N MASON ST APPLETON , WI 54914</b>	
Licensee Name <b>KIM-RICK WILLIAMS</b>	Licensee Address <b>200 E HARDING DR APPLETON , WI 54915</b>

<b>Inspection Information</b>		
Inspection Type <b>Routine</b>	Inspection Date <b>May 30, 2024</b>	Total Time Spent

<b>Equipment Temperatures</b>	
Description walkin beer cooler pizza freezer	Temperature (Fahrenheit)

<b>Warewashing Info</b>					
Machine Name	Sanitization Method	Thermo Label	PPM	Sanitizer Name	Sanitizer Type
manual	bleach				

**OPERATOR** - The violations in operating procedure or physical arrangement indicated below must be corrected by the next routine inspection or by a date specified in this report.

<b>Comments:</b>
<p style="color: blue;">Hold from Fire, Electrical, HVAC. Building and Plumbing not onsite to recheck. Inspections will create a CSR with all the notes. No storage under stairs.</p> <p style="color: blue;">4 compartment sink installed. Bar still not completed and looking ready to open. Bar can not be reopened at this time. Final approvals needed from Fire, Electrical, HVAC, Plumbing and Building. Also Health needs to come back and bar should look like it is ready to open.</p> <p style="color: blue;">Report emailed to <a href="mailto:crystal.k.denton@gmail.com">crystal.k.denton@gmail.com</a></p>

Any operator aggrieved by an order of this department under this chapter may request a hearing as provided in ch.227 statute, if state licensed, or a local ordinance if licensed by an agent health department.

Person in Charge

Sanitarian

Kim Williams

**Kim Williams**

Michelle Roberts

**Michelle Roberts**  
 (920) 832-6429

Form  
AT-115

## Renewal Alcohol Beverage License Application

FOR CLERKS ONLY
Municipality City of Appleton
License Period 2024-2025

**License(s) Requested**

- |   |   |
|---|---|
| <input type="checkbox"/> Class "A" Beer . . . . . \$ _____            | <input type="checkbox"/> "Class A" Liquor . . . . . \$ _____            |
| <input checked="" type="checkbox"/> Class "B" Beer . . . . . \$ _____ | <input checked="" type="checkbox"/> "Class B" Liquor . . . . . \$ _____ |
| <input type="checkbox"/> "Class C" Wine . . . . . \$ _____            | <input type="checkbox"/> "Class A" Liquor (Cider Only) \$ _____         |
| <input type="checkbox"/> Reserve "Class B" Liquor \$ _____            | <input type="checkbox"/> "Class B" (Wine Only) Winery \$ _____          |

License Fees	\$ 500
Publication Fee	\$ 20
Background Check	\$ 7
<b>Total Fees</b>	<b>\$ 527</b>

Part A: Premises/Business Information		
1. Legal Business Name (registered entity name or individual's name if sole proprietorship) <b>Kim Williams</b>		
2. Trade Name or DBA <b>Corner Pub</b>		
3. Premises Address <b>1123 N. Mason St. Appleton WI 54914</b>		
4. County <b>Outagamie</b>	5. Municipality <b>Appleton</b>	6. Aldermanic District <b>10</b>
7. Mailing Address (if different from premises address) <b>200 E Harding Dr. Appleton WI 54915</b>		
8. FEIN <b>456-0002312585-03</b>	9. Wisconsin Seller's Permit Number <b>456-0002312585-03</b>	
10. Premises Phone <b>920-450 8456</b>	11. Premises Email <b>none</b>	
12. Entity Type (check one) <input checked="" type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization		
13. Describe your premises in detail. Attach a floor plan if possible. If you do not want to change your premises description, use the same language previously approved by your municipality, which may be found on your most recent license certificate. Requested changes to the premises description must be approved by the municipal governing body.  <b>1123 North Mason Street - 110x230 sq ft. Tavern - 40x40 sq ft Basement storage</b>		

Part B: Questions		
1. Have you added or removed any partners, officers, directors, or managing members since your most recent application was submitted? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes to question 1, please list the names, titles, and phone numbers of any changed persons, and attach Form AT-103 for all NEW members.		
First Name	Last Name	
Phone	Title	<input type="checkbox"/> Add <input type="checkbox"/> Remove
First Name	Last Name	
Phone	Title	<input type="checkbox"/> Add <input type="checkbox"/> Remove
First Name	Last Name	
Phone	Title	<input type="checkbox"/> Add <input type="checkbox"/> Remove

**Part B: Questions Cont.**

2. Has any partner, officer, director, managing member, or agent had any changes to their most recently filed Form AT-103 including updated contact information, changes in address, criminal history, interest restrictions, etc? If yes, attach a new Form AT-103 reflecting the updated information .....  Yes  No

3. Does the licensee or any of its officers, directors, managing members, or agent hold any direct or indirect interest in any other alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets if necessary .....  Yes  No

4. Have the partners, agent, or sole proprietor, satisfied the responsible beverage server training requirement for this license period? .....  Yes  No

5. Is the person or business identified in Part A, the genuine seller of alcohol beverages and operator of the business (e.g., reporter of profit/loss from the sale of alcohol beverages on their income tax return, holder of the seller's permit for the business location, payer of employees, taxes, utilities, and other expenses for the business, etc.)?  Yes  No

6. Is the business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? .....  Yes  No

7. Does the applicant owe municipal property taxes, assessments, or other fees? .....  Yes  No

**Part C: For Corporate/LLC Applicants Only:**

1. Has your designated agent changed since your most recent application? If yes, list the new agent name below and attach Form AT-103 for that person and a Form AT-104. ....  Yes  No

2. Agent Last Name	Agent First Name	Agent Phone Number
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**Part D: Attestation**

Who must sign this application?

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature <i>Kim Williams</i>	Date <i>3-11-24</i>	
Name (Last, First, M.I.) <i>Kim M. Williams</i>		
Title <i>owner</i>	Email	Phone <i>920-450-8456</i>

**Part E: For Clerk Use Only**

Date application was filed with clerk <i>3/11/2024</i>	Date reported to governing body	Date provisional license issued (if applicable)
Date license granted	License number	Date license issued
Signature of Clerk/Deputy Clerk		



## Nathan Williams

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**From:** Crystal Williams <crystal.k.denton@gmail.com>  
**Sent:** Tuesday, June 4, 2024 3:02 PM  
**To:** Nathan Williams  
**Subject:** Fwd: Corner Pub  
**Attachments:** image001.jpg; Inspection-Letter\_05-30-2024.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

----- Forwarded message -----

**From:** **Michelle Roberts** <Michelle.Roberts@appleton.org>  
**Date:** Mon, Jun 3, 2024, 10:29  
**Subject:** Corner Pub  
**To:** [crystal.k.denton@gmail.com](mailto:crystal.k.denton@gmail.com) <crystal.k.denton@gmail.com>

Attached is the notes from Electrical and Fire

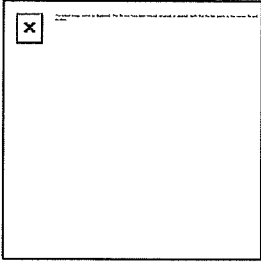
Below is the list of violations that I noticed at the Corner Pub on 1123 N Mason. A licensed electrical contractor will need to apply for a permit and perform the work. Once Kurt creates a CSR I will put the notes in. Let me know if you have any questions.

- Boxes without covers – 314.25
- Open splices – 300.15
- Flex conduit not connected to the light fixtures – 300.12
- Lights not secured to the grid – 410.36(B)
- GFCI protection within 6' of sink – 210.8(B)(5)
- GFCI in unfinished basement – 210.(B)(10)
- NM not secured at panel – 334.30
- EMT conduit not properly secured – 358.30
- Damaged receptacles and covers – 110.12(B)

-Box extensions needed – 314.20

-Box fill – 314.16

Thank you,



**Timothy Meyer**

Electrical Inspector

City of Appleton, Community Development Department

100 N. Appleton Street, Appleton, WI 54911

O: 920-832-5806 | [timothy.meyer@appletonwi.gov](mailto:timothy.meyer@appletonwi.gov)

[Appleton.org](http://Appleton.org)



**Appleton Fire Department Inspection Report**

**Business Information**

**Occupant Name:** Corner Bar **Date Completed:** 05/30/2024  
**Address:** 1123 N MASON ST **IFC Classification:** A2 - Assembly  
**Business Phone:**  
**Occupant Suite:**  
**City:** APPLETON **State:** WI **Postal Code:** 54914

**Contact Information**

**First Name** Kim **Last Name** Williams  
**Cell Phone** 920-450-8456

**Inspection Information**

**Inspection Type:** Routine

**Violations**

<b>Complaint Reported Date</b>	<b>Violation Code</b>	<b>Violation Status</b>	<b>Re-Inspection Date</b>	<b>Description</b>	<b>Comments</b>
12:29:26	603.2.2	Violation Noted - Schedule Recheck	06/26/2024	Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.	Multiple junction boxes open, no expose wiring allowed
12:32:31	703.1.3	Violation Noted - Schedule Recheck	06/26/2024	Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.	Breach of fire walls different locations
12:35:07	NFPA 1:14.13.2 .1.1	Violation Noted - Schedule Recheck	06/26/2024	Emergency Lighting – Shall be function tested monthly for not less than 30 seconds and annually function tested for a minimum of 90 minutes. A written record of visual inspections and tests shall be kept for inspection.	Emergency light not working

For a list of companies that may complete this service, please copy the below link and paste it in your browser. Please be aware that this is not a complete list of vendors and is provided as a courtesy.

<https://drive.google.com/open?id=1hXhLNNiIR34frMu-pNc-wLhFRqAnuxd6>

For an example test record, please copy the link and paste it in your browser.

[https://drive.google.com/open?id=1MBznFpMIwiBixVvi4et2T-\\_0bvi8qAAe](https://drive.google.com/open?id=1MBznFpMIwiBixVvi4et2T-_0bvi8qAAe)

**Inspected by:** DETERT, JEREMIAH

**Date Completed:** 05/30/2024

12:35:33	315.3.3	Violation Noted - Schedule Recheck	06/26/202 4	Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in fire command centers as specified in Section 508.1.5.	No storage allowed under the stairway to basement unless is protected by sprinkler system
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**Violation Documents**

Document File Not Found.

Document File Not Found.

Document File Not Found.

Document File Not Found.

**Order to Comply**

As such conditions are contrary to law, you are hereby required to correct said violations upon receipt of this notice. An inspection to determine whether or not you have complied with this notice will be conducted approximately on or around the date listed above. Failure to comply before the reinspection date may render you liable to the penalties provided by law for such violations, and reinspection or missed appointment fees.



# CITY OF APPLETON

## MEMORANDUM

**Date:** 7/10/24  
**To:** Safety and Licensing Committee  
**From:** Kurt W. Craanen, Inspection Supervisor  
**Subject:** 1123 N. Mason St, - Corner Pub

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On May 30, 2024, an inspection was conducted at the owner's request at the Corner Pub, 1123 N. Mason St. This type of scheduled inspection, involving staff from the Health, Community Dev. and Fire Department staff, is common.

The condition of the property on May 30, 2024, was such that it was not a habitable building. Inspections staff noted multiple life safety violations. The owner was instructed to hire licensed contractors to correct the code violations.

On June 6, 2024, an electrical permit was issued to Alan's Electric to correct electrical violations.

An inspection was scheduled for July 8, 2024. Staff from Community Dev., Health and Fire conducted inspections. Staff found multiple violations still existing at the property. These violations include:

- The ceiling has openings and gaps in several places that need to be properly sealed with gypsum board and fire caulk.
- Areas of walls and at door opening, have exposed wood studs.
- HVAC vent openings at wall lack grilles.
- Partitions in men's restroom lack support.
- No grab bars at toilets in restrooms.
- The gas furnace must be enclosed with a 2-hour rated ceiling and surrounding walls.
- Door to furnace room must be 1 ½ hour rated with a closer.

Based on the condition of the property and the multiple violations that still exist, staff does not support the renewal of the liquor license.

c: Zak Buruin

**IN THE CITY OF APPLETON,  
OUTAGAMIE COUNTY, STATE OF  
WISCONSIN, BEFORE THE  
SAFETY AND LICENSING COMMITTEE**

---

**IN RE THE ALCOHOL LICENSE OF KIM WILLIAMS**

d/b/a Corner Pub  
1123 North Mason Street  
Appleton, WI 54914

---

**REPORT OF THE SAFETY AND LICENSING COMMITTEE  
TO THE COMMON COUNCIL OF THE CITY OF APPLETON**

---

The above matter came before the Safety and Licensing Committee of the Common Council of the City of Appleton on June 26, 2024, as a hearing on the refusal to renew the alcohol beverage license of Kim Williams. That hearing was continued on July 10, 2024.

A copy of this report shall be given to the licensee. If the licensee files an objection to this report with the City Clerk prior to the matter being decided by the Common Council, they will have an opportunity to present arguments supporting the objection to the Common Council, who shall determine whether the arguments shall be presented orally or in writing or both.

**FINDINGS OF FACT**

1. Kim Williams (“Licensee”), doing business as Corner Pub, has a premises licensed by the City of Appleton for retail alcohol beverage sales located at 1123 North Mason Street in the city of Appleton, Wisconsin.
2. Licensee was granted a Combination Retail License for Class “B” Fermented Malt Beverages and “Class B” Intoxicating Liquors for the 2023-24 alcohol licensing year.
3. On May 30, 2023, Appleton Health Department inspected the Corner Pub and found several significant areas in need of repairs that required multiple other city departments to

inspect and approve before the premises could be open to the public for the sale of alcohol beverages.

4. On July 28, 2023, Licensee was sent a letter from the City of Appleton Clerk regarding the potential of non-renewal based on failure to use the alcohol license for the purpose in which it was granted for a period of one (1) year from May 30, 2023, if the business is not open to the public.
5. On March 11, 2024, Licensee applied to renew the aforementioned Combination Retail License for the 2024-25 alcohol licensing year.
6. On May 30, 2024, Appleton Health Department inspected the Corner Pub and reported that the business appeared to not be open to the public and noted that Fire and Inspections Departments have not approved the business to reopen.
7. On or about May 31, 2024, notice of intention to refuse to renew the alcohol license ("Notice") for Corner Pub was sent to Licensee.
8. The Notice provided Licensee that the reason for non-renewal is that "Pursuant to 9-52(9) of the City of Appleton Municipal Code any licensee granted or issued a license to sell alcohol beverages that abandons such business shall forfeit any right or preference the licensee may have to the holding or renewal of such license. Abandonment shall be sufficient grounds for revocation or non-renewal of any alcohol beverage license."
9. The Notice provided Licensee an opportunity for a hearing on the non-renewal of their alcohol license on June 26, 2024, at 5:30 p.m.
10. The Hearing occurred on June 26, 2024 and was continued on July 10, 2024
11. For the one (1) year period of time between May 30, 2023, and May 30, 2024, the licensed premises known as the Corner Pub was closed to the public.
12. As of July 10, 2024, the licensed premises known as the Corner Pub continued to be closed to the public.
13. While the Corner Pub was closed to the public, no retail sales of alcohol beverages occurred.

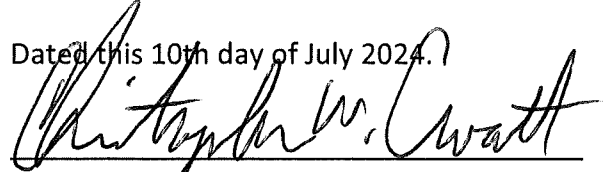
## CONCLUSIONS OF LAW

1. The Safety and Licensing Committee of the Common Council of the City of Appleton has proper jurisdiction to conduct hearing for refusal to renew alcohol beverage licenses based on noncompliance with Section 9-52(9) of the Municipal Code of the City of Appleton and Wis. Stat. §125.12.
2. A violation of Section 9-52(9) of the Municipal Code of the City of Appleton is a municipal regulation adopted under Wis. Stat. §125.10 and is therefore a basis for refusing to renew an alcohol beverage license under Wis. Stat. §125.12.
3. The Safety and Licensing Committee concludes that the Licensee was not using its license to sell alcohol for the purpose of selling alcohol when it was closed to the public.
4. The Safety and Licensing Committee concludes that the Licensee d/b/a Corner Pub has ABANDONED their Combination Retail License in violation of Section 9-52(9) of the Municipal Code of the City of Appleton.

## RECOMMENDATION

Based on the above Findings of Fact and Conclusions of Law, the Safety and Licensing Committee recommends that the Common Council of the City of Appleton **REFUSE TO RENEW** the Combination Retail License for Class “B” Fermented Malt Beverages and “Class B” Intoxicating Liquors issued to Kim Williams for the establishment known as the Corner Pub.

Dated this 10th day of July 2024.



Aldersperson Chris Croatt  
Chairperson, Safety and Licensing  
Committee





DEPARTMENT OF  
**LEGAL AND  
ADMINISTRATIVE  
SERVICES**

**CITY ATTORNEY'S OFFICE**  
100 North Appleton Street  
Appleton, WI 54911  
p: 920.832.6423  
f: 920.832.5962  
www.appleton.org

TO: Appleton Common Council

From: ACA Zak Buruin

Date: July 15, 2024

RE: Non-Renewal of the Class "B" Malt Beverage & "Class B" Liquor License for Corner Pub, 1123 N. Mason Street. Kim Williams, Agent

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In response to questions and concerns raised by members of the Safety and Licensing Committee regarding the renewal of the above noted alcohol beverage license, I have compiled the following information relevant to the inspection process in this case.

For background purposes, prior to the May 30, 2023 health inspection of the licensed premises, significant damage was done to the premises as a result of a water pipe breaking in the unit above the licensed premises. As a result, significant repairs were required before the premises could reopen for business. A specific list of code violations and necessary repairs were not provided because no inspections were requested or therefore carried out beyond that conducted by the Health Department. As noted in the Health Department's inspection report, the "Bar needs to be essentially put back together and have all departments sign off prior to reopening."

The Health Department inspection report was provided to the applicant following the inspection in 2023. While typically provided via email, this report was mailed to the licensee's address because no email address was provided. This included the notification of the various departments that would need to approve of the premises before it could be permitted to reopen.

The damage to the premises was such that ceiling rafters and wall studs were exposed and the can lighting was hanging down (among other things). The work that needed to be completed required obtaining appropriate permits. It is the request for these permits that notifies the Inspections Department of the need for the kind of inspections that were necessary in this case. My understanding is that no permits for any of the necessary repairs were requested until June 6, 2024, after the May 30 deadline to reopen and avoid the license being considered abandoned.

Most of the repairs needed required the services of a licensed contractor. A licensed contractor, had one or more been employed earlier in the process, would have been in a position to seek required permits and inspections, and would be more familiar with inspections requirements. Again, no permits were sought until permit for the electrical work was obtained on June 6, 2024. This was over a year after being told of the numerous inspections that would need to be passed, and over 10 months since being warned of the May 30, 2024 deadline to reopen and avoid

license abandonment.

In summary, the applicant in this matter was provided with information needed to comply with the City's requirements and was given significant time to do so. It is only as the deadline for abandonment passed that recognizable progress began to be made on bringing the property into compliance with the City's code. It is expected that a representative of the City's Inspections Department will be available at the upcoming meeting of the Common Council to answer any questions that may remain.

The Common Council has the discretion to allow more time before considering the alcohol license in question to be considered abandoned if good cause is shown.

It does not appear that the delays in progress or in the providing of information to the applicant in this matter were the result of any action or inaction on the part of the involved departments. Assertions that the relevant departments failed to timely inspect or provide inspection results are not factually supported and should not be treated as a basis for a finding of good cause to extend the deadline for abandonment.

Should the Council find good cause based upon information supported by the record, it may exercise its discretion as it sees fit.

**IN THE CITY OF APPLETON,  
OUTAGAMIE COUNTY, STATE OF  
WISCONSIN, BEFORE THE  
SAFETY AND LICENSING COMMITTEE**

---

**IN RE THE ALCOHOL LICENSE OF KIM WILLIAMS**

d/b/a Corner Pub  
1123 North Mason Street  
Appleton, WI 54914

---

**REPORT OF THE SAFETY AND LICENSING COMMITTEE  
TO THE COMMON COUNCIL OF THE CITY OF APPLETON  
AS AMENDED ON JULY 24, 2024**

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The above matter came before the Safety and Licensing Committee of the Common Council of the City of Appleton on June 26, 2024, as a hearing on the refusal to renew the alcohol beverage license of Kim Williams. That hearing was continued on July 10, 2024. *This matter was referred back by the Common Council on July 17, 2024, and was taken up again at the July 24, 2024 Safety and Licensing Committee. (Amendments to original report are italicized and underlined or struck through)*

A copy of this report shall be given to the licensee. If the licensee files an objection to this report with the City Clerk prior to the matter being decided by the Common Council, they will have an opportunity to present arguments supporting the objection to the Common Council, who shall determine whether the arguments shall be presented orally or in writing or both.

**FINDINGS OF FACT**

1. Kim Williams (“Licensee”), doing business as Corner Pub, has a premises licensed by the City of Appleton for retail alcohol beverage sales located at 1123 North Mason Street in the city of Appleton, Wisconsin.

2. Licensee was granted a Combination Retail License for Class “B” Fermented Malt Beverages and “Class B” Intoxicating Liquors for the 2023-24 alcohol licensing year.
3. On May 30, 2023, Appleton Health Department inspected the Corner Pub and found several significant areas in need of repairs that required multiple other city departments to inspect and approve before the premises could be open to the public for the sale of alcohol beverages.
4. On July 28, 2023, Licensee was sent a letter from the City of Appleton Clerk regarding the potential of non-renewal based on failure to use the alcohol license for the purpose in which it was granted for a period of one (1) year from May 30, 2023, if the business is not open to the public.
5. On March 11, 2024, Licensee applied to renew the aforementioned Combination Retail License for the 2024-25 alcohol licensing year.
6. On May 30, 2024, Appleton Health Department inspected the Corner Pub and reported that the business appeared to not be open to the public and noted that Fire and Inspections Departments have not approved the business to reopen.
7. On or about May 31, 2024, notice of intention to refuse to renew the alcohol license (“Notice”) for Corner Pub was sent to Licensee.
8. The Notice provided Licensee that the reason for non-renewal is that “Pursuant to 9-52(9) of the City of Appleton Municipal Code any licensee granted or issued a license to sell alcohol beverages that abandons such business shall forfeit any right or preference the licensee may have to the holding or renewal of such license. Abandonment shall be sufficient grounds for revocation or non-renewal of any alcohol beverage license.”
9. The Notice provided Licensee an opportunity for a hearing on the non-renewal of their alcohol license on June 26, 2024, at 5:30 p.m.
10. The Hearing occurred on June 26, 2024 and was continued on July 10, 2024
11. For the one (1) year period of time between May 30, 2023, and May 30, 2024, the licensed premises known as the Corner Pub was closed to the public.

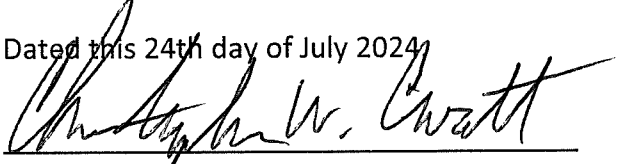
12. As of July 10, 2024, the licensed premises known as the Corner Pub continued to be closed to the public.
13. While the Corner Pub was closed to the public, no retail sales of alcohol beverages occurred.
14. Due to the catastrophic circumstances that the owner and family endured after the catastrophic circumstances that destroyed the licensed establishment, the Safety and Licensing Committee finds good cause to extend the period of time before their alcohol license will be deemed "abandoned" under Section 9-52(9) of the Municipal Code of the City of Appleton. The license will not be "abandoned" under that section if the licensee is actually open for the retail sale of alcohol beverages on or before August 15, 2024.

#### CONCLUSIONS OF LAW

1. The Safety and Licensing Committee of the Common Council of the City of Appleton has proper jurisdiction to conduct hearing for refusal to renew alcohol beverage licenses based on noncompliance with Section 9-52(9) of the Municipal Code of the City of Appleton and Wis. Stat. §125.12.
2. A violation of Section 9-52(9) of the Municipal Code of the City of Appleton is a municipal regulation adopted under Wis. Stat. §125.10 and is therefore a basis for refusing to renew an alcohol beverage license under Wis. Stat. §125.12.
3. The Safety and Licensing Committee concludes that the Licensee was not using its license to sell alcohol for the purpose of selling alcohol when it was closed to the public.
4. The Safety and Licensing Committee concludes that the Licensee has until August 15, 2024, to be using their retail alcohol license for the purpose of selling alcohol beverages before the license will be considered "abandoned" under Section 9-52(9) of the Municipal Code of the City of Appleton.
- ~~5. The Safety and Licensing Committee concludes that the Licensee d/b/a Corner Pub has ABANDONED their Combination Retail License in violation of Section 9-52(9) of the Municipal Code of the City of Appleton.~~

## RECOMMENDATION

Based on the above Findings of Fact and Conclusions of Law, the Safety and Licensing Committee recommends that the Common Council of the City of Appleton **EXTEND THE PERIOD BEFORE ABANDONEMENT CAN BE FOUND UNTIL AUGUST 15, 2024, for REFUSE TO RENEW** the Combination Retail License for Class “B” Fermented Malt Beverages and “Class B” Intoxicating Liquors issued to Kim Williams for the establishment known as the Corner Pub.

Dated this 24<sup>th</sup> day of July 2024  
  
Alderman Chris Croatt  
Chairperson, Safety and Licensing  
Committee

**IN THE CITY OF APPLETON,  
OUTAGAMIE COUNTY, STATE OF  
WISCONSIN, BEFORE THE  
SAFETY AND LICENSING COMMITTEE**

---

**IN RE THE ALCOHOL LICENSE OF KIM WILLIAMS**

d/b/a Corner Pub  
1123 North Mason Street  
Appleton, WI 54914

---

**REPORT OF THE SAFETY AND LICENSING COMMITTEE  
TO THE COMMON COUNCIL OF THE CITY OF APPLETON  
AS AMENDED ON AUGUST 14, 2024**

---

The above matter came before the Safety and Licensing Committee of the Common Council of the City of Appleton on June 26, 2024, as a hearing on the refusal to renew the alcohol beverage license of Kim Williams. That hearing was continued on July 10, 2024. This matter was referred back by the Common Council on July 17, 2024, and was taken up again at the July 24, 2024, Safety and Licensing Committee. *(Additions to previous report are italicized and underlined and deletions are struck through). This matter was referred back again by the Common Council on the August 7, 2024, and the hearing was continued at the August 14, 2024, Safety and Licensing Committee.*

A copy of this report shall be given to the licensee. If the licensee files an objection to this report with the City Clerk prior to the matter being decided by the Common Council, they will have an opportunity to present arguments supporting the objection to the Common Council, who shall determine whether the arguments shall be presented orally or in writing or both.

**FINDINGS OF FACT**

1. Kim Williams (“Licensee”), doing business as Corner Pub, has a premises licensed by the City of Appleton for retail alcohol beverage sales located at 1123 North Mason Street in the city of Appleton, Wisconsin.

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9. The Notice provided Licensee an opportunity for a hearing on the non-renewal of their alcohol license on June 26, 2024, at 5:30 p.m.
10. The Hearing ~~occurred~~ commenced on June 26, 2024, and was continued on July 10, 2024, and again on August 14, 2024.
11. For the one (1) year period of time between May 30, 2023, and May 30, 2024, the licensed premises known as the Corner Pub was closed to the public.



12. As of July 10, 2024, the licensed premises known as the Corner Pub continued to be closed to the public.
13. While the Corner Pub was closed to the public, no retail sales of alcohol beverages occurred.
14. Due to the catastrophic circumstances that the owner and family endured after the catastrophic circumstances that destroyed the licensed establishment, the Safety and Licensing Committee finds good cause to extend the period of time before their alcohol license will be deemed “abandoned” under Section 9-52(9) of the Municipal Code of the City of Appleton. The license will not be “abandoned” under that section if the licensee is actually ready to be open for the retail sale of alcohol beverages on or before August 15, 2024.
15. *As of August 14, 2024, the licensee has made adequate repairs to the Corner Pub, and*  
*that the business is ready to be open for business.*

#### **CONCLUSIONS OF LAW**

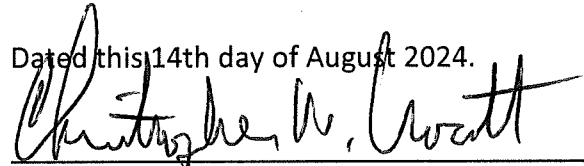
1. The Safety and Licensing Committee of the Common Council of the City of Appleton has proper jurisdiction to conduct hearing for refusal to renew alcohol beverage licenses based on noncompliance with Section 9-52(9) of the Municipal Code of the City of Appleton and Wis. Stat. §125.12.
2. A violation of Section 9-52(9) of the Municipal Code of the City of Appleton is a municipal regulation adopted under Wis. Stat. §125.10 and is therefore a basis for refusing to renew an alcohol beverage license under Wis. Stat. §125.12.
3. The Safety and Licensing Committee concludes that the Licensee was not using its license to sell alcohol for the purpose of selling alcohol when it was closed to the public.
4. The Safety and Licensing Committee concludes that the Licensee has until August 15, 2024, to be using their retail alcohol license for the purpose of selling alcohol beverages before the license will be considered “abandoned” under Section 9-52(9) of the Municipal Code of the City of Appleton.

5. The Safety and Licensing Committee concludes that because the Corner Pub is ready to be open for business as of August 14, 2024, the Licensee d/b/a Corner Pub has not abandoned their Combination Retail License.

### RECOMMENDATION

Based on the above Findings of Fact and Conclusions of Law, the Safety and Licensing Committee recommends that the Common Council of the City of Appleton ~~EXTEND THE PERIOD BEFORE ABANDONEMENT CAN BE FOUND UNTIL AUGUST 15, 2024, for~~ RENEW the Combination Retail License for Class “B” Fermented Malt Beverages and “Class B” Intoxicating Liquors issued to Kim Williams for the establishment known as the Corner Pub.

Dated this 14th day of August 2024.



Alderman Chris Croatt  
Chairperson, Safety and Licensing  
Committee

# Alcohol License Premises Amendment Request Form

CASH OR CHECK ONLY!



\*Please allow 4 weeks for application processing\*

**FEES ARE NON-REFUNDABLE**

License Fee - \$10.00/event (CLCAGP)

Date Recv'd 7/19/24  
 Total \$ 10  
 Receipt #: 7197-6

**SECTION 1 - ESTABLISHMENT INFORMATION**

Name of Establishment <u>Rye Restaurant</u>	Establishment Phone Number <u>920 380 4745</u>
Address of Establishment <u>308 W. College Ave</u>	
Agent Name <u>Nick Morse</u>	Agent Phone Number (Required)

**SECTION 2 - PREMISES AMENDMENT** - *A drawing/diagram of the proposed area must be submitted with this application.*

Is this Premises Amendment Permanent?  YES  NO

Please describe the change in premises: We would like to add to Rye's premise description the storage of wine, beer and alcohol in two locations. The first location for wine and beer located in a walk in cooler on the lower level of the Copperleaf hotel. The second location is a storage room in lower level of RYE for wine and alcohol.  
continued here - Adding Lobby, including bar. Total Approximate square feet: 2200 for restaurant, Lobby Bar and storage. Including Copperleaf meeting rooms, guest rooms, Rye dining room, Rye Bar, and storage.  
 If temporary, please specify the reason for the amendment:  
 If temporary, please list the date(s) and time(s) that this premises amendment will be utilized:

**SECTION 3 - PENALTY NOTICE**

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

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

Signature of Applicant: [Signature] Date: 07 / 18 / 2024

**FOR OFFICE USE ONLY**

Department	Approve	Deny	Staff Member	Reason
Police				
Fire				
Health				
Community Development				
Inspections				
Finance				
Public Works				
Safety and Licensing Date:	Recommendation:		Common Council Date:	Recommendation:
Date sent for Review	Date Approved	Date Issued	Expiration Date	License Number
___/___/___	___/___/___	___/___/___	___/___/___	

Main-1454<sup>2</sup>  
 Tavern 757<sup>2</sup>  
 2211ft<sup>2</sup>

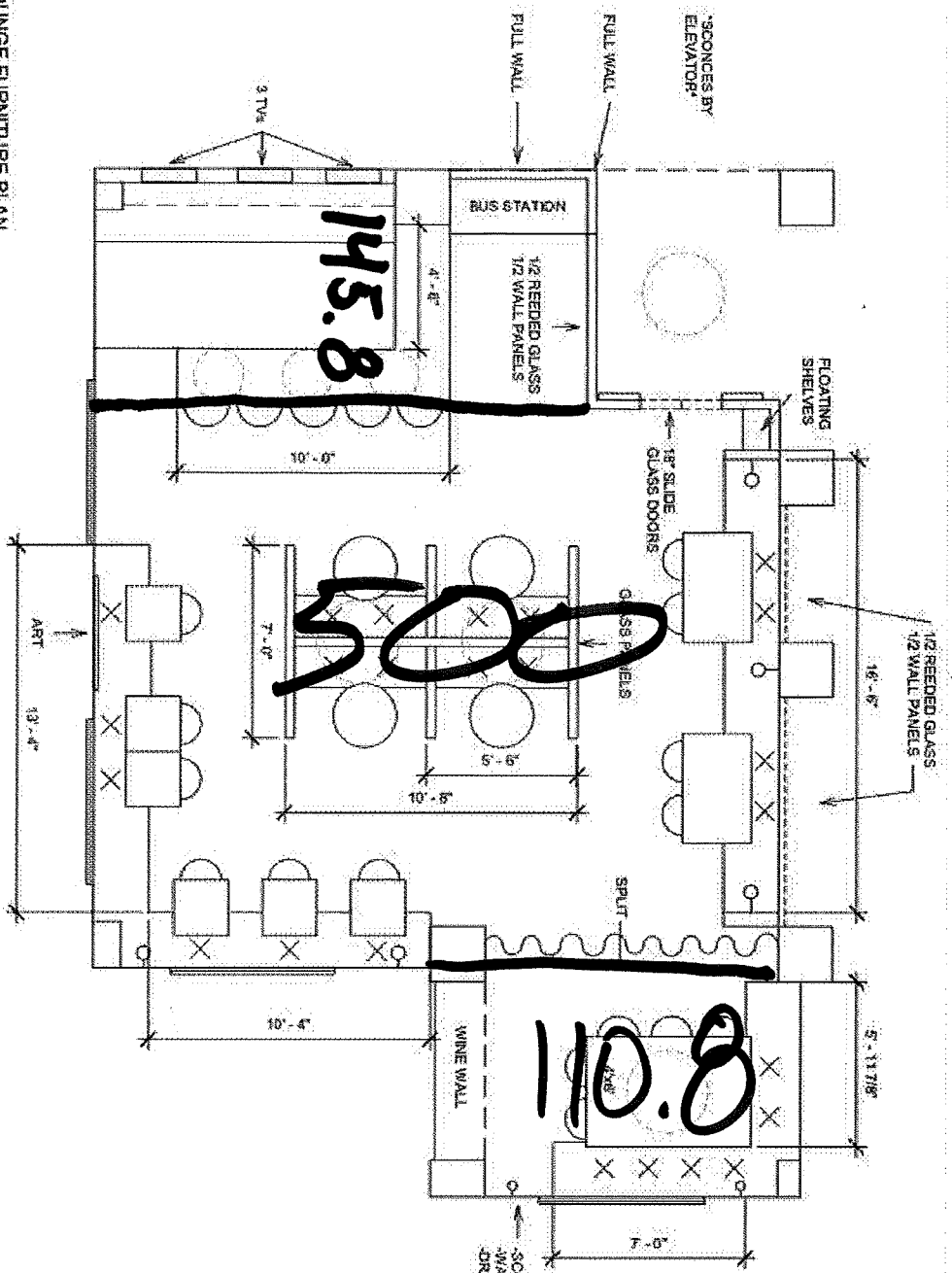


LISA & MELANIE  
 RYE LOUNGE

No.	Description	Date

FURNITURE PLAN		Scale 1/4" = 1'-0"
Project number	Project Name	
Date	Issue Date	
Drawn by	KES	
Checked by	MLK	
A106		

① LOUNGE FURNITURE PLAN  
 1/4" = 1'-0"



756.6

Form  
**AB-200**

# Alcohol Beverage License Application

For Municipal Use Only
Municipality <b>Appleton</b>
License Period <b>2024-2025</b>

**License(s) Requested:** (up to two boxes may be checked)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Class "A" Beer.....\$ <u>250</u>  | <input type="checkbox"/> Class "B" Beer.....\$ _____       |
| <input checked="" type="checkbox"/> "Class A" Liquor....\$ <u>450</u> | <input type="checkbox"/> "Class B" Liquor.....\$ _____     |
| <input type="checkbox"/> "Class A" Liquor (cider only) \$ _____       | <input type="checkbox"/> Reserve "Class B" Liquor \$ _____ |
| <input type="checkbox"/> "Class C" Liquor (wine only) \$ _____        |  |

Fees	
License Fees	\$ 700
Background Check Fee	\$ 21
Publication Fee	\$ <b>60</b>
<b>Total Fees</b>	<b>\$ 781</b>

**Part A: Premises/Business Information**

1. Legal Business Name (individual name if sole proprietorship) <b>DOLGENCORP, LLC</b>			
2. Business Trade Name or DBA <b>DOLLAR GENERAL STORE # 6535</b>			
3. FEIN		4. Wisconsin Seller's Permit Number <b>456-0000208845-05</b>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <b>TENNESSEE</b>		7. Date of Organization <b>10/9/2008</b>	8. Wisconsin DFI Registration Number
9. Premises Address <b>1320 W WISCONSIN AVE UNIT</b>			
10. City <b>APPLETON</b>		11. State <b>WI</b>	12. Zip Code <b>54914-3287</b>
13. County <b>OUTAGAMIE</b>		14. Governing Municipality: <input type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <b>APPLETON</b>	15. Aldermanic District
16. Premises Phone <b>9202680610</b>		17. Premises Email <b>tax-beerandwinelicense@dollargeneral.com</b>	18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  <b><del>8419 SQ FT Shopping Center building consisting of sales area and stockroom.</del></b> <b>*see attached cover sheet</b>			
20. Mailing Address (if different from premises address) <b>100 MISSION RIDGE, ATTN: TAX DEPT</b>			
21. City <b>GOODLETTSVILLE</b>		22. State <b>TN</b>	23. Zip Code <b>37072</b>

**Part B: Questions**

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the details of violation below. Attach additional sheets if necessary.		
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity DOLLAR GENERAL CORPORATION	4b. Business Entity FEIN
--	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine?.....  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees?.....  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.


Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
BRINING	ZACHARY	LLC MANAGER	
TAYLOR	EMILY	LLC MANAGER	
GREENE	JOHN	AGENT	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name TAYLOR	First Name EMILY	M.I. C
Title LLC MANAGER	Email	Phone
Signature 		Date 4/23/2024

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 7/19/24	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

# Alcohol Beverage Appointment of Agent

Date
------

<b>Agent Type</b> (check one)	
<input checked="" type="checkbox"/> Original (no fee)	Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) DOLGENCORP, LLC	
2. Business Trade Name or DBA DOLLAR GENERAL STORE # 6535	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number N/A
6. Describe the reason for appointing a successor agent, if successor is checked above. CHANGE OF MANAGER	


<b>Part B: Agent Information</b>			
1. Last Name GREENE	2. First Name JOHN	3. M.I.	
4. Email		5. Phone	
6. Home Address W145 LAKE SANDIA DR			
7. City KRAKOW	8. State WI	9. Zip Code 54547	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? . . . . . Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? . . . . . Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? . . . . . See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

*Continued* →

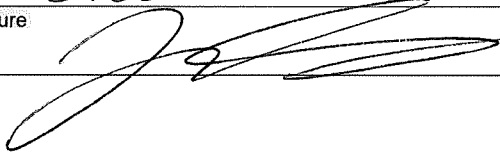
**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name TAYLOR		First Name EMILY	M.I. C
Title CFO/LLC MANAGER	Email		Phone
Signature 		Date	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name GREENE		First Name John	M.I. E
Signature 		Date 4-15-24	



# Cigarette, Tobacco, and Electronic Vaping Device Retail License Application

FOR CLERKS ONLY	
Municipality	Appleton
License Period	JULY 1 2024 - JUNE 30 2025

<b>Part A: Premises/Business Information</b>		\$100
1. Legal Business Name (individual name if sole proprietor) Dolgencorp, LLC		
2. Business Trade Name or DBA Dollar General Store # 6535		
3. FEIN	4. Wisconsin Seller's Permit Number 456-0000208845-05	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
6. State of Organization KY	7. Date of Organization 10/9/2008	8. Wisconsin DFI Registration Number
9. Premises Address (do not use PO Box) 1320 W WISCONSIN AVE UNIT		
10. City APPLETON	11. State WI	12. Zip Code 54914-3287
13. County OUTAGAMIE	14. Governing Municipality: <input type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: APPLETON	15. Aldermanic District
16. Mailing Address (if different from premises address) 100 MISSION RIDGE		
17. City GOODLETTSVILLE	18. State TN	19. Zip Code 37072
20. Premises Phone 9202680610	21. Premises Email TAX-BEERANDWINELICENSE@DOLLARGENERAL.COM	22. Website
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible.  8119 Shopping Center building consisting of sales area and stock room		

<b>Part B: Questions</b>
1. What products will be sold at this business location? (check all that apply) <input checked="" type="checkbox"/> Cigarettes <input checked="" type="checkbox"/> Tobacco Products <input type="checkbox"/> Electronic Vaping Devices
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine
3. Is the applicant business owned by another business entity? ..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers.  3a. Name of Parent Company: <u>DOLLAR GENERAL CORPORATION</u>  3b. FEIN of Parent Company: _____

S&L:  
Council:

**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
BRINING	ZACHARY	CEO/LLC MANAGER	
TAYLOR	EMILY	CFO/LLC MANAGER	
GREENE	JOHN	DISTRICT MANAGER	

**Part D: Attestation**

One of the following must sign and attest to this application:


- sole proprietor
- one general partner of a partnership
- one corporate officer
- one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature 		Date 4/22/2024
Name (Last, First, M.I.) BRINING, ZACHARY, J		
Title LLC MANAGER	Email	Phone

**Part E: For Clerk Use Only**

Date application was filed with clerk 7/19/24	Date license issued	Date license expires	License number
License fees	Signature of Clerk/Deputy Clerk		

**Cigarette, Tobacco, and Electronic Vaping Device  
Appointment of Agent**

Date

Agent Type (check one):  Original  Change

**Part A: Agent Information**

1. Last Name GREENE		2. First Name JOHN		3. M.I. E
4. Email			5. Phone	
6. Home Address W145 LAKE SANDIA DR				
7. City KRAKOW			8. State WI	9. Zip Code 54137
10. Date of Birth	11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

**Part B: Questions**

1. Have you completed Form CTV-101, *Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire*? Submit a completed Form CTV-101 with this form.  Yes  No

2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.

**Part C: Business Information**

1. Legal Business Name (individual name if sole proprietor)  
DOLGENCORP, LLC

2. Business Trade Name or DBA  
DOLLAR GENERAL STORE #

3. Entity Type (check one)  
 Limited Liability Company  Corporation

4. Premises Address

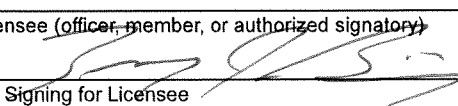
5. City

6. State  
WI

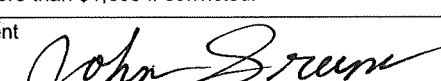
7. Zip Code

**Part D: Attestations**

**READ CAREFULLY BEFORE SIGNING:** I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature of Licensee (officer, member, or authorized signatory) 	Date
Name of Person Signing for Licensee	Title

**READ CAREFULLY BEFORE SIGNING:** I, the Agent, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.

Signature of Agent 	Date 5-7-24
---	----------------

Form  
**AB-200**

## Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Class "A" Beer.....\$ <u>250</u>  | <input type="checkbox"/> Class "B" Beer.....\$ _____       |
| <input checked="" type="checkbox"/> "Class A" Liquor....\$ <u>450</u> | <input type="checkbox"/> "Class B" Liquor.....\$ _____     |
| <input type="checkbox"/> "Class A" Liquor (cider only) \$ _____       | <input type="checkbox"/> Reserve "Class B" Liquor \$ _____ |
| <input type="checkbox"/> "Class C" Liquor (wine only) \$ _____        |  |

Fees	
License Fees	\$ 700
Background Check Fee	\$ <u>0</u>
Publication Fee	\$ <u>60</u>
<b>Total Fees</b>	<b>\$ <u>760</u></b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <u>DOLGENCORP, LLC</u>		
2. Business Trade Name or DBA <u>DOLLAR GENERAL STORE # 21851</u>		
3. FEIN	4. Wisconsin Seller's Permit Number <u>456-0000208845-05</u>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization		
6. State of Organization <u>TENNESSEE</u>	7. Date of Organization <u>10/9/2008</u>	8. Wisconsin DFI Registration Number
9. Premises Address <u>1010 W COLLEGE AVE</u>		
10. City <u>APPLETON</u>	11. State <u>WI</u>	12. Zip Code <u>54914-5260</u>
13. County <u>OUTAGAMIE</u>	14. Governing Municipality: <input type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>APPLETON</u>	15. Aldermanic District
16. Premises Phone <u>9206662773</u>	17. Premises Email <u>tax-beerandwinelicense@dollargeneral.com</u>	18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  <del>6231 SQ FT Stand Alone building consisting of sales area and stockroom.</del> <u>*see attached cover sheet</u>		
20. Mailing Address (if different from premises address) <u>100 MISSION RIDGE, ATTN: TAX DEPT</u>		
21. City <u>GOODLETTSVILLE</u>	22. State <u>TN</u>	23. Zip Code <u>37072</u>

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.     Yes     No

If yes, list the details of violation below. Attach additional sheets if necessary.

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

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity DOLLAR GENERAL CORPORATION	4b. Business Entity FEIN
--	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine?..... Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees?..... Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
BRINING	ZACHARY	LLC MANAGER	
TAYLOR	EMILY	LLC MANAGER	
GREENE	JOHN	AGENT	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name TAYLOR	First Name EMILY	M.I. C
---------------------	---------------------	-----------

Title LLC MANAGER	Email	Phone
-------------------	-------	-------

Signature 	Date 4/23/2024
---	----------------

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 7/19/24	License Number	Date License Granted	Date License Issued
--	----------------	----------------------	---------------------

Signature of Clerk/Deputy Clerk	Date Provisional License Issued (if applicable)
---------------------------------	---

# Alcohol Beverage Appointment of Agent

Date
------

<b>Agent Type</b> (check one)	
<input checked="" type="checkbox"/> Original (no fee)	Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) DOLGENCORP, LLC	
2. Business Trade Name or DBA DOLLAR GENERAL STORE # 21891	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number N/A
6. Describe the reason for appointing a successor agent, if successor is checked above. CHANGE OF MANAGER	


<b>Part B: Agent Information</b>			
1. Last Name GREENE	2. First Name JOHN	3. M.I.	
4. Email		5. Phone	
6. Home Address W145 LAKE SANDIA DR			
7. City KRAKOW	8. State WI	9. Zip Code 54547	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? . . . . . Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? . . . . . Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? . . . . . See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

*Continued* →


**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name TAYLOR		First Name EMILY	M.I. C
Title CFO/LLC MANAGER	Email		Phone
Signature 		Date	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name GREENE		First Name John	M.I. E
Signature 		Date 4-15-24	

PA

# Cigarette, Tobacco, and Electronic Vaping Device Retail License Application

FOR CLERKS ONLY
Municipality <span style="font-size: 1.2em; font-family: cursive;">Appleton</span>
License Period JULY 1 2024 - JUNE 30 2025

<b>Part A: Premises/Business Information</b>		<b>\$100</b>
1. Legal Business Name (individual name if sole proprietor) Dolgencorp, LLC		
2. Business Trade Name or DBA Dollar General Store # 21851		
3. FEIN		4. Wisconsin Seller's Permit Number 456-0000208845-05
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
6. State of Organization KY	7. Date of Organization 10/9/2008	8. Wisconsin DFI Registration Number
9. Premises Address (do not use PO Box) 1010 W COLLEGE AVE		
10. City APPLETON	11. State WI	12. Zip Code 54914-5260
13. County OUTAGAMIE	14. Governing Municipality: <input type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: APPLETON	15. Aldermanic District
16. Mailing Address (if different from premises address) 100 MISSION RIDGE		
17. City GOODLETTSVILLE	18. State TN	19. Zip Code 37072
20. Premises Phone 9206662773	21. Premises Email TAX-BEERANDWINELICENSE@DOLLARGENERAL.COM	22. Website
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible.  <div style="text-align: center; padding: 10px;"> <span style="font-size: 1.2em;">6231</span>      Stand Alone      building consisting of sales area and stock room         </div>		

<b>Part B: Questions</b>
1. What products will be sold at this business location? (check all that apply) <input checked="" type="checkbox"/> Cigarettes <input checked="" type="checkbox"/> Tobacco Products <input type="checkbox"/> Electronic Vaping Devices
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine
3. Is the applicant business owned by another business entity? ..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers.  3a. Name of Parent Company: <u>DOLLAR GENERAL CORPORATION</u>  3b. FEIN of Parent Company: _____

S.L.  
Council.



**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
BRINING	ZACHARY	CEO/LLC MANAGER	(
TAYLOR	EMILY	CFO/LLC MANAGER	
GREENE	JOHN	DISTRICT MANAGER	

**Part D: Attestation**

One of the following must sign and attest to this application:

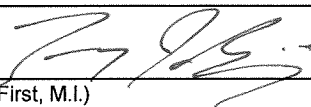
- sole proprietor
- one general partner of a partnership
- one corporate officer
- one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature 	Date 4/22/2024	
Name (Last, First, M.I.) BRINING, ZACHARY, J		
Title LLC MANAGER	Email	Phone

**Part E: For Clerk Use Only**

Date application was filed with clerk 7/19/24	Date license issued	Date license expires	License number
License fees	Signature of Clerk/Deputy Clerk		

# Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date

Agent Type (check one):  Original  Change

### Part A: Agent Information

1. Last Name GREENE		2. First Name JOHN		3. M.I. E
4. Email			5. Phone	
6. Home Address W145 LAKE SANDIA DR				
7. City KRAKOW			8. State WI	9. Zip Code 54137
10. Date of Birth	11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

### Part B: Questions

1. Have you completed Form CTV-101, *Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire*? Submit a completed Form CTV-101 with this form. . . . .  Yes  No

2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.

### Part C: Business Information

1. Legal Business Name (individual name if sole proprietor)  
DOLGENCORP, LLC

2. Business Trade Name or DBA  
DOLLAR GENERAL STORE #

3. Entity Type (check one)  
 Limited Liability Company  Corporation

4. Premises Address

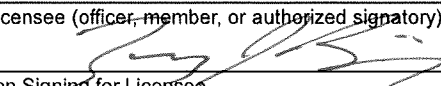
5. City

6. State  
WI


7. Zip Code

### Part D: Attestations

**READ CAREFULLY BEFORE SIGNING:** I, the **Licensee**, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature of Licensee (officer, member, or authorized signatory) 	Date
Name of Person Signing for Licensee	Title

**READ CAREFULLY BEFORE SIGNING:** I, the **Agent**, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.

Signature of Agent 	Date 5-7-24
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# Alcohol License Premises Amendment Request Form

CASH OR CHECK ONLY!

\*Please allow 4 weeks for application processing\*

**FEES ARE NON-REFUNDABLE**

Date Recv'd 6/20/24

License Fee - \$10.00/event (CLCAGP) Total \$ 10

Receipt #: 7023-3

## SECTION 1 - ESTABLISHMENT INFORMATION

Name of Establishment <u>The Trout Museum of Art</u>	Establishment Phone Number <u>920-733-4089</u>
Address of Establishment <u>111 W. College Ave Appleton, WI 54911</u>	
Agent Name <u>Christina Turner</u>	Agent Phone Number (Required)

## SECTION 2 - PREMISES AMENDMENT - *A drawing/diagram of the proposed area must be submitted with this application*

Is this Premises Amendment Permanent?  YES  NO

Please describe the change in premises: 9/5/24 event with outside bar and music. Will be utilizing Houdini Plaza stage for music. (100-150 guests)

If temporary, please specify the reason for the amendment: Party for museum. Guests will be members of the Contemporaries.

If temporary, please list the date(s) and time(s) that this premises amendment will be utilized: 9/5/2024 1pm-10pm

## SECTION 3 - PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

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

Signature of Applicant: *Christina Turner* Date: 6/20/24

## FOR OFFICE USE ONLY

Department	Approve	Deny	Staff Member	Reason
Police				
Fire				
Health				
Community Development				
Inspections				
Finance				
Public Works				
Safety and Licensing Date:	Recommendation:		Common Council Date:	Recommendation:
Date sent for Review	Date Approved	Date Issued	Expiration Date	License Number
___/___/___	___/___/___	___/___/___	___/___/___	

# Alcohol License Premises Amendment Request Form

CASH OR CHECK ONLY!



\*Please allow 4 weeks for application processing\*

### FEES ARE NON-REFUNDABLE

License Fee - \$10.00/event  
(CLCAGP)

Date Recv'd 7/25/24  
Total \$ 10  
Receipt #: 7177-4

## SECTION 1 - ESTABLISHMENT INFORMATION

Name of Establishment <u>Fox Cities Performing Arts Center</u>	Establishment Phone Number <u>920-730-3782</u>
Address of Establishment <u>400 W. College Ave, Appleton, WI 54911</u>	
Agent Name <u>Maria Van Loanen</u>	Agent Phone Number (Required)

## SECTION 2 - PREMISES AMENDMENT - *A drawing/diagram of the proposed area must be submitted with this application*

Is this Premises Amendment Permanent?  YES  NO

Please describe the change in premises: We will be using our loading dock and staff parking lot area to host our Annual Partner Cookout, a yearly stewardship event to engage with our donors.

If temporary, please specify the reason for the amendment: We are hosting an outdoor cookout event!

If temporary, please list the date(s) and time(s) that this premises amendment will be utilized: Wednesday, August 21st 3:00pm - 9:00pm?

## SECTION 3 - PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

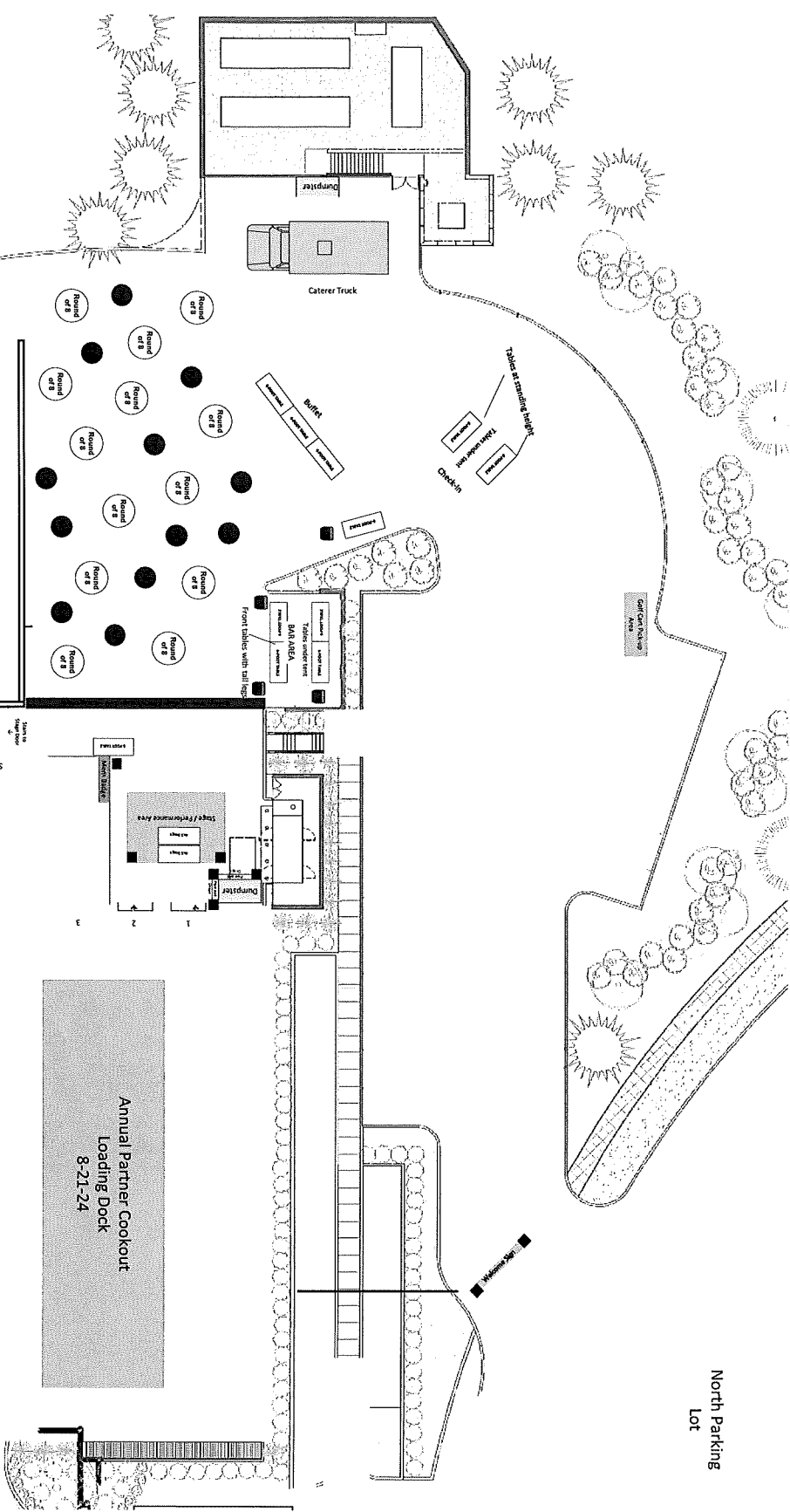
Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.

Signature of Applicant: Andrea Kuhlman Date: 7/23/2024

## FOR OFFICE USE ONLY

Department	Approve	Deny	Staff Member	Reason
Police				
Fire				
Health				
Community Development				
Inspections				
Finance				
Public Works				
Safety and Licensing Date:	Recommendation:		Common Council Date:	Recommendation:
Date sent for Review	Date Approved	Date Issued	Expiration Date	License Number
____/____/____	____/____/____	____/____/____	____/____/____	

North Parking Lot



# Official Order



## Office of the Mayor

**WHEREAS**, I have reviewed the Application for Temporary Class “B” / “Class B” Retailer’s License that was submitted with all applicable fees on July 25, 2024, by the Fox Cities Performing Arts Center, and

**WHEREAS**, I have consulted with the departments assigned with approval powers under the Municipal Code of the City of Appleton for this license and am aware that those departments support approval of this license, and

**WHEREAS**, the license applied for was approved by the committee of jurisdiction on August 14, 2024, but will begin to take place before the next meeting of the Common Council on August 21, 2024.

**NOW THEREFORE**, pursuant to the powers granted by Section 9-25 of the Municipal Code of the City of Appleton, I hereby order and direct the City Clerk to issue the Temporary Class “B” / “Class B” Retailer’s License to the Fox Cities Performing Arts Center effective only until this item is acted on by the Common Council on August 21, 2024.

Dated this 19th day of August 2024 at Appleton, Wisconsin.



A handwritten signature in blue ink, appearing to read "Jacob A. Woodford".

**JACOB A. WOODFORD**  
MAYOR OF APPLETON

# Alcohol License Premises Amendment Request Form

CASH OR CHECK ONLY!



\*Please allow 4 weeks for application processing\*

**FEES ARE NON-REFUNDABLE**

License Fee - \$10.00/event (CLCAGP)

Date Recv'd 7/25/24  
 Total \$ 10  
 Receipt #: 7177-4

**SECTION 1 – ESTABLISHMENT INFORMATION**

Name of Establishment <u>Fox Cities Performing Arts Center</u>	Establishment Phone Number <u>920-730-3782</u>
Address of Establishment <u>400 W. College Ave, Appleton, WI 54911</u>	
Agent Name <u>Maria Van Laanen</u>	Agent Phone Number (Required)

**SECTION 2 – PREMISES AMENDMENT** - *A drawing/diagram of the proposed area must be submitted with this application*

Is this Premises Amendment Permanent?  YES  NO

Please describe the change in premises: We will be using our "Thrivent Plaza" area on the corner of Washington and Division streets as a 'beer garden' area where guests can enjoy cocktails and cuisine from food trucks.

If temporary, please specify the reason for the amendment: We are hosting a new annual fundraiser event, "a la CARTE" and using the outdoor area of our Plaza.

If temporary, please list the date(s) and time(s) that this premises amendment will be utilized: Friday, October 4 4:00pm - 10:00pm

**SECTION 3 – PENALTY NOTICE**

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

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

Signature of Applicant: Andrea Kuhlou Date: 7/25/2024

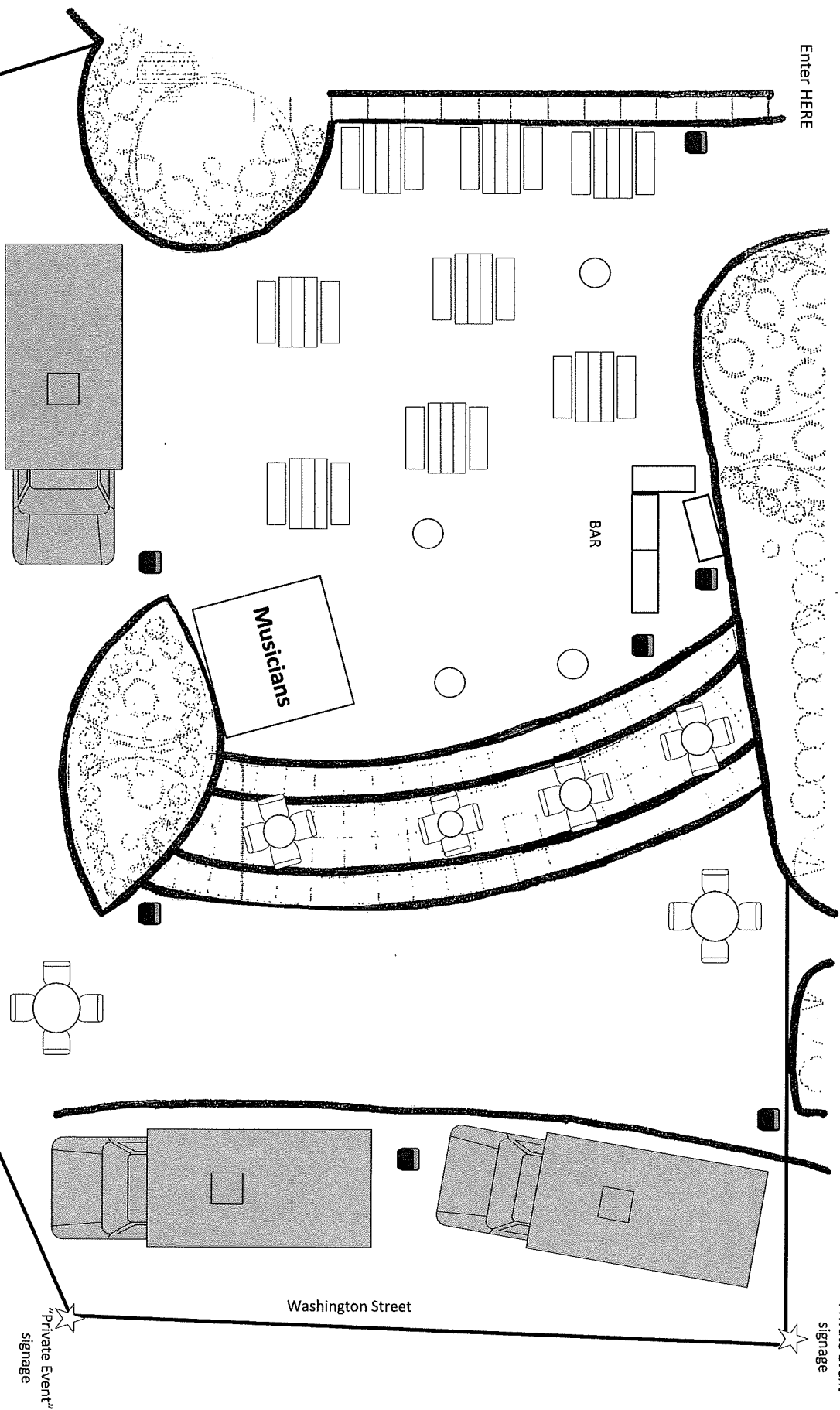
**FOR OFFICE USE ONLY**

Department	Approve	Deny	Staff Member	Reason
Police				
Fire				
Health				
Community Development				
Inspections				
Finance				
Public Works				
Safety and Licensing Date:	Recommendation:		Common Council Date:	Recommendation:
Date sent for Review	Date Approved	Date Issued	Expiration Date	License Number
___/___/___	___/___/___	___/___/___	___/___/___	



PATHS Doors Closed

Enter HERE



"Private Event" signage

Division Street

Musicians

BAR

Washington Street

"Private Event" signage

"Private Event" signage

"Private Event" signage

a la CARTE  
Thrivent Plaza  
10-4-2024



Form  
**AB-200**

## Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

**License(s) Requested:** (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_    
  Class "B" Beer ..... \$ 100  
 "Class A" Liquor ..... \$ \_\_\_\_\_    
 "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_    
  Reserve "Class B" Liquor \$ 10,560  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_    
Deposit \$50

Fees	
License Fees	\$ 10,600
Background Check Fee	\$ 7
Publication Fee	\$ 60
<b>Total Fees</b>	<b>\$ 10,667</b>

Part A: Premises/Business Information			
1. Legal Business Name (individual name if sole proprietorship) Rivera Restaurants LLC			
2. Business Trade Name or DBA Mr. Frogs on the Ave			
3. FEIN		4. Wisconsin Seller's Permit Number 456-1031439664-04	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization WI		7. Date of Organization 02/07/2023	8. Wisconsin DFI Registration Number R085474
9. Premises Address 409 W College Ave			
10. City Appleton		11. State WI	12. Zip Code 54911
13. County Outagamie	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>		15. Aldermanic District
16. Premises Phone (920) 277-1575		17. Premises Email vmalvaradol6@gmail.com	18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. Bar/tavern. Serving and consumption of alcohol inside and outside <sup>in enclosed</sup> <del>of</del> back of building. Alcohol will be stoed in coolers and large cooler in basement. <u>Approximately 2,600 sq ft.</u>			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

Part B: Questions		
1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list the details of violation below. Attach additional sheets if necessary.		
Law/Ordinance Violated OWI	Location Brown County	Trial Date 06/04/2009
Penalty Imposed Suspended DL		Was sentence completed? . . . . <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . .  Yes  No beverages.

If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . .  Yes  No  
If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Alvarado	Vanessa	Owner	

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Alvarado	First Name Vanessa	M.I. M
Title Owner	Email	Phone
Signature <i>Vanessa Alvarado</i>		Date 07/18/20

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 7/18/24	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	



# City of Appleton

## Alcohol License Questionnaire

1. Name of Applicant: Vanessa M Alvarado

2. Name of Business: Rivera Restaurants LLC DBA Mr. Frogs on the Ave

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) \_\_\_\_\_

3. Address of Business: 409 W College Ave, Appleton WI 54911

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes  No \_\_\_\_\_  
 AND/OR been convicted of a felony? Yes \_\_\_\_\_ No

If yes to either question, please explain in detail below:

OWI conviction in June of 2009  
 \_\_\_\_\_  
 \_\_\_\_\_

5. List all partners, shareholders or investors of your business. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

<u>Vanessa</u>	<u>M</u>	<u>Alvarado</u>	_____
First name	M.I.	Last name	Date of Birth
			/ /
_____	_____	_____	_____
First name	M.I.	Last name	Date of Birth
			/ /
_____	_____	_____	_____
First name	M.I.	Last name	Date of Birth
			/ /
_____	_____	_____	_____
First name	M.I.	Last name	Date of Birth

6. Name of person/corporation you are <sup>renting</sup> ~~buying~~ the premise and equipment from?

Name: Julia Morales  
 First name Middle Initial Last name

Address: 1625 Coolidge Ct Appleton WI 54915  
 City State ZIP

**7. What was the previous name and primary nature of the business operating at this location?**

Name: Mr. Frogs

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) \_\_\_\_\_

**8. Was this premise licensed for alcohol sales/consumption during the past license year?**

Yes  *If yes, please contact the Community and Economic Development Department at 832-6468 about obtaining a copy of an existing Special Use Permit and related requirements that may run with property.*

No \_\_\_\_\_ *If no, please contact the Community and Economic Development Department at 832-6468 about obtaining a Special Use Permit. A Special Use Permit may be required for your business activity prior to the issuance of a Liquor License, pursuant to the City of Appleton Zoning Ordinance.*

**9. If alcohol sales were a previous use in this building, when did the operation cease?**

1/31/24 months ago.

**10. Seating capacity:** Inside 120 Outside 80

**11. Operating hours (Inside the building):** Monday thru Sunday 11am to 2am  
**Operating hours (Outdoor seating areas):** Monday thru Sunday 11am to 2am

**12. Employees/Staff**

Number of floor personnel 5 Number of door checkers 2

**13. In general, state the size and operational details of the proposed establishment:**

- a. Gross floor building area of the premises to be licensed: 2,600 square feet.
- b. Gross outdoor seating areas of the premises to be licensed: 2,500 square feet.
- c. Below, identify the operational details of the proposed establishment:

This establishment is a bar/tavern. Bar will be open all week from 11am to 2am.

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Vanessa Alvarado  
Signature

7/18/2024  
Date

# Alcohol Beverage Appointment of Agent

Date
------

<b>Agent Type</b> <i>(check one)</i>	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) Rivera Restaurants LLC	
2. Business Trade Name or DBA Mr. Frogs on the Ave	
3. Entity Type <i>(check one)</i> <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization <i>(check one)</i> <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

<b>Part B: Agent Information</b>			
1. Last Name Alvarado	2. First Name Vanessa	3. M.I. M	
4. Email		5. Phone	
6. Home Address 4821 N Latitude Ln Unit C			
7. City Appleton	8. State WI	9. Zip Code 54913	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? . . . . . Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? . . . . . Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? . . . . . See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

*Continued* →

**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Alvarado		First Name Vanessa		M.I. M
Title Owner	Email		Phone	
Signature <i>Vanessa Alvarado</i>			Date 07/18/24	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Alvarado		First Name Vanessa		M.I. M
Signature <i>Vanessa Alvarado</i>			Date 07/18/20	

Form  
**AB-200**

## Alcohol Beverage License Application

For Municipal Use Only
Municipality
License Period

**License(s) Requested:** (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_
  Class "B" Beer ..... \$ 100  
 "Class A" Liquor ..... \$ \_\_\_\_\_
  "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_
  Reserve "Class B" Liquor \$ 10,500  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_
- Deposit \$50**

Fees	
License Fees	\$ <u>10,600</u>
Background Check Fee	\$ <u>7</u>
Publication Fee	\$ <u>60</u>
<b>Total Fees</b>	<b>\$ <u>10,667</u></b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <u>Carolina Gonzalez Ramirez</u>			
2. Business Trade Name or DBA <u>Gonzalez Mexican Grill LLC</u>			
3. FEIN		4. Wisconsin Seller's Permit Number <u>456-1031777483-04</u>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <u>Wisconsin</u>		7. Date of Organization <u>6/27/2024</u>	8. Wisconsin DFI Registration Number
9. Premises Address <u>2190 S Memorial Dr</u>			
10. City <u>Appleton</u>		11. State <u>WI</u>	12. Zip Code <u>54915</u>
13. County <u>Outagamie</u>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>		15. Aldermanic District
16. Premises Phone <u>920-963-1102</u>	17. Premises Email		18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <u>1324 sq. ft Restaurant, Bar, Patio, Kitchen, coolers and storage in the Basement.</u>			
20. Mailing Address (if different from premises address) <u>290 South Memorial Dr</u>			
21. City <u>Appleton</u>		22. State <u>WI</u>	23. Zip Code <u>54915</u>

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.  Yes  No

If yes, list the details of violation below. Attach additional sheets if necessary.

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

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . .  Yes  No beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
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5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No  
 6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No  
 7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Gonzalez Ramirez	Carolina	owner	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Gonzalez Ramirez	First Name Carolina	M.I.
Title Sole owner	Email	Phone

Signature Carolina Gonzalez Ramirez	Date 6/27/2024
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**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 7/16/24	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	





## City of Appleton Alcohol License Questionnaire

1. Name of Applicant: Carolina Gonzalez Ramirez

2. Name of Business: Gonzalez Mexican Grill LLC

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) \_\_\_\_\_

3. Address of Business: 2190 S Memorial Dr Appleton WI 54915

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes \_\_\_\_\_ No X

AND/OR been convicted of a felony? Yes \_\_\_\_\_ No X

If yes to either question, please explain in detail below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. List all partners, shareholders or investors of your business. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

<u>Carolina</u>		<u>Gonzalez Ramirez</u>	
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth / /

6. Name of person/corporation you are buying the premise and equipment from?

Name: Luis Santiago Hedezma  
 First name Middle Initial Last name

Address: \_\_\_\_\_  
 City State ZIP

7. What was the previous name and primary nature of the business operating at this location?

Name: El Sabor Mexican Grill

(Check Applicable Box(s) to identify primary business activity)

- Restaurant  
 Tavern/Night Club/Wine Bar  
 Microbrewery/Brewpub  
 Painting/Craft Studio  
 Other (describe) \_\_\_\_\_

8. Was this premise licensed for alcohol sales/consumption during the past license year?

Yes  If yes, please contact the Community and Economic Development Department at 832-6468 about obtaining a copy of an existing Special Use Permit and related requirements that may run with property.

No \_\_\_\_\_ If no, please contact the Community and Economic Development Department at 832-6468 about obtaining a Special Use Permit. A Special Use Permit may be required for your business activity prior to the issuance of a Liquor License, pursuant to the City of Appleton Zoning Ordinance.

9. If alcohol sales were a previous use in this building, when did the operation cease?

1 months ago.

10. Seating capacity: Inside 48 Outside 34

11. Operating hours (Inside the building): 11AM to 10 PM  
Operating hours (Outdoor seating areas): 11AM to 10 PM

12. Employees/Staff

Number of floor personnel 2 Number of door checkers 1

13. In general, state the size and operational details of the proposed establishment:

a. Gross floor building area of the premises to be licensed: 1,324 square feet.

b. Gross outdoor seating areas of the premises to be licensed: \_\_\_\_\_ square feet.

c. Below, identify the operational details of the proposed establishment:

The 1,324 in sq Ft include Resturant, Bar, Patio, Kitchen, Coolers and Storage in the basement.

Carolina Gonzalez  
Signature

07/10/24  
Date

# Alcohol Beverage Appointment of Agent

Date
------

<b>Agent Type</b> (check one)	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) <b>Gonzalez Mexican Grill LLC</b>	
2. Business Trade Name or DBA <b>Carolina Gonzalez Ramirez</b>	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

<b>Part B: Agent Information</b>			
1. Last Name <b>Gonzalez Ramirez</b>	2. First Name <b>Carolina</b>	3. M.I.	
4. Email		5. Phone	
6. Home Address <b>2425 N Skylark Dr</b>			
7. City <b>Appleton</b>	8. State <b>WI</b>	9. Zip Code <b>54914</b>	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →


**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name <b>Gonzalez Ramirez</b>		First Name <b>Carolina</b>	M.I.
Title <b>Owner</b>	Email	Phone	
Signature <b>Carolina Gonzalez</b>		Date <b>07/10/24</b>	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name <b>Gonzalez Ramirez</b>		First Name <b>Carolina</b>	M.I.
Signature 		Date <b>07/10/24</b>	

Form  
AB-200

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_      Class "B" Beer ..... \$ 100  
 "Class A" Liquor ..... \$ \_\_\_\_\_      "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_      Reserve "Class B" Liquor \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$ 100
Background Check Fee	\$ 7
Publication Fee	\$ 60
<b>Total Fees</b>	<b>\$ 167</b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <u>May's Kitchen</u>			
2. Business Trade Name or DBA <u>lilac enterprise llc</u>			
3. FFIN		4. Wisconsin Seller's Permit Number <u>456-1030187229-02</u>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <u>WI</u>		7. Date of Organization <u>10/18/2018</u>	8. Wisconsin DFI Registration Number <u>L063650</u>
9. Premises Address <u>1804 S. Lawe Street #204</u>			
10. City <u>Appleton</u>		11. State <u>WI</u>	12. Zip Code <u>54915</u>
13. County <u>Outagamie</u>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>		15. Aldermanic District
16. Premises Phone <u>(920) 939-6004</u>	17. Premises Email <u>lilacenterprise llc@gmail.com</u>		18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <u>Product store in back and Refrigerator up front. Sold up front to common share area. #see attached sheet</u>			
20. Mailing Address (if different from premises address) <u>1226 Appleton street</u>			
21. City <u>menasha</u>		22. State <u>WI</u>	23. Zip Code <u>54952</u>

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.      Yes      No

If yes, list the details of violation below. Attach additional sheets if necessary.

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

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . .  Yes  No  
 beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No  
 6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No  
 7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.


Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Vans	May	owner	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Vans	First Name May	M.I. N
Title owner	Email	Phone
Signature 		Date 7/26/24

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 7/31/24	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

Agent Type (check one)	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

**Part A: Business Information**

1. Legal Business Name (individual name if sole proprietor) <b>May's Kitchen Lilacenterprise LLC</b>	
2. Business Trade Name or DBA <b>May's Kitchen</b>	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

**Part B: Agent Information**

1. Last Name <b>Vang</b>	2. First Name <b>May</b>	3. M.I. <b>N</b>
4. Email		5. Phone
6. Home Address <b>1226 Appleton Street</b>		
7. City <b>Menasha</b>	8. State <b>WI</b>	9. Zip Code <b>54952</b>
10. Age	11. Drivers License/State ID Number	
12. Drivers License/State ID State of Issuance		

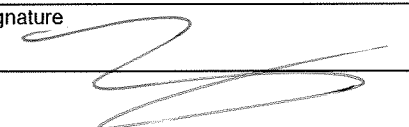
**Part C: Agent Questions**

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2. Have you completed Form AB-100, Alcohol Beverage Individual Questionnaire? Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Continued →

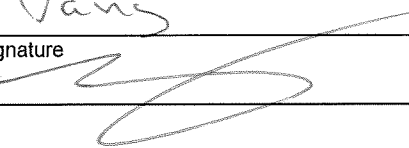
**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name <i>Vang</i>		First Name <i>May</i>	M.I. <i>N</i>
Title <i>owner</i>	Email	Phone	
Signature 		Date <i>7/26/24</i>	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name <i>Vang</i>		First Name <i>May</i>	M.I. <i>N</i>
Signature 		Date <i>7/26/24</i>	



**Cigarette, Tobacco, and Electronic Vaping  
Device Retail License Application**

FOR CLERKS ONLY	
Municipality	Appleton
License Period	24-25

Part A: Premises/Business Information			
1. Legal Business Name (individual name if sole proprietor) JALIYAN GAS LLC			
2. Business Trade Name or DBA Wisconsin Ace Rentals			
3. FEIN		4. Wisconsin Seller's Permit Number 456-1026871620-02	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation			
6. State of Organization Wisconsin		7. Date of Organization 1/19/2009	8. Wisconsin DFI Registration Number
9. Premises Address (do not use PO Box) 111 W. Wisconsin Ave Appleton WI 54911			
10. City Appleton		11. State WI	12. Zip Code 54911
13. County Outagamie	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Appleton		15. Aldermanic District
16. Mailing Address (if different from premises address)			
17. City Sarasota		18. State	19. Zip Code
20. Premises Phone		21. Premises Email	22. Website
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible. 2500 sq ft Retail store with gas station			

Part B: Questions	
1. What products will be sold at this business location? (check all that apply) <input checked="" type="checkbox"/> Cigarettes <input checked="" type="checkbox"/> Tobacco Products <input checked="" type="checkbox"/> Electronic Vaping Devices	
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine	
3. Is the applicant business owned by another business entity? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers. 3a. Name of Parent Company: _____ 3b. FEIN of Parent Company: _____	

**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
Pate /	Nilesh	owner	

**Part D: Attestation**

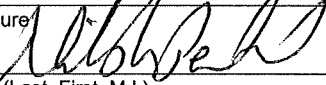
One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature 	Date 7/31/2024
Name (Last, First, M.I.) Nilesh Pate /	
Title owner	Email _____ Phone _____

**Part E: For Clerk Use Only**

Date application was filed with clerk 7/31/24	Date license issued	Date license expires	License number
License fees	Signature of Clerk/Deputy Clerk		

**Cigarette, Tobacco, and Electronic Vaping Device  
Appointment of Agent**

Date 7/31/2024

Agent Type (check one):  Original  Change

Part A: Agent Information		
1. Last Name <u>PATEL</u>	2. First Name <u>Nitesh</u>	3. M.I.
4. Email		Phone
6. Home Address <u>4705 W. Wisconsin Ave</u>		
7. City <u>Appleton</u>	8. State <u>WI</u>	9. Zip Code <u>54913</u>
10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance

Part B: Questions
1. Have you completed Form CTV-101, <i>Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire</i> ? Submit a completed Form CTV-101 with this form. .... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.

Part C: Business Information		
1. Legal Business Name (individual name if sole proprietor) <u>JALIXON-303 LLC</u>		
2. Business Trade Name or DBA <u>Wisconsin Ave Party</u>		
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
4. Premises Address <u>111 W Wisconsin Ave</u>		
5. City <u>Appleton</u>	6. State <u>WI</u>	7. Zip Code <u>54911</u>

Part D: Attestations	
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.	
Signature of Licensee (officer, member, or authorized signatory)	Date <u>7/31/24</u>
Name of Person Signing for Licensee <u>Nitesh Patel</u>	Title <u>7/31/24</u>
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Agent, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.	
Signature of Agent <u>Nitesh Patel</u>	Date <u>7/31/2024</u>

Form  
CTV-100

# Cigarette, Tobacco, and Electronic Vaping Device Retail License Application

FOR CLERKS ONLY	
Municipality	Appleton
License Period	24-25

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietor)			Swami LLC		
2. Business Trade Name or DBA			NORTHLAND AMOCO		
3. FEIN		4. Wisconsin Seller's Permit Number			
		HS6-1025478226-03			
5. Entity Type (check one)					
<input type="checkbox"/> Sole Proprietor		<input type="checkbox"/> Partnership		<input checked="" type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Corporation
6. State of Organization		7. Date of Organization		8. Wisconsin DFI Registration Number	
9. Premises Address (do not use PO Box)					
800 E NORTHLAND W R					
10. City			11. State	12. Zip Code	
Appleton			WI	54911	
13. County	14. Governing Municipality:	15. Aldermanic District			
OUTCAGAMI	of: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village				
16. Mailing Address (if different from premises address)					
A/S					
17. City			18. State	19. Zip Code	
20. Premises Phone		21. Premises Email		22. Website	
920 733 6414		Kb Patel @ yahoo.com			
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible.					
BUILDING. 1200 SP C. STORE & GAS STATION.					

### Part B: Questions

1. What products will be sold at this business location? (check all that apply)		
<input checked="" type="checkbox"/> Cigarettes	<input checked="" type="checkbox"/> Tobacco Products	<input checked="" type="checkbox"/> Electronic Vaping Devices
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply)		
<input checked="" type="checkbox"/> Over the counter	<input type="checkbox"/> Vending machine	
3. Is the applicant business owned by another business entity? ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers.		
3a. Name of Parent Company: _____		
3b. FEIN of Parent Company: _____		

S&L: 8/14/24  
CC: 8/21/24

**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
PATEL	KANU	owner	

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature <i>Kanu Patel</i>	Date <i>8-1-24</i>
Name (Last, First, M.I.) <i>PATEL KANU B</i>	
Title <i>owner</i>	Email 
Phone 	

**Part E: For Clerk Use Only**

Date application was filed with clerk <i>AUG 01 2024</i>	Date license issued 	Date license expires 	License number 
License fees 	Signature of Clerk/Deputy Clerk 		

Form  
CTV-102

# Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date  
AUG 01 2024

Agent Type (check one):  Original  Change

Part A: Agent Information		
1. Last Name PATEL	2. First Name KANU	3. M.I. B
4. Email	5. Phone	
6. Home Address 420 W Northland Ave		
7. City Appleton.	8. State WI	9. Zip Code 54911
10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance

Part B: Questions
1. Have you completed Form CTV-101, <i>Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire</i> ? Submit a completed Form CTV-101 with this form. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.

Part C: Business Information		
1. Legal Business Name (individual name if sole proprietor) Swami LLC		
2. Business Trade Name or DBA Northland Amoco		
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
4. Premises Address 800 E Northland Ave		
5. City Appleton.	6. State WI	7. Zip Code 54911

Part D: Attestations	
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.	
Signature of Licensee (officer, member, or authorized signatory) Kanu Patel	Date 8-1-24
Name of Person Signing for Licensee KANU. B. PATEL	Title OWNER
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Agent, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.	
Signature of Agent Kanu Patel	Date 8-1-24

Form  
CTV-100

# Cigarette, Tobacco, and Electronic Vaping Device Retail License Application

FOR CLERKS ONLY	
Municipality	Appleton
License Period	24-25

Part A: Premises/Business Information			
1. Legal Business Name (individual name if sole proprietor) Sai HUPG LLC			
2. Business Trade Name or DBA Richmond St - Cigo			
3. FEIN		4. Wisconsin Seller's Permit Number 456-1026948637-02	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation			
6. State of Organization Wisconsin		7. Date of Organization May 2009	8. Wisconsin DFI Registration Number
9. Premises Address (do not use PO Box) 1601 N. Richmond St			
10. City Appleton		11. State W.	12. Zip Code 54911
13. County Outagamie	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Appleton		15. Aldermanic District
16. Mailing Address (if different from premises address)			
17. City Same as above		18. State	19. Zip Code
20. Premises Phone	21. Premises Email		22. Website
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible. 2500-59 foot retail space. with gas pumps.			

Part B: Questions		
1. What products will be sold at this business location? (check all that apply) <input checked="" type="checkbox"/> Cigarettes <input checked="" type="checkbox"/> Tobacco Products <input checked="" type="checkbox"/> Electronic Vaping Devices		
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine		
3. Is the applicant business owned by another business entity? ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers. 3a. Name of Parent Company: _____ 3b. FEIN of Parent Company: _____		

Part C: Individual Information			
An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.			
List the full name, title, and phone number for each person below. Attach additional sheets if necessary.			
Last Name	First Name	Title	Phone
Patel	Nilesh	owner	
Patel	Mital		

Part D: Attestation	
One of the following must sign and attest to this application: • sole proprietor      • one general partner of a partnership      • one corporate officer      • one managing member of an LLC	
<b>READ CAREFULLY BEFORE SIGNING:</b>	
I understand and agree to the following:	
<ul style="list-style-type: none"> <li>I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.</li> <li>I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.</li> <li>I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<a href="https://witobaccocheck.org">https://witobaccocheck.org</a>).</li> <li>I will not sell single cigarettes.</li> <li>I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.</li> <li>I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.</li> <li>I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.</li> </ul>	
Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.	
Signature	Date
<i>Nilesh Patel</i>	7/31/24
Name (Last, First, M.I.)	
Nilesh Patel	
Title	
owner	

Part E: For Clerk Use Only			
Date application was filed with clerk	Date license issued	Date license expires	License number
AUG 01 2024			
License fees	Signature of Clerk/Deputy Clerk		



**Cigarette, Tobacco, and Electronic Vaping Device  
Appointment of Agent**

Date 8/1/24

Agent Type (check one):  Original  Change

Part A: Agent Information		
1. Last Name <u>Radel</u>	2. First Name <u>Nilesh</u>	3. M.I.
4. Email	5. Phone	
Home Address <u>4705 W. Prairie Song Lane</u>		
7. City <u>Appleton</u>	8. State <u>WI</u>	9. Zip Code <u>54913</u>
10. Date	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance

Part B: Questions
1. Have you completed Form CTV-101, <i>Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire</i> ? Submit a completed Form CTV-101 with this form. .... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.

Part C: Business Information		
1. Legal Business Name (individual name if sole proprietor) <u>Saikhupa LLC</u>		
2. Business Trade Name or DBA <u>Richmond St. Cites 2</u>		
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
4. Premises Address <u>1601 N. Richmond St</u>		
5. City <u>Appleton</u>	6. State <u>WI</u>	7. Zip Code <u>54911</u>

Part D: Attestations	
<p><b>READ CAREFULLY BEFORE SIGNING:</b> I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.</p>	
Signature of Licensee (officer, member, or authorized signatory) <u>Nilesh Radel</u>	Date <u>7/31/2024</u>
Name of Person Signing for Licensee <u>Nilesh Radel</u>	Title <u>Owner</u>
<p><b>READ CAREFULLY BEFORE SIGNING:</b> I, the Agent, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.</p>	
Signature of Agent	Date



# CITY OF APPLETON

## MEMORANDUM

**Date:** August 14, 2024  
**To:** City Plan Commission  
**From:** Lindsey Smith, Principal Planner  
**Subject:** Street discontinuance to vacate a portion of Sampson Street right-of-way

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## GENERAL INFORMATION

**Owner/Applicant:** City of Appleton / Tom Kromm, Department of Public Works

**Location:** Part of Sampson Street, located south of E. Winnebago Street

**Owner/Applicant's Request:** The applicant is requesting a street discontinuance to vacate a portion of Sampson Street right-of-way.

**Municipal Services Committee Meeting Date:** August 12, 2024

**Plan Commission Informal Public Hearing Date:** August 14, 2024

**Common Council Meeting Date – Initial Resolution:** August 21, 2024

**Common Council Meeting Date – Public Hearing (40-day waiting period):** October 2, 2024

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## BACKGROUND

A portion of the Sampson Street right-of-way is in Garfield Place Plat (1892) and 1<sup>st</sup> Ward Plat (1907) all according to the recorded 1907 Assessor's Plat. The right-of-way was dedicated when the City approved this Plat. This portion of Sampson Street right-of-way was never publicly improved with utilities and roadway.

In 2007, the City of Appleton initiated a street discontinuance to vacate a portion of Sampson Street right-of-way generally located between E. Winnebago Street and E. Atlantic Street. The subject area being considered was not vacated in 2007 due to an existing driveway in Sampson Street right-of-way for 937 E. Winnebago Street.

When right-of-way is vacated, it is given to those abutting lands where the right-of-way was originally dedicated. The City did not vacate the subject area in 2007 as the vacation would have created a portion of the driveway for 937 E. Winnebago to be owned by 925 E. Winnebago Street.

Recently, the property owners (Gibson) at 925 E. Winnebago Street have agreed to sell their portion (25 feet x 70 feet) of the vacated Sampson Street right-of-way to the property owners (Murphy) at 937 E. Winnebago Street. As this agreement is in place, this will allow 937 E. Winnebago Street to maintain their driveway with the vacated Sampson Street. Murphy has also expressed interest in building an accessory building in the vacated Sampson Street.

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## **STAFF ANALYSIS**

**Title to Vacated Street:** When vacated, the land reverts to its original source, which in this case includes the parcels located adjacent to the proposed vacation area. Consequently, title to the street segments being vacated would belong to the adjoining property owner. The owner (Murphy) of parcel #31-1-1290-00 would acquire a vacated part of Sampson right-of-way totaling approximately 1,750 square feet. The owner (Gibson) of parcel #31-1-1196-00 would acquire vacated part of Sampson Street right-of-way totaling approximately 1,750 square feet. As shown on the attached map, the adjoining property owner would acquire the vacated Sampson Street right-of-way of approximately 3,500 square feet. Per the attached agreement, Gibson intends to sell approximately 1,750 square feet to Murphy to maintain the existing driveway in Sampson Street right-of-way. It is anticipated that the vacated area would be combined with the surrounding parcel, as described above.

**Existing Public Utilities:** The City will not retain an easement for any existing utilities within the entire length and width of the vacated right-of-way. The easement release is captured in the attached Initial Resolution.

**Street Right-of-Way Width:** This portion of Sampson Street is approximately 50 feet wide.

**Street Classification:** The City's Arterial/Collector Plan Map identifies Sampson Street as a local street.

**Surrounding Zoning and Land Uses:** The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally residential and institutional in nature.

North: R-1C Central City Residential District. The adjacent land to the north is E. Winnebago Street.

South: R-1C Central City Residential District. The adjacent land uses to the south are single family residential.

East: R-1C Central City Residential District. The adjacent land use to the east is single family residential.

West: R-1C Central City Residential District. The adjacent land use to the west is single family residential.

**Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future Public/Institutional Use. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

*OBJECTIVE 6.8 Transportation:*

*Implement transportation improvements which also support the City's desired land use, housing and neighborhood goals, objectives, and policies.*

*POLICY 5.2.3 Encourage and facilitate renovate and redevelopment that preserves and enhances the viability existing housing and neighborhoods.*

**Technical Review Group (TRG) Report:** This item appeared on the July 23, 2024 TRG agenda. No negative comments were received from participating departments.

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## **FUTURE ACTION**

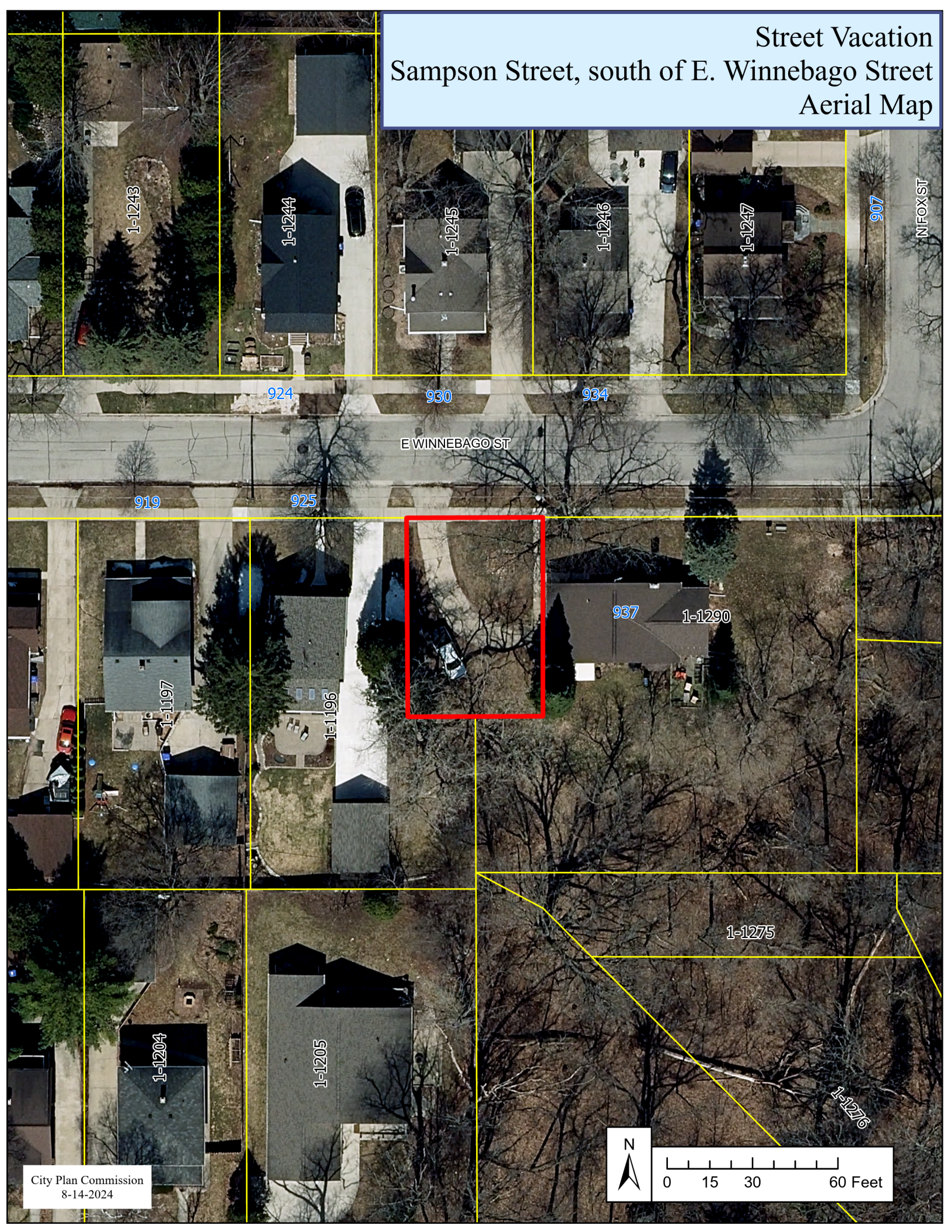
**Certified Survey Map:** The property owner at 937 E. Winnebago Street will be required to submit an application for Certified Survey Map (CSM) review pursuant to Division 4, Minor Land Division (CSM) of the City of Appleton Subdivision Code prior to any construction commencing or issuance of building permits within the vacated Sampson Street. Staff will review the CSM for conformance with the City's Municipal Code.

---

## **RECOMMENDATION**

Staff recommends the discontinuance of a portion of Sampson Street public right-of-way, as shown on the attached map and legal description, and the adoption of the Initial Resolution, **BE APPROVED**.

# Street Vacation Sampson Street, south of E. Winnebago Street Aerial Map



1-1243

1-1244

1-1245

1-1246

1-1247

907

N FOX ST

924

930

934

E WINNEBAGO ST

919

925

1-1197

1-1196

937

1-1290

1-1204

1-1205

1-1275

1-1276

**INITIAL RESOLUTION**

**WHEREAS**, the public interest requires that a portion of Sampson Street, south of East Winnebago Street, that has not previously been vacated, be vacated and discontinued,

**BE IT RESOLVED**, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of Sampson Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

**LEGAL DESCRIPTION**

*The North 70 feet of Sampson Street, bounded on the North by the South line of Winnebago Street, on the West by Block 79 of the 1st Ward Plat, and on the East by Block 77 of the 1st Ward Plat and also Lot 44 of the Garfield Place Plat, all according to the recorded Assessor's Plat of the City of Appleton, being located in the NW ¼ of Section 25, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin.*

See also attached Exhibit "A" for illustration.

**COMMON DESCRIPTION:**

Portion of Sampson Street, south of East Winnebago Street that has not previously been vacated

**FURTHER RESOLVED**, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

**FURTHER RESOLVED**, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said part of Sampson Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

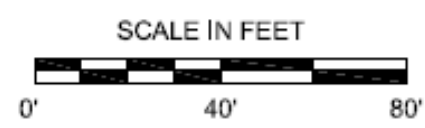
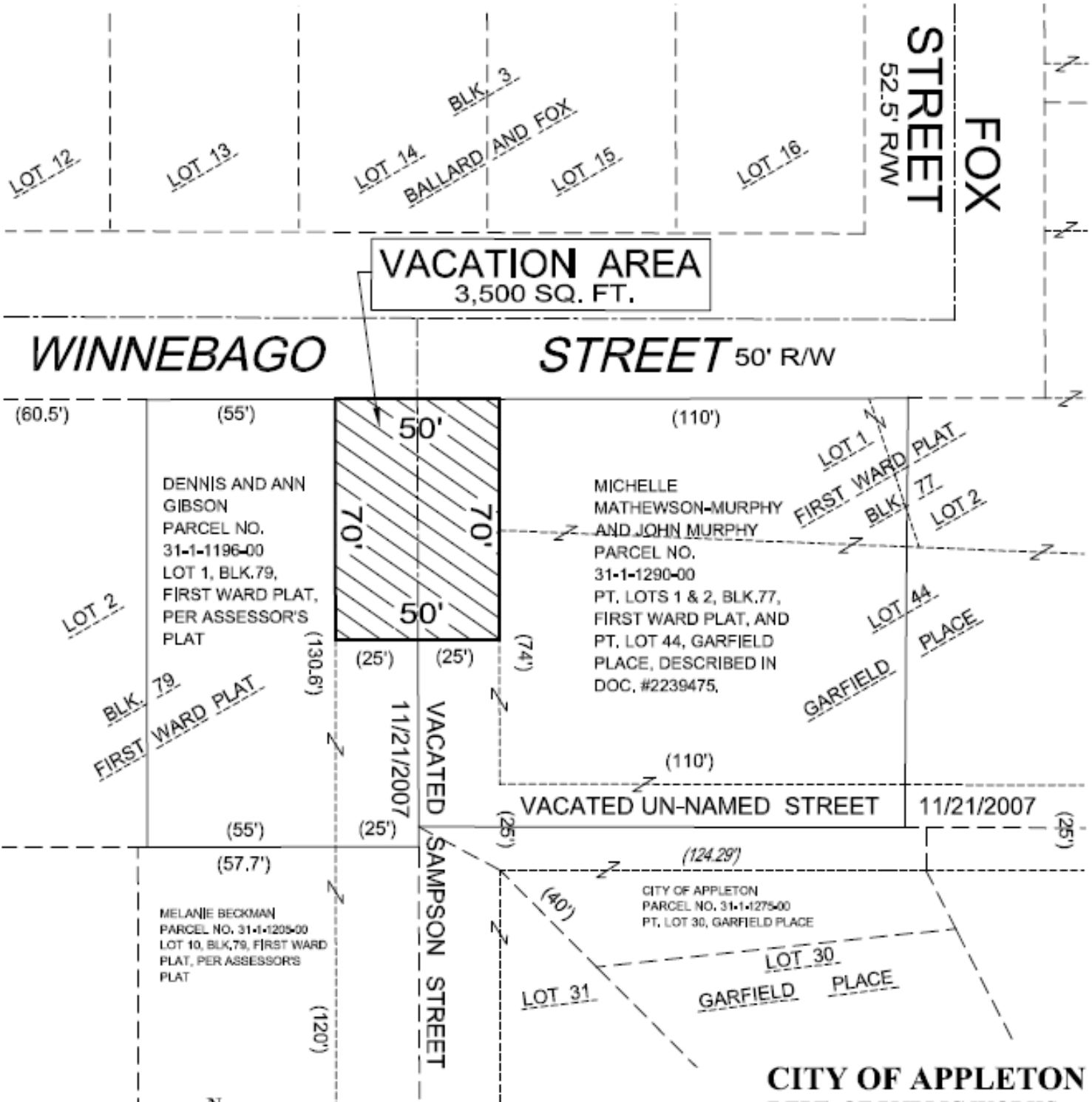
By: \_\_\_\_\_

Date: \_\_\_\_\_

# EXHIBIT "A"

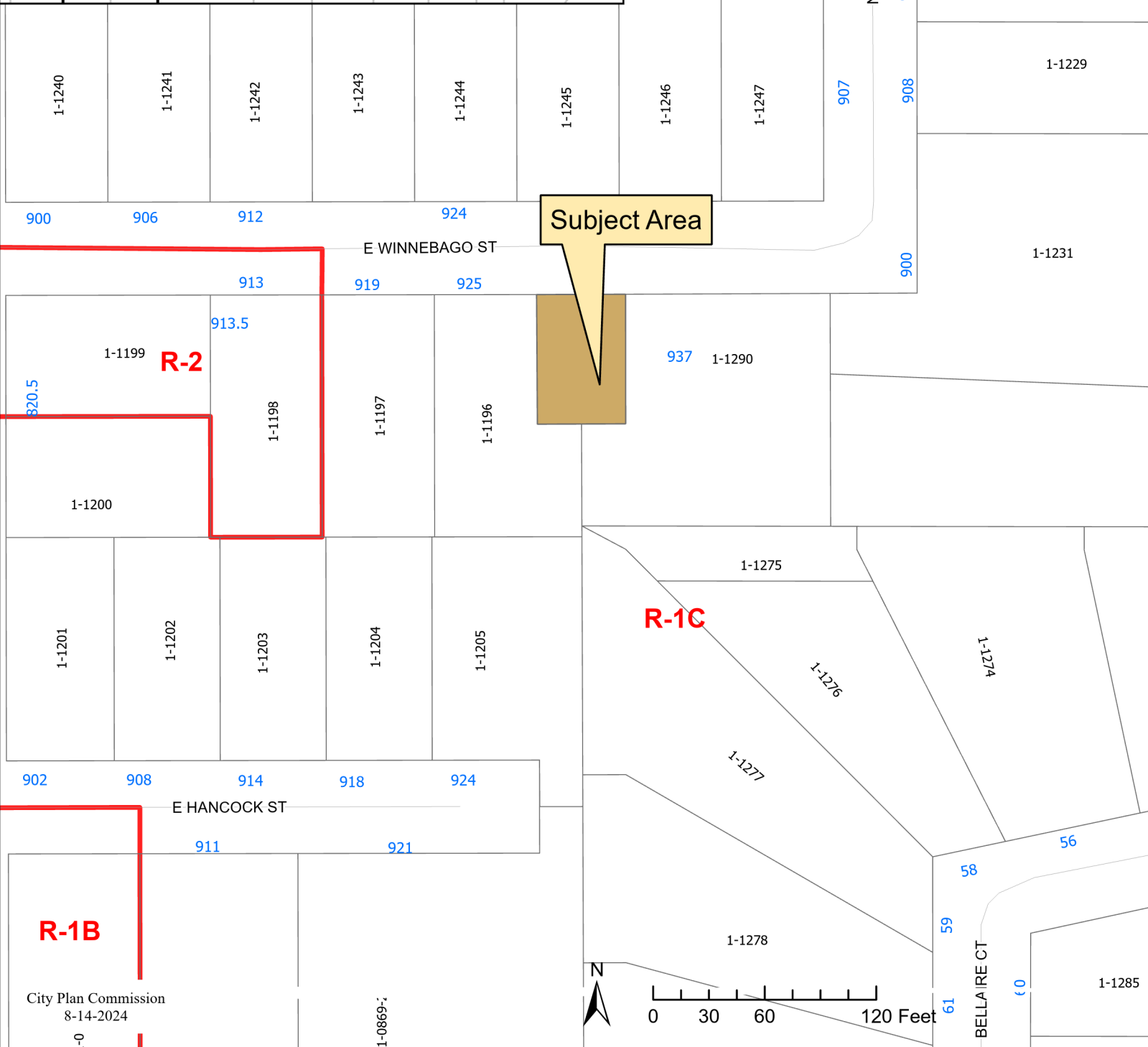
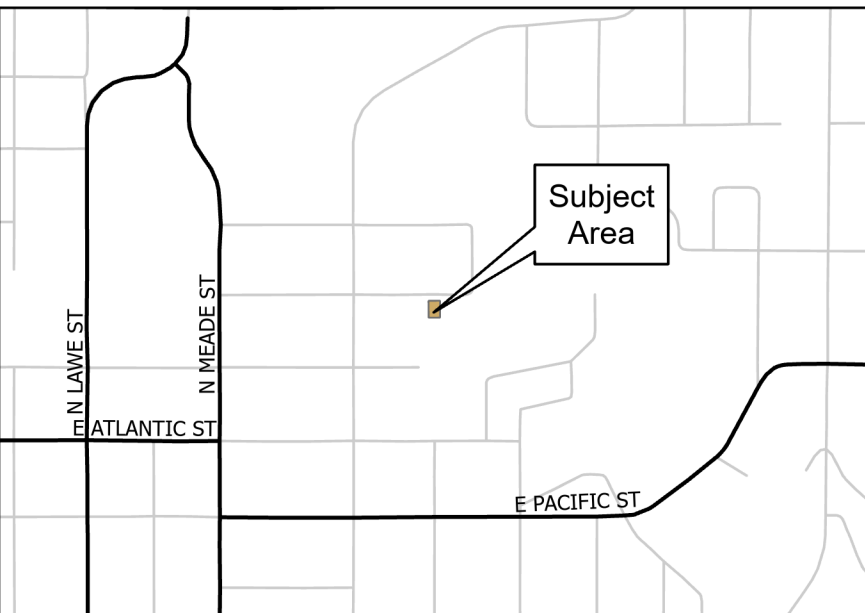
## SAMPSON STREET VACATION

The North 70 feet of Sampson Street, bounded on the North by the South line of Winnebago Street, on the West by Block 79 of the 1st Ward Plat, and on the East by Block 77 of the 1st Ward Plat and also Lot 44 of the Garfield Place Plat, all according to the recorded Assessor's Plat of the City of Appleton, being located in the NW ¼ of Section 25, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin.

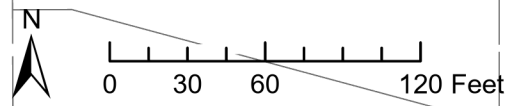


**CITY OF APPLETON**  
DEPT. OF PUBLIC WORKS  
ENGINEERING DIVISION  
100 NORTH APPLETON STREET  
APPLETON, WI 54911  
920-832-6474  
DRAFTED BY: T. KROMM  
Acad/Vacation/2024/Sampson\_0717\_2024

# Street Vacation Sampson Street, south of E. Winnebago Street



City Plan Commission  
8-14-2024





# AGREEMENT

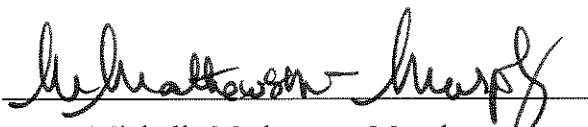
This is an Agreement dated July 8, 2024 between Mathewson-Murphy ET AL, Michelle Murphy, John P (“**Murphy**”) - owners of property (City of Appleton Tax Parcel #311129000) located at 937 E. Winnebago St., Appleton, WI, 54911 and Dennis L and Ann Gibson (“**Gibson**”) - owners of property (City of Appleton Tax Parcel #311119600) located at 925 E. Winnebago St., Appleton, WI, 54911.

This Agreement is in regard to a 70 ft. X 50 ft. section of property currently owned/managed by the City of Appleton that is located between the above two Parcels. This Parcel is shown on **Exhibit “A”** as **(1)**.

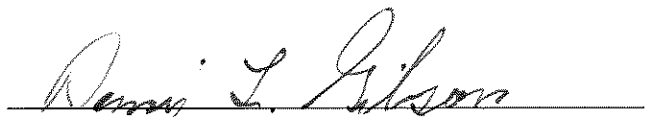
It is mutually agreed upon by both **Murphy** and **Gibson** that the 70 ft. X 50 ft. parcel owned by the City of Appleton shown on **Exhibit “A”** as **(1)** can be split equally between both parties, with one half being deeded to **Murphy** and one half being deeded to **Gibson**.

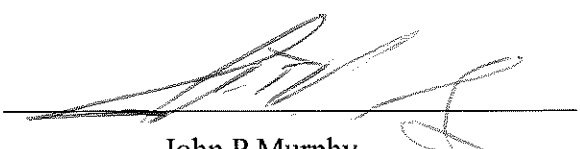
Upon completion of the deeding process, **Murphy** will purchase the **Gibson** 70 ft X 25 ft parcel and Gibson will provide a legally binding Bill of Sale relinquishing all rights of ownership to **Murphy**.

During this process, the Murphys will have full access and right of way to their property as they have had in the past.

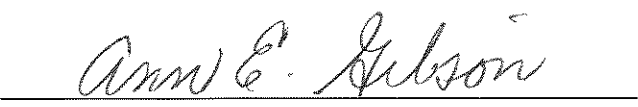
  
Michelle Mathewson-Murphy

Mathewson-Murphy ET AL, Michelle Murphy, John P

  
Dennis L Gibson

  
John P Murphy

Mathewson-Murphy ET AL, Michelle Murphy, John P

  
Ann E Gibson

**RECEIVED**

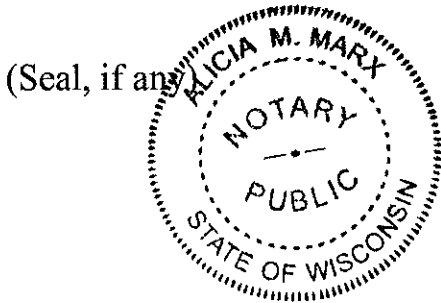
JUL - 9 2024

**CITY OF APPLETON**  
**COMMUNITY/ECON DEVELOPMENT**

State of Wisconsin

County of Outagamie

Signed before me on July 8, 2024 (date) by John P Murphy and Michelle Mathewson-Murphy and Dennis L Gibson and Ann E Gibson



Signature of notarial officer: Alicia M. Marx

My commission expires: 01/09/2027

1-1242

1-1243

1-1244

1-1245

1-1246

1-1247

1-1198

1-1197

1-1196

1-1290

1

Gibson, Dennis L  
Gibson, Ann

Parcel Number  
311119600

Mathewson-Murphy ET AL  
Michelle Murphy, John P

Parcel Number 311120000

GARFIELD  
PLACE

1-1275

MINNESOTA ST

FOY ST

BALLARD

60

38.57

48.57

102.58

1-1279

62.12

55

55

55

55

55

55

52.5

120

60

60.5

65

55

70

70

50

60



# CITY OF APPLETON

## MEMORANDUM

**Date:** August 14, 2024  
**To:** City Plan Commission  
**From:** Lindsey Smith, Principal Planner  
**Subject:** Disposition of Surplus Land (Parcel Number: 31-1-1275-00) per Wis. Stat. § 62.23(5)

---

## GENERAL INFORMATION

**Owner/Applicant:** City of Appleton / Lindsey Smith, Community Development Department

**Parcel Number/Location:** 31-1-1275-00, Land locked parcel between E. Winnebago Street and Bellaire Court

**Request:** The applicant is requesting to dispose of parcel number 31-1-1275-00.

**Plan Commission Meeting Date:** August 14, 2024

**Common Council Meeting Date:** August 21, 2024

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## BACKGROUND

Wis. Stat. § 62.23(5) states that the sale of land that was intended to be used as a public land shall be referred to the Plan Commission for its consideration and report before final action is taken by the Common Council.

The subject parcel is part of Lot 30 within Garfield Palace Plat of the 1907 Appleton Assessor Map.

In 2007, the City vacated the unnamed right-of-way and Sampson Street right-of-way. A portion of the vacated right-of-way was added to the subject parcel.

The City recently received an inquiry from an adjacent property owner about acquiring the subject parcel.

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## **STAFF ANALYSIS**

**Lot Area:** Approximately 3,586 square feet

**Zoning:** R-1C – Central City Residential District

**Street Frontage:** None

**Easements:** A utility easement is located on the northern 12.5 feet of the subject parcel.

**Other Relevant Information:** The subject parcel is located at the bottom of a ravine between E. Winnebago Street and Bellaire Court, approximately a 20+ foot elevation difference from the street elevation.

**Technical Review Group (TRG) Report:** This item appeared on the July 23, 2024 TRG agenda. No negative comments or objections were received from participating departments.

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## **FUTURE ACTION**

As the subject parcel is land locked, the Community Development Department will mail a notification to the property owners that are adjacent to the subject parcel. The notification will inform them about the disposition of surplus land and the process to acquire the subject parcel is interested.

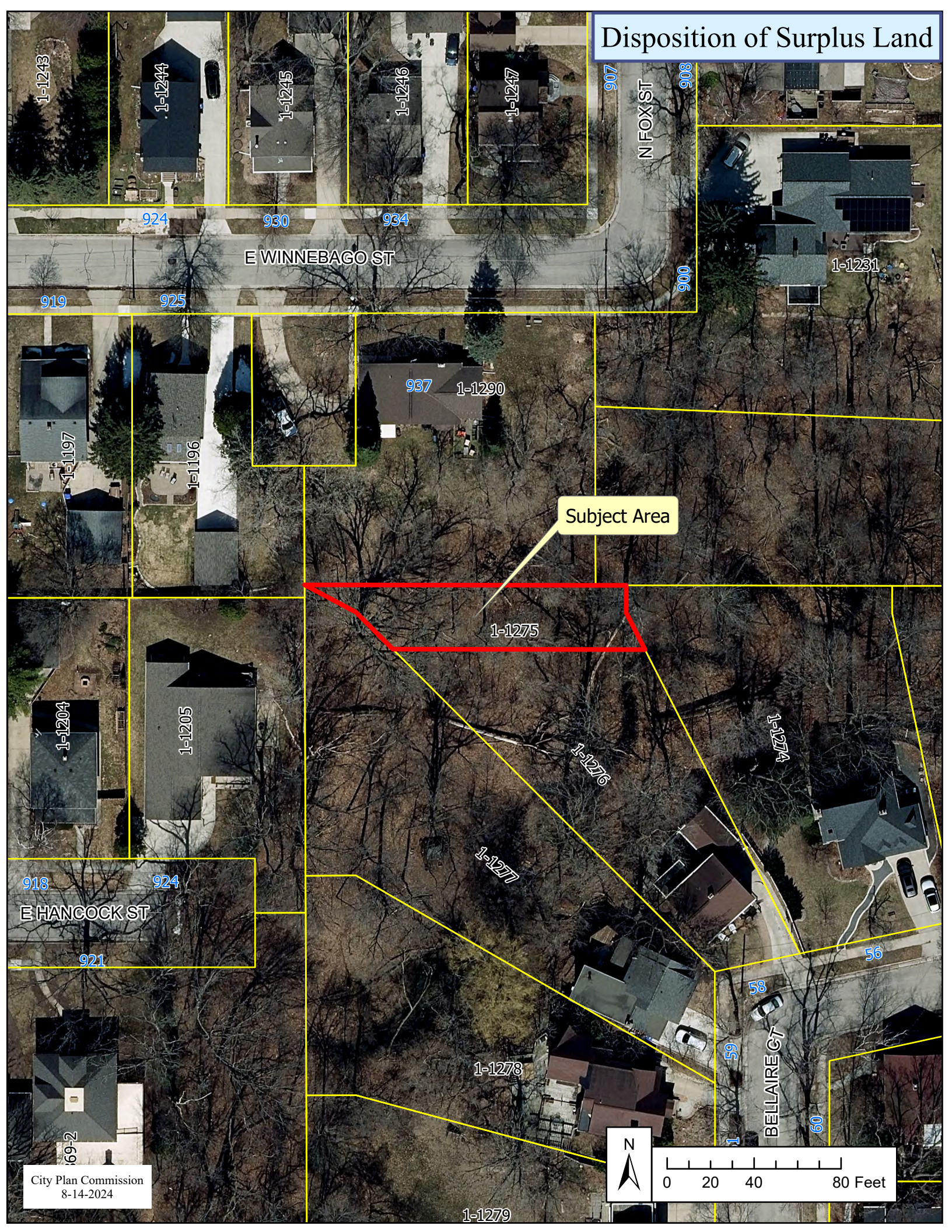
Legal Services will prepare a quit claim deed to the highest bidder.

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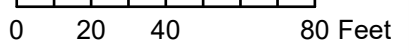
## **RECOMMENDATION**

In accordance with Wis. Stat. § 62.23(5), Staff recommends the disposition of parcel number 31-1-1275-00, surplus of public lands, as shown on the attached maps, **BE APPROVED**.

# Disposition of Surplus Land



Subject Area





# CITY OF APPLETON

Department of Parks & Recreation  
1819 East Witzke Blvd.  
Appleton, WI 54911  
p: 920-832-3919  
f: 920-993-3103  
www.appleton.org

TO: Parks and Recreation Committee  
FROM: Dean R. Gazza  
DATE: August 12, 2024  
RE: Action: Approve Use of Reid Golf Course Fund Balance for Updates to Toro Irrigation System and Software.

Reid Golf Course maintains a Toro Irrigation System which was installed in 2005. The irrigation system is controlled via a central computer and software program (SitePro) and 13 Toro Osmac Satellites which communicate to automatically turn sprinkler heads on and off for the desired duration.

Satellite communication components are being phased out and will need to be upgraded when parts are no longer available. Reinders has a promotion on G3 Osmac upgrade kits, purchase 3 kits receive 2 free kits. In addition, Toro is offering Lynx Software and new computer at 50% savings. Reid's irrigation computer is not city owned and is serviced through Toro NSN. SitePro is an antiquated software program which will not be updated when the new Windows Operating system comes out.

#### Quote for G3 Upgrade Kits for Osmac

Lynx Central Computer w/Apps	\$6,450.00
9 - G3 Osmac Upgrade Kits - \$1978.83 per	\$17,809.47
6 - G3 Osmac Upgrade Kits	Free
Programming Software and Training	\$2,000.00
Installation of G3 Osmac Kits	<u>\$1,200.00</u>
<b>Total</b>	<b>\$27,459.47</b>

We are requesting to purchase these unbudgeted items as a sole source purchase through Reinders and install this year. Projected 2024 revenues are on track to exceed budgeted projections. Attached is the approved sole source request.

Please contact me at 832-5572 or at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org) with any questions.



## SOLE SOURCE REQUEST

The undersigned certifies that the commodity/service shown below qualifies as a sole source request and meets one or more of the following requirements. The department has demonstrated, and the Purchasing Manager concurs that only one source exists, the price is equitable, and/or noncompetitive negotiation is in the best interests of the City.

- Unique, proprietary, or one-of-a-kind:** Specific commodity/service is required and available from only one source, giving the City a superior and necessary benefit that cannot be obtained from other sources.
- Inadequate competition:** Purchasing solicitation (bid, proposal, or quote) did not result in any qualified vendor responses and competition is determined to be inadequate.
- Health or Safety Concern:** When a health or safety concern exists that is *not* an immediate threat but needs to be addressed in a period that does not allow for formal competitive procurement procedures.
- Continuity of design:** Consistency with current commodity or service.
- Emergency procurement:** A risk of human suffering or substantial damage to real or personal property exists requiring immediate attention.
- Cooperative purchase:** Purchase from another governmental unit contract or state approved purchasing association.
- Other:** Description provided below

Significant cost savings to participate in current vendor program. With parts already becoming obsolete and required upgrades, proactive procurement saves time and money.

### PROPOSED DETAILS

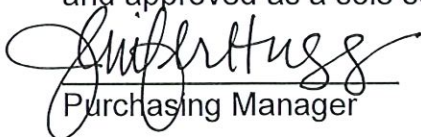
Requesting dept: Park & Recreation

Product/service: Toro Irrigation System – upgrade, computer, software, install, & training

Vendor name: Reinders

Total cost: \$27,459.47

Justification and price quotation provided by the department, for the items to be considered and approved as a sole source purchase attached for review.

  
Purchasing Manager

7/25/24  
Date





# CITY OF APPLETON

**Department of Parks & Recreation**

1819 East Witzke Blvd.

Appleton, WI 54911

p: 920-832-5905

f: 920-993-3103

[www.appletonparkandrec.org](http://www.appletonparkandrec.org)

TO: Parks & Recreation Committee

FROM: Dean Gazza

DATE: 8/12/2024

RE: Action: Approve Irish Fest of the Fox Cities to hold a ticketed private Special Event in Jones Park on September 13-14, 2024 for Irish Fest

The Jones Park Rental Policy requires permission from the Parks and Recreation Committee for any private Special Events in Jones Park.

Irish Fest of the Fox Cities is requesting to host a Special Event in Jones Park for the fourth year. Irish Fest is an Irish Musical, Dancing and Cultural Festival with an anticipated attendance of 3,000 people. Because Irish Fest is charging attendees a fee to attend the event, the Committee will need to give approval.

Irish Fest is aware of the rules and regulations of the park and agree to abide by them. Staff are also allowing Irish Fest to extend their music until 10:00pm and to have demonstration dogs. The Parks and Recreation Department supports their requests as their past events have had no problems or issues.



# CITY OF APPLETON

Department of Parks & Recreation

1819 East Witzke Blvd.

Appleton, WI 54911

p: 920-832-5905

f: 920-993-3103

[www.appletonparkandrec.org](http://www.appletonparkandrec.org)

**TO:** Parks and Recreation Committee

**FROM:** Dean Gazza

**DATE:** July 10, 2024

**RE:** Action Item: Request to obtain a raffle license for Parks & Recreation Mom Prom event

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Our recreation programming provides valuable opportunities for children to engage in physical activities, develop new skills, and build lasting friendships. Unfortunately, many families in our community face financial barriers that prevent their children from participating in these beneficial programs. Our fee waiver program aims to eliminate these barriers, ensuring that all children can partake in our activities. In the past 12 months, our department has observed a 150% increase in fee waiver applications. In 2024, we revised our Fee Waiver Policy to increase the annual amount allocated per child, ensuring it better aligns with the costs of our programs. Given the recent growth and increased demand for our fee waiver program, we anticipate the need to explore creative solutions to offset the associated costs with the fee waiver program.

Appleton Parks and Recreation is seeking the Committee's approval to apply for a raffle license to support our annual Mom Prom fundraiser event that is organized by Appleton Parks and Recreation. The purpose of this fundraiser is to raise funds for our fee waiver program, which enables children to participate in our recreation programming regardless of their financial status. Currently, the money raised comes solely from the registration fee and monetary donations for the event. During our 2024 Mom Prom event, we made \$8,000. We believe that hosting this fundraiser event with a raffle license will significantly increase our fundraising efforts allowing us to reach even more children in need. Your approval of the raffle license is vital for the success of this event and the continuation of our mission to provide accessible recreation programming to all children in our community.

The next Mom Prom event is scheduled for March 8, 2025, at the Paper Valley Hilton Hotel in Appleton. Local businesses generously donate products and services as prizes for the event. In the past, we provided free raffle tickets for these prizes. If we obtain a raffle license, we plan to sell tickets at a fixed price at the door to raise funds for our fee waiver program. The proceeds from the raffle will be allocated to Parks and Recreation: 16541.502000 Donations & Memorials. These funds will not only help cover costs associated with the fee waiver program but also significantly enhance our ability to reach more underprivileged youth in need of financial assistance, helping them develop relationships, social skills, and physical well-being through recreation programming.

Thank you for your continuous support in the fee waiver program and your consideration in obtaining a raffle license. Please feel free to contact me at 832-5572 with any questions or by email at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org)

**Resolution #8-R-24**  
**Resolution to Require a Super Majority Vote on Wheel Tax or Wheel  
Tax Related Fee Increases**

*Date:* Wednesday July 17<sup>th</sup>, 2024

*Submitted By:* Alderperson Christopher Croatt – District 14

*Referred To:* Finance Committee

**RESOLUTION SUMMARY**

Require a super majority vote (2/3) of the Common Council on any change to the City of Appleton wheel tax or wheel tax related fees proposed by the city or part of a resolution submitted by an Alderperson or Alderpersons.

**FULL RESOLUTION**

**Whereas** tax and fee increases can have a direct financial impact on the citizens of Appleton, and;

**And Whereas** tax and fee changes can have an impact on departmental budgets, capital projects, borrowing obligations, service levels, and operations, and;

**And Whereas** certain transactions such as transfer of funds, special use permits, and some other important financial impact votes require a super majority vote of the Common Council, and;

**And Whereas** important votes on tax and fee increases should be held to the same higher threshold for approval as other finance-based matters with the potential for direct financial implications to taxpaying citizens, now;

**Therefore, Be It Resolved** the City of Appleton requires a super majority vote defined as a 2/3 vote of the members of the Common Council on all wheel tax and wheel tax related fee changes, including increases and decreases.



# CITY OF APPLETON

## MEMORANDUM

**Date:** August 12, 2024  
**To:** Finance Committee  
**From:** Jay Ratchman, Director of Human Resources  
Olivia Galyon, Community Development Specialist  
**Subject:** ARPA Funds De-obligation and Re-obligation to Human Resources  
Strategic Planning Project

---

City staff are bringing forward a request to deobligate a portion of two existing ARPA allocations for projects that will not need their entire allocated budget and reallocate those available funds to a Human Resources Department project. Appleton Common Council approved funding for two American Rescue Plan Act (ARPA) projects, the Neighborhood Leadership Academy and Comprehensive Plan Update, on April 3, 2024, following a recommendation of approval from the Finance Committee. The Neighborhood Leadership Academy was originally allocated \$100,000, and the Comprehensive Plan Update was originally allocated \$400,000. These projects are each being carried out by the Community Development Department, which is contracting with professional services firms to provide the necessary services to implement these projects.

Following the release of an RFP for each project and firm interviews and proposal refinement, firms were recommended for selection, and Community Development Committee and Common Council approved the consultants and contract totals. SmithGroup was selected for the Comprehensive Plan Update for a total contract amount of \$375,000. NeighborWorks Green Bay was selected for the Neighborhood Leadership Academy proposal for a total contract amount of \$80,000. Both projects came in under their originally allocated amounts, providing the opportunity for de-obligation of the remaining \$25,000 from the Comp Plan project and \$20,000 from the Neighborhood Leadership Academy project. The total \$45,000 remaining from these projects is available to be re-obligated to the Human Resources Department for their Strategic Planning project. The Strategic Planning project has been reviewed for ARPA eligibility and approved by the City's consultants at Booth Management and Consulting.

The Strategic Planning project will serve as a context for City strategic decisions and actions for years to come. The project will include an organizational assessment, creation of a core mission and guiding principles, core values, and identification of top priorities based on customer data and feedback. The development of this internal strategic plan will be coordinated with the update of the City's external comprehensive plan update to ensure alignment of the internal and external plans. This project is vital for ensuring that the vision,

mission, guiding beliefs and core values are clearly identified and conveyed to employees and the community, and that City strategies and projects align to ultimately meet community needs of our citizens and visitors.

Staff have two recommendations for committee and council to enable the HR Strategic Planning ARPA project to proceed. First, staff recommend that committee de-obligate the remaining \$25,000 from the Comprehensive Plan project that will not be used, as well as \$20,000 from the Neighborhood Leadership Academy project. If approved, staff will make edits to the MOUs that obligated these funds. Second, staff recommend that committee approve the re-obligation of these funds to the HR Strategic Planning project for a total of \$45,000.



# CITY OF APPLETON

## MEMORANDUM

**Date:** 08/12/2024  
**To:** Finance Committee  
**From:** Pete Neuberger, Deputy Director of Public Works  
**Subject:** Request to Approve State/Municipal Financial Agreement for I-41/Ballard Interchange Project (2025 City Cost Share \$435,200).

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The Department of Public Works (DPW) is requesting authorization for the City of Appleton to enter into a State/Municipal Financial Agreement (SMFA) for the I-41/Ballard Interchange Project. The SMFA is attached.

- Per SMFA page 2, total project cost estimate is \$23.87 Million, including:
  - \$23.02 Million State/Federal funds
  - \$411,015 Outagamie County funds
  - \$435,200 City of Appleton funds
- Project bid letting is scheduled for October 2024.
- Start of construction is scheduled for spring of 2025.
- WisDOT intends to issue an SMFA update as needed based on actual bids received.
- WisDOT requests local partners enter into the SMFA at this time to allow for an orderly and efficient bidding and award process this fall.
- City Cost Share is included in DPW's 2025 CIP budget request.

Thank you for your consideration.



**ORIGINAL  
STATE/MUNICIPAL  
FINANCIAL AGREEMENT FOR  
A STATE – LET HIGHWAY  
PROJECT**

Date: 6/20/2024  
 ID: 1130-65-76 (Design: 1130-63-01)  
 Road Name: IH 41  
 Title: Appleton – De Pere  
 Limits: Ballard Road (CTH E) Interchange  
 County: Outagamie  
 Roadway Length: 0.51 Miles

The signatories City of Appleton and Outagamie County, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

**NEEDS AND ESTIMATE SUMMARY:**

**Existing Facility - Describe and give reason for request:**

The IH 41 Project corridor, which has four travel lanes – two in each direction – is congested and sees a higher rate of crashes than similarly configured freeways in Wisconsin. By federal standards, the project area has multiple roadway design deficiencies, and much of its pavement and several bridges are nearing the end of their useful lives and must be replaced.

Much of the original pavement in the corridor was built in the 1960s and has reached the end of its useful life, meaning further rehabilitations are no longer cost-effective. The project corridor also has narrow road shoulders, outdated ramp designs, and interchanges spaced too closely to one another – deficiencies that can contribute to safety and operational problems.

**Proposed Improvement – Nature of work:**

WisDOT identified the diverging diamond interchange as the preferred alternative for the County E interchange. At the County E interchange, the diverging diamond interchange (DDI) is the safest interchange option, has the best traffic operations, and has the support of the Municipality. Impacts between alternatives considered are not substantially different.

County E will be reconstructed, and bike lanes will be added from Capitol Drive to Evergreen Drive. Sidewalk and shared use paths impacted by reconstruction will be replaced. New storm sewer will be installed within the project limits. The existing structures carrying County E over IH 41 will be replaced with structures B-44-0324 and B-44-0325. Retaining walls R-44-0040 and R-44-0041 will be constructed. Sign structures S-44-0367, S-44-0369, S-44-0370, S-44-0371, S-44-0372, and S-44-0373 will be constructed. New traffic signals will be installed at the IH 41/County E ramp terminals. MUTCD compliant signing and pavement markings will be installed with the project

The trees in the Ballard Interchange median will be replaced with the project.

**Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:**

The core and west approach to the County E/ Capitol Drive intersection will be reconstructed to allow for the addition of an eastbound left turn lane (two total eastbound left turn lanes after reconstruction). Bike lanes will be constructed on both sides of the Capitol Drive. Sidewalk will be replaced on the north side of Capitol Drive. The limits of the reconstruction of Capitol Drive extend from the core of the County E/ Capitol Drive intersection to 250 ft west of Commerce Court.

Work along Capitol Drive and Ballard and Capitol Drive intersection core will also include storm sewer installation, erosion control, fertilizer/seed/mulch, permanent signing, traffic signals, pavement marking and temporary traffic

control.

Landscaping elements such as trees, bushes, and grass will be added to the medians and islands of the IH 41 and Ballard Road diverging diamond interchange (DDI).

City of Appleton Intelligent Transportation Systems (ITS) infrastructure will be added to the IH 41 and Ballard Road DDI

**SUMMARY OF COSTS**

Phase <sup>1</sup>	Total Est. Cost	Federal/State Funds	%	City of Appleton	%	County of Outagamie	%
<b>Design Engineering</b>	N/A	N/A	100%	\$0	0%	\$0	0%
<b>Real Estate Acquisition</b>	N/A	N/A	100%	\$0	0%	\$0	0%
<b>Municipal Utility Coordination:</b>	N/A	N/A	100%	\$0	0%	\$0	0%
<b>Construction <sup>2</sup>:</b>							
Category 1000 – Roadway	\$23,000,000.00	\$23,000,000.00	100%	\$0	0%	\$0	0%
Category 16XX – 100% Outagamie County Funded	\$15.00	\$0	0%	\$0	0%	\$15.00	100%
Category 18XX – 100% State Funded	\$1,000.00	\$1,000.00	100%	\$0	0%	\$0	0%
Category 20XX – B-44-0324			100%	\$0	0%	\$0	0%
Category 20XX – B-44-0325			100%	\$0	0%	\$0	0%
Category XXXX – Ballard and Capitol Intersection	\$618,000.00	\$0	0%	\$309,000.00	50%	\$309,000.00	50%
Category XXXX – Ballard Rd Interchange Landscaping (CSS)	\$200,000.00	\$0	0%	\$100,000.00	50%	\$100,000.00	50%
Category XXXX – Ballard Rd Tree Replacement (18 Trees)	\$20,000.00	\$16,000.00	80%	\$2,000.00	10%	\$2,000.00	10%
Category XXXX – City of Appleton ITS	\$24,000.00	\$0	0%	\$24,000.00	100%	\$0	0%
Category XXXX – City of Appleton Sanitary Manhole Adjustments	\$2,000.00	\$1,800.00	90%	\$200.00	10%	\$0	0%
<b>Subtotal</b>	\$23,865,015.00	\$23,017,800.00		\$435,200.00		\$411,015.00	
<b>Total Est. Cost Distribution</b>	\$23,865,015.00	\$23,017,800.00		\$435,200.00		\$411,015.00	

<sup>1</sup>. Costs shown are estimates only and may be updated as design progresses

<sup>2</sup>. Estimates include construction engineering, estimated at 15%.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages [3] – [7]); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State, upon fully executed signature of applicable State Municipal Maintenance Agreement and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived, or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.



Signed for and in behalf of the City of Appleton	
Name <small>(print)</small>	Title
Signature	Date
Signed for and in behalf of Outagamie County	
Name <small>(print)</small>	Title
Signature	Date
Signed for and in behalf of the State	
Name <small>(print)</small>	Title
Signature	Date

(please sign in blue ink)

**TERMS AND CONDITIONS:**

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality’s foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.
2. Funding of each project phase is subject to inclusion in an approved program and per the State’s Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
  - (a) Design engineering and state review services.
  - (b) Real Estate necessitated for the improvement.
  - (c) Compensable utility adjustment and railroad force work necessitated for the project.
  - (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.
  - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers, and inlet grates as needed.
  - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
  - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour

routes.

- (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
  - (i) Replacement of existing driveways, in kind, necessitated by the project.
  - (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
  - (k) WisDOT will replace the existing trees located in the median of the Ballard Road interchange
3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
- (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
  - (c) Roadway and bridge width in excess of standards.
  - (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.
  - (e) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.
  - (f) Parking lane costs.
  - (g) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance with state and federal regulations.
  - (h) Ballard and Capitol Intersection costs.
    - Compensable utility adjustment and railroad force work necessitated for the project.
    - The grading, base, pavement, curb and gutter, and structure costs to State standards
    - Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
    - Signing and pavement marking necessitated for the safe and efficient flow of traffic.
    - Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
    - Replacement of existing driveways, in kind, necessitated by the project.
    - New installations or alteration resulting from roadway construction of standard street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
  - (i) Ballard Road Interchange Landscaping (CSS)
  - (j) City of Appleton Intelligent Transportation System (ITS)

4. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State on behalf of the project.
6. The work will be administered by the State and may include items not eligible for federal/state participation.
7. The Municipality shall, in cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
8. Basis for local participation:

**Design Engineering, Real Estate Acquisition, Utility Coordination:**

The State will pay 100% of the cost for design engineering, real estate acquisition, and utility coordination.

Costs for design engineering, real estate acquisition, and utility coordination are shown as not applicable (N/A) in the summary of costs table due to the complexities of isolating individual Let Project costs from the Appleton-Green Bay corridor wide design ID (1130-63-01) and this information is not relevant to the municipal construction cost share.

**Construction ID: 1130-65-76**

The Project Agreement will be revised, if necessary, as the project progresses. All costs shown are approximate and subject to final audit.

**Category 1000 – Roadway Items**

The State will pay 100% of the construction costs under Category 1000 – Roadway Items unless otherwise noted.

**Category 16XX – Outagamie County**

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Item Number	Item Description	Units	Estimated Qty	Unit Price	Amount
305.0120	Base Aggregate Dense 1 ¼-Inch	TON	1	\$13	\$13.00

1130-65-76 Construction Total	\$13.00
15% Construction Engineering	\$2.00
1130-65-76 Project Total	\$15.00

**Category 18XX – 100% State Funded**

The State will pay 100% of the construction costs under Category 18XX – 100% State Funded Items unless otherwise noted.

**Category 20XX – B-44-0324**

The State will pay 100% of the construction costs under Category 20XX – B-44-0324 unless otherwise noted.

**Category 20XX – B-44-0325**

The State will pay 100% of the construction costs under Category 20XX – B-44-0325 unless otherwise noted.

**Category XXXX – Ballard and Capitol Intersection**

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

**Category XXXX - Ballard Rd Interchange Landscaping (CSS)**

In accordance with the Local Participation Policy Section 3-25-5 of the State’s Program Management Manual Wis. Stat. 85.0205 (1m) prevents the use of improvement funds on elements of a highway improvement project that are determined to be primarily related to the aesthetic preferences of communities adjacent to the improvement. These aesthetic preferences are commonly called community sensitive solutions (CSS) or community sensitive design (CSD).

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

**Category XXXX - Ballard Rd Tree Replacement**

In accordance with the Local Participation Policy Section 3-25-15 of the State’s Program Management Manual landscaping replacement in the median or terrace area that is approved by WisDOT is eligible for WisDOT participation.

Landscaping is 80 percent eligible for WisDOT participation when placement is in the right-of-way or when the municipality or WisDOT legally arranges for placement on private property in cases where there is insufficient space in the right-of-way.

Landscaping will be consistent with the adopted WisDOT standards (limited to trees and shrubs as appropriate), provided the municipality or property owner accepts responsibility for the maintenance of the landscaping items.

**Category XXXX - City of Appleton Intelligent Transportation System (ITS)**

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

**Category XXXX – City of Appleton Sanitary Manhole Adjustments**

Wisconsin State Statute 84.295 (4m) Municipal Utility Relocation; Freeway Construction

- (a) The state shall pay 90 percent of the eligible costs of the relocation or replacement of any municipal utility facilities required by the construction of any freeway undertaken by the department. The affected municipal utility shall pay the balance of such costs.

Item Number	Item Description	Units	Estimated Qty	Unit Price	Amount
SPV.0060	Special 1200. Adjusting Sanitary Manhole	EACH	1	\$1,739	\$1,739

1130-65-76 Construction Total	\$1,739
15% Construction Engineering	\$261
1130-65-76 Project Total	\$2,000
10% Municipal Participation	\$200

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.

**From:** [Debra Ebben](#)  
**To:** [Debra Ebben](#)  
**Subject:** FW: FY24 Bus Grant Award for Appleton - Congratulations!  
**Date:** Thursday, July 18, 2024 3:29:38 PM  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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**From:** Garg, Ajay (FTA) <[ajay.garg@dot.gov](mailto:ajay.garg@dot.gov)>  
**Sent:** Tuesday, July 9, 2024 10:53 AM  
**To:** Ronald C. McDonald <[Ronald.McDonald@Appleton.org](mailto:Ronald.McDonald@Appleton.org)>  
**Cc:** Brookins, Kelley (FTA) <[kelley.brookins@dot.gov](mailto:kelley.brookins@dot.gov)>  
**Subject:** FY24 Bus Grant Award for Appleton - Congratulations!

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Mr. McDonald,

Congratulations on your Award!

Today, FTA is announcing the grant awards for the FY24 Low and No Emission (Low-No) and Bus and Bus Facilities (Bus) grant programs.

Combined, the FY24 Low-No and Bus grants will provide nearly \$1.5 billion in competitive funding for 117 projects in 47 states, resulting in approximately 1,100 new buses on the nation's streets.

**I'm happy to say that your agency will receive \$12.0M for modernize of bus maintenance facility project.**

We are excited to help you deliver on this important endeavor, which will improve transit service for your community while creating American jobs.

**We would greatly appreciate it if you publicized this grant award on your social media channels!** This email includes materials to assist you, such as a sample press release, media advisory, and customizable social media graphics.

Please include #busmonth in any social media items and be sure to tag FTA. Our social media handles can be found [here](#).

For additional guidance, please visit FTA's [Social Media Toolkit](#) webpage. I can also connect you to FTA's public affairs office as needed.

*Feel free to mention elements of your award in your external press, such as the facility to be replaced, equity, air quality, workforce development, etc.*

*If applicable:* A particular focus this year is streamlining the procurements of buses funded through these awards, for example, by reducing customizations and using

standardized bus models as much as possible.

If you are considering holding an event in the coming weeks, please let us know. We would be happy to participate.

If you have any questions about how to complete your application in TrAMS, please do not hesitate to contact us.

Again, congratulations – this is a great day for investing in American infrastructure!

Regards,



**U.S. Department  
of Transportation  
Federal Transit  
Administration**

Ajay Garg  
Deputy Regional Administrator  
Region V  
200 West Adams, Suite 320  
Chicago, IL 60606  
T 312.353.2790  
E [ajay.garg@dot.gov](mailto:ajay.garg@dot.gov)



Attention: This message was sent from a source external to the City of Appleton. Please use caution when opening attachments or clicking links.

Attention: This message was sent from a source external to the City of Appleton. Please use caution when opening attachments or clicking links.



**U.S. Department of Transportation**

June 26, 2024

Congratulations! The project below was selected to receive an FY 2024 RAISE grant.

**Project Name:** Downtown Appleton Regional Transit Multimodal Hub

**Applicant:** Valley Transit

**State:** WI: Wisconsin

**RAISE Grant Award Amount:** \$25,000,000

**Estimated Total Project Costs:** \$26,800,000

**Project Description:** The project will reconstruct the Valley Transit Center with expanded passenger amenities, ADA features, and transit facilities, as well as improved transit operations. The project plans to build affordable housing units above the new transit center in a future phase of the project.

All grantees must execute a grant agreement with the USDOT. The FY 2024 grant agreement templates are available for preview and download through this [link](#). Grantees will receive a partially prepopulated draft from the RAISE Program Office within the next month, but are welcome to begin reviewing the template. The Department expects all RAISE funding to be obligated no later than September 30, 2028 and expended by September 30, 2033.

The USDOT Operating Administration (e.g. FAA, FHWA, FRA, MARAD, FTA) overseeing your project will contact you in the coming weeks regarding next steps to complete the relevant requirements before executing a grant agreement.

This letter does not authorize the applicant to incur costs to carry out the project. The execution of the grant agreement will obligate RAISE grant funding, making it available to reimburse eligible expenses for the awarded project. Unless authorized by USDOT in writing, any costs incurred prior to that obligation of funds for a project (i.e., "pre-award costs") are ineligible for reimbursement and may be ineligible to count towards non-Federal match requirements. This letter does not authorize pre-award costs to be eligible.

If you have any questions, please contact the RAISE Grants Team at [RAISEgrants@dot.gov](mailto:RAISEgrants@dot.gov)

Sincerely,

A handwritten signature in black ink that reads "John Augustine".

John Augustine  
Director, Office of Infrastructure Finance and Innovation  
Office of the Secretary





<b>Title:</b> Child Passenger Safety Program				
<b>Policy #:</b> N200				
<b>Creation Date:</b> 4.24.24		<b>Last Approved Date:</b>		Reviewed Annually
<b>Description:</b> Child Passenger Safety Program				
<b><u>PHAB Domain/ Standard/ Measure (LINK):</u></b> 4.1.2 A Participate Actively in Community Health Coalitions				
<b>Statutory Authority/ Evidence Base/ Links:</b> <a href="#">Child Safety Restraint Systems Section 347.48 Wisconsin Statutes</a>				
<b>Author(s)/ Reviewer(s):</b> Val Davis, Julie Erickson, Sonja Jensen, Katie Schink-Pawlowski				
<b>Policy Approval Tracking</b>				
<b>Created/ Reviewed/ Revised Date</b>	<b>Legal Services Approval Date</b>	<b>Board of Health Approval Date</b>	<b>Council Approval Date</b>	<b>Health Officer or Designee Signature (Name/Title)</b>
Created 4.24.24	6.5.24			

## Purpose

A Child Passenger Safety (CPS) program will ensure caregivers have access to a car seat/s for their children along with proper installation and education.

## Policy

Appleton Health Department will decrease childhood injuries by providing car seats to eligible families and by providing car seat checks with CPS education. Eligible families will meet the criteria as defined in Child Passenger Safety Program Procedure.



DEPARTMENT OF  
**PUBLIC  
HEALTH**

# Appleton Health Department Policies

## Definitions

Car seat-approved child passenger restraint system

CPS-Child Passenger Safety

## Attachments

Child Passenger Safety Program Procedure

Child Passenger Safety Appointment Scheduling Procedure

Child Passenger Safety Fitting Station Procedure



<b>Title:</b> Child Passenger Safety Program Procedure			
<b>Procedure #:</b> PRO_N201			
<b>Creation Date:</b> 5.20.24	<b>Last Approved Date:</b>		Reviewed Annually
<b>Description:</b> Procedure for the Child Passenger Safety Program			
<b><u>PHAB Domain/ Standard/ Measure (LINK):</u></b> 4.1.2 A Participate Actively in Community Health Coalitions			
<b>Statutory Authority/ Evidence Base/ Links:</b> <a href="#">Child Safety Restraint Systems Section 347.48 Wisconsin Statutes</a>			
<b>Author(s)/ Reviewer(s):</b> Val Davis, Julie Erickson, Sonja Jensen, Katie Schink-Pawlowski			
<b>Procedure Approval Tracking</b>			
<b>Created/ Reviewed/ Revised Date</b>	<b>Division Supervisor Signature</b>	<b>Department Medical Advisor (if required)</b>	<b>Health Officer or Designee Signature (Name/Title)</b>
Created 5/20/24			

## Purpose

A Child Passenger Safety (CPS) program will ensure caregivers have access to a car seat for their children along with proper installation and education.

## Procedure

### Referrals

- 1) Referrals can be made by Public Health staff, WIC, Community partners, or self-referral for families/individuals who need a car seat(s) or education on proper use of a car seat(s).
- 2) Incoming referrals are given to lead CPS tech to be assigned and recorded on spread sheet.



- 3) CPS tech will reach out to client to gather necessary information and schedule an appointment.

Information needed:

- Child's name
- Age
- Height
- Weight
- Car seat model and manufacturer
- Vehicle year, make and model

#### Voucher

- 4) Eligibility includes those who live in City of Appleton needing a car seat and who are on or qualify for Badger Care, meet WIC income guidelines, or have a child eligible for reduced school lunches.
- 5) Appointments can be scheduled with the caregiver to be held at a mutual agreeable time and location.

#### Installation

- 1) Install car seat per installation guidelines in accordance with the National Child Passenger Safety Certification Training Program.
- 2) Review the most up to date Car Seat Recall/Defects and Safety Notices.  
<https://www.saferidenews.com/resources/tools-for-cpsts/recalls/>
- 3) Complete Safe Kids Installation Checklist. Have caregiver sign and initial consent and release of liability on the form.
- 4) If family is receiving a car seat, have the caregiver complete the mandatory Recipient Survey Form, and sign the car seat voucher. CPS Tech should complete voucher form.

#### Record Retention

- 1) The completed Safe Kids Installation Checklist, car seat voucher, and Recipient Survey Form will be maintained for 7 years. Scan and upload forms into appropriate folder.
- 2) The City of Appleton Health Department will maintain proof of current Child Passenger Safety Technician Certification for any individuals installing car seats.

## Definitions

CPS Tech-Child Passenger Safety Technician

CPS Program-Child Passenger Safety Program

Voucher- Wisconsin Department of Transportation's Bureau of Transportation Safety (BOTS) grant funded car seat documentation form

WIC-Women, Infants and Children



DEPARTMENT OF  
**PUBLIC  
HEALTH**

## Appleton Health Department Procedures

### Attachments and References

The LATCH Manual (most recent version)

[National Child Passenger Safety Certification Training Program Technician Guide](#)

Voucher Form

Installation Checklist

Recipient Survey

Referral Tracking Document

[Car Seat Recall/Defects and Safety Notices](#)



<b>Title:</b> Child Passenger Safety Seat Appointment Scheduling			
<b>Procedure #:</b> PRO_N202			
<b>Creation Date:</b>	04.09.24	<b>Last Approved Date:</b>	Reviewed Annually
<b>Description:</b>	Procedure for Child Passenger Safety Seat Appointment Scheduling		
<b><u>PHAB Domain/ Standard/ Measure (LINK):</u></b>	4.1.2 A Participate Actively in Community Health Coalitions		
<b>Statutory Authority/ Evidence Base/ Links:</b>	<a href="#">Child Safety Restraint Systems Section 347.48 Wisconsin Statutes</a>		
<b>Author(s)/ Reviewer(s):</b>	Val Davis, Julie Erickson, Sonja Jensen, Katie Schink-Pawlowski		
<b>Procedure Approval Tracking</b>			
<b>Created/ Reviewed/ Revised Date</b>	<b>Division Supervisor Signature</b>	<b>Department Medical Advisor (if required)</b>	<b>Health Officer or Designee Signature (Name/Title)</b>
Created 04.09.24			

## Purpose

Procedure to ensure that appointment scheduling for child passenger safety seat installation and education appointments is an efficient and equitable process.

## Procedure

### Voucher Program

1. A client must meet the following criteria to qualify for free child passenger seat from City of Appleton
  - a. Appleton resident



DEPARTMENT OF  
**PUBLIC  
HEALTH**

# Appleton Health Department Procedures

- b. Income eligible (must qualify for WIC, Badger Care and/or free and reduced lunch)
2. If above criteria are met and client requests a car seat, schedule for next fitting station if opening available in Outlook Calendar titled 'Fitting Station'.
3. Time slots are marked off for the second Tuesday of the month, April-October from 1-5pm. The last appointment should be scheduled for 4:30pm.
4. Let client know the dates of upcoming fitting stations and available time slots.
  - a. For families having one seat installed, schedule one 30-minute time slot.
  - b. For families having two or more seats installed, schedule two consecutive 30-minute time slots.
  - c. Explain to client that education and installation of car seat will take 30-60 minutes.
  - d. Provide the location of the car seat fitting station:
    - i. Appleton Fire Department #5, 1701 W. Brewster St., Appleton, 54914.
  - e. Ask client to bring vehicle manual.
5. If the client expresses an urgent situation (i.e. pregnant and due before next fitting station), let them know a technician will call them to make alternate arrangements.
6. Notify a CPS Technician of situation so they can reach out to client.
7. Fill out referral form and save here J:\Nursing\Car Seat referrals and appts to Nursing: Car Seat Referrals and Appointments.
8. Fill out a car seat voucher for each child in need of seat. Please fill out as much information as possible (height, weight, birthdate, due date, vehicle year, make and model).
  - a. Note if client needs interpreter and which language.
  - b. If they are scheduled for fitting station, notify Lead CPS Technician via teams.
  - c. If they have an urgent need for an individual appointment, put in Lead CPS Technician's mailbox and send Teams message.

## Services for General Public

1. If a client already has a car seat but needs help installing it
  - Schedule these clients in the Outlook Calendar using the process above.
  - A voucher does not have to be filled out for these appointments.

## Definitions

Car seat-approved child passenger restraint system

CPS-Child Passenger Safety

BOTS – Bureau of Transportation Safety

Voucher – Wisconsin Bureau of Transportation Safety (BOTS) grant funded car seat documentation form

WIC – Women, Infants and Children



DEPARTMENT OF  
**PUBLIC  
HEALTH**

# Appleton Health Department Procedures

## Attachments

The LATCH Manual (most recent version)

[National Child Passenger Safety Certification Training Program Technician Guide](#)

Voucher Form

Installation Checklist

Recipient Survey

Referral Tracking Document

[Car Seat Recall/Defects and Safety Notices](#)





<b>Title:</b> Child Passenger Fitting Station			
<b>Procedure #:</b> PRO_N203			
<b>Creation Date:</b>	4.24.24	<b>Last Approved Date:</b>	Reviewed Annually
<b>Description:</b>	Procedure for Child Passenger Fitting Station		
<b><u>PHAB Domain/ Standard/ Measure (LINK):</u></b>	4.1.2 A Participate Actively in Community Health Coalitions		
<b>Statutory Authority/ Evidence Base/ Links:</b>	<a href="#">Child Safety Restraint Systems Section 347.48 Wisconsin Statutes</a>		
<b>Author(s)/ Reviewer(s):</b>	Val Davis, Julie Erickson, Sonja Jensen, Katie Schink-Pawlowski		
<b>Procedure Approval Tracking</b>			
<b>Created/ Reviewed/ Revised Date</b>	<b>Division Supervisor Signature</b>	<b>Department Medical Advisor (if required)</b>	<b>Health Officer or Designee Signature (Name/Title)</b>
Created 4.24.24			

## Purpose

A procedure for the Appleton Child Passenger Safety Fitting Station to ensure that the process is efficient and equitable for families who need child passenger safety seat installation and education.

## Procedure

### Scheduling

1. Schedule in Fitting Station Outlook Calendar, follow scheduling instructions.
2. Schedule interpreter service if needed for fitting station after appointment with client is scheduled.



DEPARTMENT OF  
**PUBLIC  
HEALTH**

# Appleton Health Department Procedures

## Day of Fitting Station

1. Print Excel spreadsheet for appointment schedule. This should have age, height, weight of child to determine what seats will be needed for car seat vouchers. Bring seats, if needed, to fire station. Update car seat inventory on spreadsheet.
2. Make sure you have copies of vouchers needed.
3. Have BOTS surveys if providing seats with voucher. One survey per seat given must be completed.
4. Try to use convertible seats for infants unless underlying circumstance. Convertible seats will last longer. Keep track of names of clients receiving seats so duplicate seats are not given to same client in the future.
5. Bring printed copy of Excel spreadsheet schedule.
6. Bring Safe Kids check in form for staff and volunteers to sign in and out.
7. All forms and supplies should be in bin located in storage closet at Fire Department #5.
8. Bring laptop to look up car seat manufacturer instructions if not available.

### At Fire Department

1. If garage door is closed go to front door of fire station located off Brewster St.
2. If equipment is in stall find firefighter to clear/move equipment.
3. Supplies are in storage closet (storage bins, forms, pool noodles, scale, doll, extra seats, etc.)
4. Have all staff and volunteers sign in and out on Safe Kids Check In form (Needed for Buckle Up Grant).
5. When registrants arrive for appointments record how many adults and children attend for each appointment on schedule.
6. For example, if 2 adults and 2 children come for one time slot, record 2A2C. If registrant is a no-show record NS. For a pregnant mom use 1A1C.
7. If one family comes for multiple time slots only record information next to one of their appointments.
8. This information is needed for the Buckle Up Report.
9. Complete a car seat checklist form for each vehicle at the fitting station using pencil.
10. Check form for completion and ensure the tech has written their tech number on the form when they have finished installing the seat(s).
11. If registrant has a voucher, have them complete and sign a BOTS survey for each seat provided. Also have them sign the voucher form.
12. Bring all completed forms and donations back to health department at the end of the evening or the following day.
13. Check supplies to see if anything is needed for next fitting station (forms, noodles, etc.)

### After Fitting Station

1. After returning to health department, look over forms, make sure everything is filled in and completed correctly. If any errors use a white out pen to make corrections.
2. Fill out 'Buckle Up' grant form for all completed check list forms.



3. If voucher was used, make a copy of car seat checklist form. Place copies, signed vouchers, and completed BOTS surveys in Lead CPS Technician's mailbox for filing.
4. Paperclip original car seat check list forms and place in Lead CPS Technician's mailbox for filing.
5. Place completed registration cards for car seats in outgoing mail slot.
6. If any donations were received, write amount, and date on note and give to Administrative Assistant.

## Definitions

Car seat-approved child passenger restraint system

CPS-Child Passenger Safety

BOTS – Bureau of Transportation Safety

Voucher – Wisconsin Bureau of Transportation Safety (BOTS) grant funded car seat documentation form

## Attachments

The LATCH Manual (most recent version)

[National Child Passenger Safety Certification Training Program Technician Guide](#)

Voucher Form

Installation Checklist

Recipient Survey

Referral Tracking Document

[Car Seat Recall/Defects and Safety Notices](#)

# Appleton Health Department Child Passenger Safety Checklist

Use blue, black, or #2 pencil and for mistakes use Wite-out correction tape.  
**Only submit original forms; copies will not be accepted.**

Fill in boxes, from left to right one letter/number per box 

1	2	3	A	B	C
---	---	---	---	---	---

 Fill in circles like this ●

Caregiver First Name (Person Receiving Education)

Caregiver Last Name

Are you a citizen of the European Union (EU)?  YES  NO

Address (Optional)

City  State  Zip

Phone  -  -

Email Address

Vehicle Make/Mfg. (e.g. Chevy, Buick)

Vehicle Model (e.g. Malibu, Enclave)

Vehicle Year

PLEASE READ THE FOLLOWING CAREFULLY! THIS WAIVER AFFECTS YOUR LEGAL RIGHTS. IF THERE IS ANYTHING IN THIS WAIVER THAT YOU DO NOT UNDERSTAND OR IF YOU OBJECT TO ANY PROVISION CONTAINED IN THE WAIVER, SEEK ADVICE FROM YOUR LEGAL COUNSEL. REQUESTS FOR MODIFICATIONS MAY BE DIRECTED TO THE CITY ATTORNEY'S OFFICE AT (920) 832-6423. For good and valuable consideration, including car seat inspection and educational services provided at no cost to caregivers by City of Appleton staff in order to reduce the occurrences of improper child safety seat installations, caregiver agrees on behalf of caregiver and caregiver's heirs, assigns and the like, to hold harmless, indemnify, and defend the City of Appleton and its officers, officials, employees and agents from and against any and all liability, loss, damage, expenses, costs (including attorney fees) arising in any way out of the car seat inspection or educational services provided including, but not limited to, any acts or omissions to act which the caregiver may commit.

Caregiver signature \_\_\_\_\_ Today's Date  /  /  20

Month Day Year

### TECHNICIAN - ALL QUESTIONS BELOW REFER TO YOUR STATE LAW

**CHILD NUMBER ONE - COMMENT BOX ON BACK**

Child Present  Yes  No  Unborn

Child with Special Transport Needs?  Yes  No

Child's age  0 - 12 Months  13 - 23 Months   Years (write whole number only 2,3,4...)

Height/inches   Weight/lbs

Child Initials   Child First Name (Optional)

**ON ARRIVAL**

**1. Child/CSS location in vehicle**

front row  Other seating location Explain:

back  3rd row

**2. CSS installed using (select all that apply)**

No CSS (Mark - Go to #18)  Integrated Seat (Mark - Go to #7)

Uninstalled (i.e in box)  Unrestrained (Mark - Go to #18)

Seatbelt  Tether  Lower anchors

**3. Restraint type:**

RF only w/o base  RF only w/ base

Base only  RF convertible

FF w/ harness  BP Booster

Lap/Shoulder (Mark -Go to #17)  Lap only (Mark - Go to #17)

Special Needs  Vest

**4. CSS MFG:**

Baby Trend  Britax

Chicco  UPPAbaby

Diono  Graco

Nuna  Clek

Recaro  Peg Perego

Evenflo  Bubble Bum

Dorel (Cosco, Eddie Bauer, Safety 1st, Maxi Cosi)

Other

**5. Model Number**

**6. MFG Date (MM/DD/YYYY)**  /  /

**FINDINGS** Yes No N/A

**7. CSS history known**

**8. CSS involved in a crash**

**9. CSS labels missing**

**10. CSS expired**

**11. CSS recalled**

**BASED ON LAW**

**12. CSS correct direction**

**13. CSS harness correct**

**14. Recline angle correct**

**15. Lower anchors correct**

**16. Tether correct**

**17. Seatbelt correct**

**ON DEPARTURE**

**18. Child/CSS location in vehicle**

front row  Other seating location Explain:

back  3rd row

**19. Child/CSS installed using (select all that apply)**

No CSS  Integrated Seat (Mark - Go to 25)

Uninstalled  Seatbelt  Tether  Lower anchors

**20. Coalition provided a new CSS?**  Yes  No

**21. Restraint type:**

RF only w/o base  RF only w/ base

Base only  RF convertible

FF w/ harness  BP Booster

Lap/Shoulder  Lap only

Special Needs  Vest

**22. CSS MFG:**

Same as 4,5,6 (Mark - Go to 25)

Baby Trend  Britax

Chicco  UPPAbaby

Diono  Graco

Nuna  Clek

Recaro  Peg Perego

Evenflo  Bubble Bum

Dorel (Cosco, Eddie Bauer, Safety 1st, Maxi Cosi)

Other

**23. Model Number:**

**24. MFG Date (MM/DD/YYYY):**  /  /

**BASED ON STATE LAW**

**25. Child / CSS Correct**  Yes  No

**26. CSS/Vehicle Compatible**  Yes  No

**27. Education Materials Given**  Yes  No

**28. Discussed Unattended Children In & Around Cars**  Yes  No

**29. Next Steps Discussed**  Yes  No

**CAREGIVER SIGN OFF:**

**30. I harnessed child/doll in CSS**  Yes  No  N/A

**31. I participated/installed CSS**  Yes  No  N/A

**32. My Ethnicity (VOLUNTARY)**

Black or African American

White  Hispanic  Asian

Native Hawaiian/Other Pacific Islander

American Indian/Alaska Native

Other

**33. I can install my car seat on my own**

Yes  Maybe  No

Initials   Donation \$

Tech Last Name   Tech Worked alone

Tech Number

**COALITION #**

Tech Last Name   Senior Checker

Tech Number

CPS Class  Inspection Station

Partner #

Child Present  Yes  No  Unborn

**CHILD NUMBER TWO - COMMENT BOX BELOW**

Child with Special Transport Needs?  Yes  No

Child's age  0 - 12 Months

Height/inches

Weight/lbs

Child Initials

Child First Name (Optional)

13 - 23 Months

Years  
(write whole number only 2,3,4...)

**ON ARRIVAL**

**1. Child/CSS location in vehicle**

front row  Other seating location  
 back  3rd row  
Explain:

**2. CSS installed using (select all that apply)**

No CSS (Mark - Go to #18)  
 Uninstalled  Integrated Seat (Mark - Go to #7)  
 Seatbelt  Unrestrained (Mark - Go to #18)  
 Tether  Lower anchors

**3. Restraint type:**

RF only w/o base  RF only w/ base  
 Base only  RF convertible  
 FF w/ harness  BP Booster  
 Lap/Shoulder (Mark -Go to #17)  Lap only (Mark - Go to #17)  
 Special Needs  Vest

**4. CSS MFG:**

Baby Trend  Britax  
 Chicco  UPPAbaby  
 Diono  Graco  
 Nuna  Clek  
 Recaro  Peg Perego  
 Evenflo  Bubble Bum  
 Dorel (Cosco, Eddie Bauer, Safety 1st,Maxi Cosi)  
 Other

**5. Model Number**

**6. MFG Date (MM/DD/YYYY)**

/  /

**FINDINGS**

Yes No N/A

**7. CSS history known**

**8. CSS involved in a crash**

**9. CSS labels missing**

**10. CSS expired**

**11. CSS recalled**

**BASED ON LAW**  
**12. CSS correct direction**     
**13. CSS harness correct**

**14. Recline angle correct**

**15. Lower anchors correct**

**16. Tether correct**

**17. Seatbelt correct**

**ON DEPARTURE**

**18. Child/CSS location in vehicle**

front row  Other seating location  
 back  3rd row  
Explain:

**19. CSS installed using (select all that apply)**

No CSS  Integrated Seat (Mark - Go to 25)  
 Uninstalled  Seatbelt  
 Tether  Lower anchors

**20. Coalition provided a new CSS?**  Yes  No

**21. Restraint type:**

RF only w/o base  RF only w/ base  
 Base only  RF convertible  
 FF w/ harness  BP Booster  
 Lap/Shoulder  Lap only  
 Special Needs  Vest

**22. CSS MFG:**

Same as 4,5,6 (Mark - Go to 25)  
 Baby Trend  Britax  
 Chicco  UPPAbaby  
 Diono  Graco  
 Nuna  Clek  
 Recaro  Peg Perego  
 Evenflo  Bubble Bum  
 Dorel (Cosco, Eddie Bauer, Safety 1st,Maxi Cosi)  
 Other

**23. Model Number:**

**24. MFG Date (MM/DD/YYYY):**

/  /

**BASED ON STATE LAW**

**25. Child / CSS Correct**  Yes  No

**26. CSS/Vehicle Compatible**  Yes  No

**27. Education Materials Given**  Yes  No

**28. Discussed Unattended Children In & Around Cars**  Yes  No

**29. Next Steps Discussed**  Yes  No

**CAREGIVER SIGN OFF:**

Yes  No  N/A  
**30. I harnessed child/doll in CSS**     
**31. I participated/installed CSS**     
**33. I can install my car seat on my own**  
 Yes  Maybe  No

Initials   Donation \$

**Child# 2 - Comments**

Tech Last Name  Tech Worked alone

Tech Number

Tech Last Name  Senior Checker

Tech Number

**Child# 1 - Comments**

**QUICK REFERENCE: KNOW YOUR STATE LAWS**

**Direction:** All infants and toddlers should ride in a rear-facing CSS for as long as possible, until they reach the highest weight or height allowed by their CSS manufacturer. Most convertible seats have limits that will permit children to ride rear-facing for 2 years or more. (AAP updated August 2018).

**Location**

**All children under age 13 should ride in a back seat.** If a child must ride in the front seat, then the child with a full harness CSS or properly adjusted shoulder belt, seated in the correct forward facing and upright position, should sit there. Move the vehicle seat as far back from the airbag as possible. For older children sitting in safety belts next to side airbags, remind them to sit straight up and avoid resting their heads on a window or structural pillar of the vehicle.

**Harness - Know Your State Law**

Rear-facing CSS harness straps should pass through the slots at or below the child's shoulders. The forward facing CSS harness straps should pass through the slots at or above the child's shoulders. Read CSS instructions. Use all CSS until the upper height or weight limits are met. A child is too large for the CSS when the shoulders are above the top FF harness slots, the child's head is within 1 inch of the top of the rear facing CSS or he exceeds CSS weight or height limits. Harness straps must lay flat on the chest and over the hips. Harness straps must pass the "pinch" test: when the buckled straps are pinched at the shoulder, there should be no slack or extra webbing. The harness retainer clip must sit at the child's armpit level, and the straps must be threaded properly through the clip.

**Belt-Positioning Booster (BPB) Seats - Know Your State Law**

Use all BPBs with vehicle lap and shoulder safety belts. Check BPB instructions for use with switchable shoulder belts. Special products, such as vests and Y harnesses used with a booster base, must be used according to manufacturer's instructions and the vehicle owner's manual. Many children will be between 8-12 years before the safety belt alone fits properly. Use a BPB until that time.

**Installation:** Fully read and follow all labels plus CSS and vehicle manuals for every CSS installation.

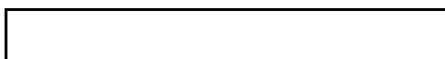
Never install a rear-facing CSS in front of a frontal airbag. No system is fail-safe, so even if the passenger sensing system or airbag switch shows the right front passenger frontal airbag is turned off, secure rear-facing CSS in a back seat. Safety belts must pass through the CSS exactly as the manufacturer directs. CSS must not move more than 1 inch side to side or front to back when grasped at the belt path. In general, use either lower anchors or safety belt, not both together, unless allowed by both the CSS and vehicle manufacturers. Check vehicle manuals to identify designated lower anchor and tether anchor locations. Always use the top tether when directed by the CSS and vehicle instructions. Follow the current LATCH Manual if further guidance or clarification is needed. LATCH weight limits must be followed. Heavier children who ride in a harness CSS may require special arrangements. Seat belts in vehicles made after 1996 meet lockability requirements, so no locking clip should be needed. Always test vehicle safety belts to be sure they are locked at either the retractor or latchplate unless a lock off or locking clip has been used to secure the car seat. Treat unused safety belts as you would any cord by ensuring that they are out of reach of children, and that caregivers are aware of entanglement danger. Technology (e.g., inflatable seat belts) changes regularly and requires your full attention. You must read manuals! This summary does not take the place of reading manuals.

**Child Ready for Safety Belt**

With the child's back and bottom against vehicle seat back, the knees should bend naturally at vehicle seat edge. When the safety belt is buckled, the lap belt fits low on the hips, touching the thighs, and the shoulder belt rests between neck and shoulder on the collarbone. Never place the shoulder belt under arms or behind backs. Optimally, the child's feet should touch the floor.



**Other**

Remind caregivers to NEVER LEAVE A CHILD ALONE IN A CAR. The CSS is not a babysitter. Children should not spend excessive amounts of time in a CSS when outside of a vehicle.



# APPLETON HEALTH DEPARTMENT

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

 920-832-6429  
 920-832-5853



## Car Seat Voucher

Issue date:		This voucher expires 60 days from issue date.	
Name of caregiver			
Street Address		City	Zip code
Phone		Interpreter	
Name of child			
Child date of birth (or due date)		Age	
Child weight		Child height	
Vehicle Year	Make	Model	
Comments:			

Scheduled for install       CPST to call caregiver to schedule       Caregiver will call to schedule

### Voucher guidelines

- Car seats provided through the AHD CPS Program are obtained through the WI DOT's Bureau of Transportation Safety (BOTS) grant.
- Voucher recipient must live in the City of Appleton and qualify for BadgerCare, WIC, or free or reduced school lunches.
- There is no charge to residents for grant funded car seats.
- Available seats may vary and will be chosen by CPST as appropriate for the child and caregiver needs.

### To be completed by CPS Tech installing seat

--	--

Caregiver signature Acknowledging receipt of car seat Date

--	--

Agency issuing voucher Type of seat given (rear-facing only, convertible, combination, high back booster, backless booster)

Recipient Survey completed by caregiver

--	--

Name of CPST providing car seat Signature Date

**Highway Safety Project Agreement**  
WI DOT  
Bureau of Transportation Safety

**Recipient Survey Form**

*(A copy of this form is required to be on file by the Grantee)*

**Car Seat Recipient Information:**

County: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Date of Installation: \_\_\_\_\_

Age of Child: \_\_\_\_\_

Type of seat distributed

Infant

Convertible

Combination with Harness

Booster

Please rate the following statements 1-4

(1- not at all, 2 - somewhat, 3 – moderately, 4 – significantly)

\_\_\_\_\_ My Knowledge of proper car seat use increased.

\_\_\_\_\_ I am able to properly install the car seat on my own after receiving instruction.

---

For Staff Use Only-

Donation received? Yes No

Amount received \$ \_\_\_\_\_

## CHAPTER 347

## EQUIPMENT OF VEHICLES

## SUBCHAPTER I

## GENERAL PROVISIONS

- 347.01 Words and phrases defined.
- 347.02 Applicability of chapter.
- 347.03 Sale of prohibited equipment unlawful.
- 347.04 Owner responsible for improperly equipped vehicle.
- 347.05 Reciprocity agreements as to equipment.
- SUBCHAPTER II
- LIGHTING EQUIPMENT
- 347.06 When lighted lamps required.
- 347.07 Special restrictions on lamps and the use thereof.
- 347.08 Determining the visibility distance and mounted height of lamps.
- 347.09 Headlamps on motor vehicles.
- 347.10 Headlamp specifications for motor vehicles other than mopeds and motor bicycles.
- 347.11 Headlamp specifications for mopeds and motor bicycles.
- 347.115 Modulating headlamps for motorcycles, motor bicycles or mopeds.
- 347.12 Use of multiple-beam headlamps.
- 347.13 Tail lamps and registration plate lamps.
- 347.14 Stop lamps.
- 347.145 Deceleration warning lights for motorcycles, motor bicycles, mopeds or motor buses.
- 347.15 Direction signal lamps or devices.
- 347.16 Clearance lamps and reflectors.
- 347.17 Color of clearance and marker lamps and reflectors.
- 347.18 Mounting of clearance lamps and reflectors.
- 347.19 Visibility of clearance lamps and reflectors.
- 347.20 Lamp or flag on projecting load or fixture.
- 347.21 Lamps and flags on trains of agricultural vehicles.
- 347.22 Lamps on farm tractors, self-propelled implements of husbandry, and lightweight utility vehicles.
- 347.23 Lamps on highway maintenance equipment.
- 347.24 Lamps and reflectors on nonmotor vehicles and equipment.
- 347.245 Identification emblem on certain slow moving vehicles.
- 347.25 Special warning lamps on vehicles.
- 347.26 Restrictions on certain optional lighting equipment.

- 347.27 When lighted lamps required on parked vehicles.
- 347.28 Certain vehicles to carry flares or other warning devices.
- 347.29 Display of warning devices for certain vehicles when standing on highway.
- 347.30 Penalty for violating lighting equipment requirements.

## SUBCHAPTER III

## OTHER EQUIPMENT

- 347.35 Brakes.
- 347.36 Performance ability of brakes.
- 347.37 Brake fluid, sale regulation.
- 347.38 Horns and warning devices.
- 347.385 Traffic control signal preemption and priority devices.
- 347.39 Mufflers.
- 347.40 Mirrors.
- 347.41 Speed indicators.
- 347.413 Ignition interlock device tampering; failure to install.
- 347.415 Odometer tampering.
- 347.417 Immobilization device tampering.
- 347.42 Windshield wipers.
- 347.43 Safety glass.
- 347.435 Vehicle monitoring and feedback.
- 347.44 Painting requirements for school buses; restrictions as to painting of other vehicles.
- 347.445 Crossing gates for school buses.
- 347.447 Additional safety mirrors on school buses.
- 347.45 Tire equipment.
- 347.455 Modifications to height of vehicle.
- 347.46 Fenders and mudguards.
- 347.47 Drawbars, trailer hitches and mobile home couplings.
- 347.475 Airbags, prohibited practices.
- 347.48 Safety belts and child safety restraint systems.
- 347.485 Protective headgear for use on motorcycles.
- 347.486 General requirements.
- 347.487 Seating requirements.
- 347.488 Moped equipment.
- 347.489 Lamps and other equipment on bicycles and other vehicles and devices.
- 347.49 Equipment of vehicles transporting flammable liquids.
- 347.50 Penalties.

**Cross-reference:** See also ch. [Trans 305](#), Wis. adm. code.

## SUBCHAPTER I

## GENERAL PROVISIONS

**347.01 Words and phrases defined.** Words and phrases defined in s. [340.01](#) are used in the same sense in this chapter unless a different definition is specifically provided.

**347.02 Applicability of chapter.** (1) No provision of this chapter requiring vehicles to be equipped in a particular manner is applicable to any of the following vehicles unless the vehicle is expressly included within or made subject to the particular provision:

- (a) Farm tractors.
- (b) Implements of husbandry.
- (c) Vehicles drawn by animals.
- (d) Road machinery.
- (e) Bicycles.
- (em) Electric bicycles.
- (g) Motor bicycles.
- (h) Golf carts operated in accordance with s. [349.18 \(1\) \(b\)](#) or (c) or (1m).
- (i) Electric scooters and electric personal assistive mobility devices.
- (j) Lightweight utility vehicles, as defined in s. [346.94 \(21\) \(a\)](#).
- (k) Personal delivery devices.

(2) No provision of this chapter requiring or prohibiting certain types of equipment on a vehicle is applicable when such vehicle is not operated upon or occupying a highway.

(2m) (a) No provision of this chapter requiring or prohibiting certain types of equipment on a vehicle is applicable to an imported vehicle which has been granted entry into the United States by the federal government solely for the purpose of test or experiment.

(b) The exemption under par. (a) is limited to the one-year period following the entry of the vehicle.

(3) Nothing in this chapter shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with this chapter.

(4) Beginning July 1, 1960, the provisions of this chapter covering lighting shall be applicable to all state, county and municipal trucks, truck tractors, trailers and semitrailers.

(5) If a vehicle registered under s. [341.25 \(1\) \(a\)](#), [341.265](#), [341.266](#), or [341.269](#) has equipment which was designated by the manufacturer as optional equipment in the model year the vehicle was manufactured, it is not necessary for such equipment to be in operating condition unless it replaces equipment which is required by law to be both present and functioning.

(6) Notwithstanding the requirements of this chapter, the department may establish special equipment standards for vehicles operated under s. [343.135](#) which differ from the equipment standards established under this chapter. Equipment standards established under this subsection may not be less stringent than any federal standards established for the vehicle.

(7) The vehicle equipment requirements for a street modified vehicle shall be the same as the vehicle equipment requirements for a vehicle of the same type and model year that is not a street



modified vehicle. The vehicle equipment requirements for a replica vehicle or a homemade vehicle specified in s. 341.268 (1) (b) 2. shall be the same as the vehicle equipment requirements for a vehicle of the same type and model year as the vehicle used for purposes of the reproduction.

(8) If the department establishes by rule limitations on the tinting of motor vehicle windows, the limitations do not apply to police vehicles owned by the state or a county, city, village, or town when tinting is necessary for the protection of personnel, passengers, or equipment.

**History:** 1977 c. 39; 1979 c. 345; 1981 c. 275; 1983 a. 243, 288, 538; 1985 a. 187; 1985 a. 197 s. 7; 1993 a. 165; 1997 a. 27; 1999 a. 85; 2001 a. 90, 109; 2009 a. 135, 157; 2013 a. 20; 2015 a. 232; 2017 a. 13; 2019 a. 11, 34; 2023 a. 251.

**347.03 Sale of prohibited equipment unlawful.** No person shall sell for highway use any device, appliance, accessory or replacement part the use of which on a motor vehicle is unlawful.

**347.04 Owner responsible for improperly equipped vehicle.** Any owner of a vehicle not equipped as required by this chapter who knowingly causes or permits such vehicle to be operated on a highway in violation of this chapter is guilty of the violation the same as if he or she had operated the vehicle personally. No demerit points shall be assessed or counted pursuant to s. 343.32 against the operator's license of the owner of the vehicle by reason of the owner's conviction of any such violation unless the owner was personally operating the vehicle at the time of the violation.

**History:** 1989 a. 105.

**347.05 Reciprocity agreements as to equipment.**

(1) The secretary, with the approval of the governor, is authorized to enter into reciprocal agreements with the duly authorized representatives of other jurisdictions exempting the residents of those jurisdictions from details of vehicle equipment requirements of this state which are particularly burdensome to residents of such other jurisdictions operating vehicles in this state, provided the law of such other jurisdiction requires vehicles to be equipped in a manner rendering them substantially as safe as those equipped in the manner required by the laws of this state. The agreements shall provide substantially like exemptions for residents of this state when operating vehicles in such other jurisdiction.

(2) This section does not authorize reciprocity agreements as to laws governing the size and weight of vehicles.

**History:** 1977 c. 29 s. 1654 (7) (c).

## SUBCHAPTER II

### LIGHTING EQUIPMENT

**347.06 When lighted lamps required.** (1) Except as provided in subs. (2) and (4), no person may operate a vehicle upon a highway during hours of darkness or during a period of limited visibility unless all headlamps, tail lamps, and clearance lamps with which the vehicle is required to be equipped are lighted. Parking lamps as described in s. 347.27 may not be used for this purpose. This subsection does not apply if lamps that are automatically activated whenever the vehicle is started are in use, if the headlamps are of sufficient intensity to satisfy the requirements for daytime running lamps under 49 CFR 571.108, S7.10.13.

(2) Headlamps need not be lighted on a towed vehicle or on a vehicle having at least 2 lighted adverse weather lamps on the front thereof and being operated under the circumstances described in s. 347.26 (3) (b).

(3) The operator of a vehicle shall keep all lamps and reflectors with which such vehicle is required to be equipped reasonably clean and in proper working condition at all times.

(4) A duly authorized warden, as defined in s. 24.01 (11), may operate a vehicle owned or leased by the department of natural resources upon a highway during hours of darkness or during a period of limited visibility without lighted headlamps, tail lamps,

or clearance lamps in the performance of the warden's duties under s. 29.924 (2).

**History:** 1977 c. 425; 1979 c. 32; 1981 c. 98 s. 3; 1997 a. 248; 2015 a. 165; 2017 a. 365.

**347.07 Special restrictions on lamps and the use thereof.** (1) Whenever a motor vehicle equipped with headlamps also is equipped with any adverse weather lamps, spotlamps or auxiliary lamps, or with any other lamp on the front thereof projecting a beam of intensity greater than 300 candlepower, not more than a total of 4 of any such lamps or combinations thereof on the front of the vehicle shall be lighted at any one time when such vehicle is upon a highway.

(2) Except as provided in sub. (3), or as otherwise expressly authorized or required by this chapter, no person shall operate any vehicle or equipment on a highway which has displayed thereon:

(a) Any color of light other than white or amber visible from directly in front; or

(b) Any color of light other than red on the rear; or

(c) Any flashing light.

(3) A motorcycle may be equipped with a lighting device that illuminates the ground directly beneath the motorcycle if all of the following apply:

(a) The lighting device is not visible to approaching vehicles.

(b) The lighting device does not display a red, blue, or amber light.

(c) The lighting device does not display a flashing, oscillating, or rotating light.

**History:** 2015 a. 27.

**347.08 Determining the visibility distance and mounted height of lamps.** (1) Whenever this chapter states a requirement as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, such distance shall be measured during hours of darkness under normal atmospheric conditions and upon a straight, level, unlighted highway unless a different time, direction or condition is expressly stated.

(2) Whenever this chapter requires a lamp or device to be mounted at a certain height, the distance shall be measured from the center of the lamp or device to the level ground upon which the vehicle stands when such vehicle is without load.

**347.09 Headlamps on motor vehicles.** (1) No person may operate a motor vehicle on a highway during hours of darkness or during a period of limited visibility, unless the vehicle is equipped as follows:

(a) Except as provided in pars. (b) and (c), every motor vehicle shall be equipped with at least 2 headlamps, which headlamps shall comply with the requirements and limitations set forth in sub. (2) and s. 347.10 and shall be mounted symmetrically with respect to the vertical plane extending through the longitudinal axis of the vehicle with at least one on each side of the center of the front of the motor vehicle.

(b) Every moped or motorcycle shall be equipped with at least one and not more than 2 headlamps, which headlamps shall comply with the requirements and limitations set forth in sub. (2) and s. 347.10.

(c) Every motor bicycle or vehicle registered under s. 341.067 and operated by a person licensed under s. 343.075 or 343.135 shall be equipped with at least one and not more than 2 headlamps, which headlamps shall comply with the requirements and limitations set forth in sub. (2) and s. 347.11.

(2) Every headlamp on a motor vehicle shall be located at a height of not more than 54 inches nor less than 24 inches.

**History:** 1983 a. 243; 1985 a. 65; 2015 a. 165; 2019 a. 50.

**Cross-reference:** See also ss. Trans 305.11, 305.43, and 305.55, Wis. adm. code.

**347.10 Headlamp specifications for motor vehicles other than mopeds and motor bicycles.** (1) Except as provided in sub. (4), the headlamps or the auxiliary driving lamp or

the auxiliary passing lamp or combination thereof on motor vehicles other than mopeds and motor bicycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations. No such lamp shall have any type of decorative covering that restricts the amount of light emitted when the lamp is in use. Such lamps may, in addition, be so arranged that such selection can be made automatically. This subsection does not apply to any type of decorative covering originally equipped on the vehicle at the time of manufacture and sale.

(2) Multiple-beam headlamps shall comply with the following requirements:

(a) There shall be an uppermost distribution of light or composite beam so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading;

(b) There shall be a lowermost distribution of light or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead, and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be so directed as to strike the eyes of an approaching driver.

(3) No person shall sell after July 1, 1958, any new motor vehicle equipped with multiple beam headlamps and no person shall operate any motor vehicle sold new after July 1, 1958, and equipped with multiple beam headlamps unless such vehicle also is equipped with a beam indicator which is lighted whenever the uppermost distribution of light from the headlamps is in use and which is not otherwise lighted. Such indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped. This subsection does not apply to motorcycles.

(4) Any motor vehicle may be operated during hours of darkness or during a period of limited visibility when equipped with 2 lighted lamps upon the front of the motor vehicle capable of revealing persons and objects 75 feet ahead in lieu of lamps required by subs. (1) to (3) if the vehicle at no time is operated at a speed in excess of 20 miles per hour. No lighted lamp under this subsection may have any type of decorative covering that restricts the amount of light emitted when the lighted lamp is in use. This subsection does not apply to any type of decorative covering originally equipped on the vehicle at the time of manufacture and sale.

**History:** 1983 a. 243; 1995 a. 346; 2015 a. 165.

**Cross-reference:** See also ss. [Trans 305.11](#), [305.43](#), and [305.55](#), Wis. adm. code.

**347.11 Headlamp specifications for mopeds and motor bicycles.** The headlamps on mopeds or motor bicycles may be of the single-beam or multiple-beam type but in either event shall comply with the following requirements and limitations:

(1) The headlamp shall be an electric headlamp and the current shall be supplied by a wet battery and electric generator, by a current-generating coil incorporated into the magneto or by a generator driven directly by the motor by means of gears, friction wheel, chain or belt.

(2) The headlamp shall display a white light of sufficient illuminating power to reveal any person, vehicle or substantial object at a distance of 200 feet ahead and shall be so adjusted or operated that the glaring light rays therefrom are not directed into the eyes of the driver of any oncoming vehicle. No headlamp shall have any type of decorative covering that restricts the amount of light emitted when the headlamp is in use. This subsection does not apply to any type of decorative covering originally equipped on the vehicle at the time of manufacture and sale.

(3) If the moped or motor bicycle is equipped with a multiple-beam headlamp, the upper beam shall meet the minimum requirements set forth in sub. (2) and the lowermost beam shall meet the requirements applicable to a lowermost distribution of light as set forth in s. [347.10](#) (2) (b).

(4) If the moped or motor bicycle is equipped with a single-beam lamp, such lamp shall be so aimed that when the vehicle is loaded none of the high-intensity portion of light, at a distance of 25 feet ahead, projects higher than the level of the center of the lamp from which it comes.

**History:** 1983 a. 243; 1995 a. 346.

**347.115 Modulating headlamps for motorcycles, motor bicycles or mopeds.** A motorcycle, motor bicycle or moped may be equipped with and use a means of modulating the upper beam of the headlamp between a high and a lower brightness at a rate of 200 to 280 changes per minute. A headlamp may not be modulated during hours of darkness.

**History:** 1981 c. 52; 1983 a. 243.

**347.12 Use of multiple-beam headlamps.** (1) Whenever a motor vehicle is being operated on a highway during hours of darkness or during a period of limited visibility, the operator shall use a distribution of light or composite beam directed high enough and of sufficient intensity to reveal a person or vehicle at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(a) Whenever the operator of a vehicle equipped with multiple-beam headlamps approaches an oncoming vehicle within 500 feet, the operator shall dim, depress or tilt the vehicle's headlights so that the glaring rays are not directed into the eyes of the operator of the other vehicle. This paragraph does not prohibit an operator from intermittently flashing the vehicle's high-beam headlamps at an oncoming vehicle whose high-beam headlamps are lit.

(b) Whenever the operator of a vehicle equipped with multiple-beam headlamps approaches or follows another vehicle within 500 feet to the rear, the operator shall dim, depress, or tilt the vehicle's headlights so that the glaring rays are not reflected into the eyes of the operator of the other vehicle. This paragraph does not prohibit an operator from intermittently flashing the vehicle's high-beam headlamps as provided under par. (a).

(2) Subsection (1) (a) and (b) does not apply to the use of alternating flashing or pulsating headlamps under s. [347.25](#) (1r).

**History:** 1989 a. 69; 1991 a. 316; 1999 a. 66; 2015 a. 165.

Sub. (1) (b) does not require proof that the headlights reflected into the eyes of another driver. The statute directs drivers operating within 500 feet to dim their headlights and concludes by describing the purpose of this requirement: to prevent the glaring rays from reflecting into another driver's eyes. An interpretation that would require an ordinary driver using high beams to know whether his or her headlights will impair another driver's vision is absurd. *State v. Tomaszewski*, 2010 WI App 51, 324 Wis. 2d 433, 782 N.W.2d 725, 09–0385.

**347.13 Tail lamps and registration plate lamps.** (1) No person may operate a motor vehicle, mobile home, or trailer or semitrailer upon a highway during hours of darkness or during a period of limited visibility unless the motor vehicle, mobile home, or trailer or semitrailer is equipped with at least one tail lamp mounted on the rear which, when lighted during hours of darkness, emits a red light plainly visible from a distance of 500 feet to the rear. No tail lamp may have any type of decorative covering that restricts the amount of light emitted when the tail lamp is in use. No vehicle originally equipped at the time of manufacture and sale with 2 tail lamps may be operated upon a highway during hours of darkness or during a period of limited visibility unless both lamps are in good working order. This subsection does not apply to any type of decorative covering originally equipped on the vehicle at the time of manufacture and sale.

(2) Every tail lamp on a vehicle shall be located at a height of not more than 72 inches nor less than 20 inches.

(3) No person shall operate on a highway during hours of darkness any motor vehicle upon the rear of which a registration plate is required to be displayed unless such motor vehicle is equipped with a lamp so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. Such lamp may be incorporated as part of a tail lamp or may be a separate lamp.

(4) Tail lamps and registration plate lamps shall be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted. In a tractor–semitrailer combination, 2 switches may be employed, one to activate semitrailer lamps and one to activate tractor lamps.

**History:** 1973 c. 252; 1995 a. 346; 2015 a. 165.

**Cross-reference:** See also ss. [Trans 305.13](#), [305.16](#), [305.43](#), [305.45](#), and [305.55](#), Wis. adm. code.

A tail lamp is functioning for its intended use and thus in good working order when during hours of darkness it emits a red warning light that is visible to another vehicle traveling 500 feet behind it. Sub.(1) does not require all light bulbs in a tail lamp to be lit. Although s. 347.06 (3) and administrative rules require tail lamps to be kept in “proper working condition,” “proper” is not a synonym for “perfect.” Rather it is more akin to “good” or “suitable.” *State v. Brown*, 2014 WI 69, 355 Wis. 2d 668, 850 N.W.2d 66, 11–2907.

**347.14 Stop lamps.** (1) No person shall operate a motor vehicle, lightweight utility vehicle as defined in s. 346.94 (21) (a) 2., mobile home, or trailer or semitrailer upon a highway unless such motor vehicle, lightweight utility vehicle, mobile home, or trailer or semitrailer is equipped with at least one stop lamp mounted on the rear and meeting the specifications set forth in this section. The stop lamp on a mobile home or trailer or semitrailer shall be controlled and operated from the driver’s seat of the propelling vehicle. A stop lamp may be incorporated with a tail lamp. No vehicle originally equipped at the time of manufacture and sale with 2 stop lamps shall be operated upon a highway unless both such lamps are in good working order.

(2) A stop lamp shall be so constructed as to be actuated upon application of the service or foot brake or separate trailer brake and shall emit a red or amber light plainly visible and understandable from all distances up to 300 feet to the rear during normal sunlight when viewed from the driver’s seat of the vehicle following.

**Cross-reference:** See also ss. [Trans 305.15](#), [305.43](#), [305.45](#), and [305.55](#), Wis. adm. code.

**History:** 2009 a. 157.

**347.145 Deceleration warning lights for motorcycles, motor bicycles, mopeds or motor buses.** (1) A motorcycle, motor bicycle or moped may be equipped with and use a system in which an amber light which pulses in a controlled fashion at a rate which varies exponentially with deceleration is center mounted on the rear of the vehicle.

(2) A motor bus may be equipped with amber lights that shine with a steady beam or that pulse during deceleration, braking, or standing and idling. The lights shall be mounted symmetrically with respect to the vertical center line of the motor bus in a horizontal alignment on the rear of the motor bus. The lights may be mounted no higher than the lower edge of the rear window, or no higher than 72 inches if the motor bus does not have a rear window.

**History:** 1981 c. 52; 1983 a. 243; 1987 a. 235; 2001 a. 104.

**Cross-reference:** See also s. [Trans 305.43](#), Wis. adm. code.

**347.15 Direction signal lamps or devices.** (1) No person may sell any new motor vehicle, other than a moped or motorcycle, unless such motor vehicle is equipped with direction signal lamps meeting the requirements of this section. No person may operate on a highway any motor vehicle sold new after January 1, 1955, or any mobile home, or trailer or semitrailer sold new after January 1, 1968, other than a vehicle which is operated pursuant to s. 341.47 (1) (b) or a moped or motorcycle, unless such vehicle is equipped with direction signal lamps meeting the requirements of this section. Any other vehicle may be equipped with such lamps. Subsection (3m) notwithstanding direction signals are not required on trailers when the rear direction signals on the towing vehicle are fully visible from all distances to the rear to 300 feet during normal sunlight when viewed from the driver’s seat of the vehicle following.

(2) Except as provided in sub. (1), there shall be at least 2 direction signal lamps showing to the front on motor vehicles and at least 2 showing to the rear on motor vehicles, mobile homes, recreational vehicles, trailers and semitrailers, so as to indicate intention to turn right or left. Lamps showing to the front shall be

located on the same level and as widely spaced laterally as practicable and lamps showing to the rear shall be located on the same level and as widely spaced laterally as practicable. Such lamps shall project a flashing white or amber light visible to the front and a flashing red or amber light visible to the rear. Direction signal lamps when in use shall be plainly visible and understandable from all distances to 300 feet during normal sunlight. No direction signal lamp shall have any type of decorative covering that restricts the amount of light emitted when the direction signal lamp is in use. When actuated, such lamps shall indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made. This subsection does not apply to any type of decorative covering originally equipped on the vehicle at the time of manufacture and sale.

(3) Vehicles equipped with direction signal lamps shall be equipped with a signal visible to the signaling driver when the signaling driver’s signal lamps are operating.

(3m) Any motor vehicle or combination of vehicles in use on a highway shall be equipped with direction signals meeting the requirements of this section when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle or combination of vehicles exceeds 24 inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds 14 feet.

(4) Vehicles sold new prior to July 1, 1958, are exempt from the requirements of this section if they either comply with the requirements of s. 85.06 (15), 1955 stats., or are exempt from the requirements of that section.

**History:** 1975 c. 297; 1983 a. 243; 1985 a. 65; 1991 a. 316; 1995 a. 346; 2007 a. 11; 2019 a. 50.

**Cross-reference:** See also ss. [Trans 305.09](#), [305.43](#), and [305.55](#), Wis. adm. code.

**347.16 Clearance lamps and reflectors.** (1) No person shall operate on a highway during hours of darkness any vehicle, except automobiles, having a width at any part in excess of 80 inches unless such vehicle is equipped with:

(a) Two clearance lamps mounted on the front of the vehicle so as to be visible from the front; and

(b) Two clearance lamps mounted on the rear of the vehicle so as to be visible from the rear; and

(c) Two reflectors mounted on the rear of the vehicle in such a manner as to indicate as nearly as possible the extreme width of the vehicle.

(2) No person shall operate any of the following vehicles on a highway during hours of darkness unless such vehicles are equipped as indicated:

(a) Every truck tractor shall carry on the front 2 clearance lamps, one at each side.

(b) Every trailer or semitrailer shall carry on the rear 2 reflectors, one on each side.

(3) Reflectorized material extending across the full width of the vehicle and otherwise meeting the mounting and visibility specifications for reflectors may be used in lieu of the reflectors required by this section.

**Cross-reference:** See also ss. [Trans 305.14](#) and [305.55](#), Wis. adm. code.

**347.17 Color of clearance and marker lamps and reflectors.** Whenever a vehicle is equipped with clearance lamps, sidemarker lamps or reflectors:

(1) Those clearance and marker lamps and reflectors mounted on the front or on the side near the front of the vehicle shall display or reflect an amber color;

(2) Those clearance lamps and marker lamps and reflectors mounted on the rear or on the sides near the rear of the vehicle, or on both, shall display or reflect a red color.

**Cross-reference:** See also ss. [Trans 305.14](#) and [305.55](#), Wis. adm. code.

**347.18 Mounting of clearance lamps and reflectors.**

(1) Whenever s. 347.16 requires any reflector to be displayed

upon a vehicle, each such reflector shall be mounted at a height not less than 16 inches nor more than 60 inches above the ground on which the vehicle stands. On vehicles which are more than 80 inches wide, the front and rear reflectors shall be mounted so as to indicate as nearly as possible the extreme width of the vehicle. Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp but such reflector shall meet all the other reflector requirements of this chapter.

(2) Whenever this chapter requires a vehicle to be equipped with clearance lamps, such lamps shall be mounted in such a manner as to indicate the extreme width of the vehicle and as near to the top thereof as practicable except that when rear identification lamps are mounted at the extreme height of the vehicle, rear clearance lamps may be mounted at optional heights.

**History:** 1975 c. 121.

**Cross-reference:** See also ss. [Trans 305.14](#) and [305.55](#), Wis. adm. code.

### 347.19 Visibility of clearance lamps and reflectors.

(1) Every reflector required by s. [347.16](#) to be displayed upon a vehicle shall be of such size and characteristics and so maintained as to be readily visible during the hours of darkness from all distances within 500 feet to 50 feet from the vehicle when directly in front of lawful upper beams of headlamps.

(2) Front and rear clearance lamps when lighted shall be capable of being seen and distinguished under normal atmospheric conditions during hours of darkness at a distance of 500 feet from the front and rear, respectively, of the vehicle.

**Cross-reference:** See also ss. [Trans 305.14](#), [305.43](#), and [305.55](#), Wis. adm. code.

### 347.20 Lamp or flag on projecting load or fixture.

(1) No person shall operate on a highway during hours of darkness any vehicle with a load or fixture thereon extending more than 4 feet beyond the rear of the bed or body thereof unless there is displayed at the extreme rear end of the load or fixture a red light or lantern plainly visible from a distance of at least 500 feet to the sides and rear. The red light or lantern shall be in addition to any tail lamp or clearance lamp which the vehicle is required to carry.

(2) No person shall operate on a highway, at times other than hours of darkness, any vehicle with a load or fixture thereon extending more than 4 feet beyond the rear of the bed or body thereof unless there is displayed at the extreme rear end of such load or fixture a red flag or cloth not less than 12 inches square and so hung that the entire area is visible to the operator of a vehicle approaching from the rear.

(3) This section does not apply to vehicles loaded with loose hay or straw.

**History:** 1981 c. 176.

### 347.21 Lamps and flags on trains of agricultural vehicles.

(1) No person shall operate on a highway during hours of darkness any train of vehicles authorized by s. [348.08 \(1\) \(d\)](#) unless there is mounted on each side of every vehicle in such train, including farm tractors and implements of husbandry, at least one lamp emitting a red or amber light visible from a distance of 500 feet to the side of the vehicle on which mounted or, in lieu thereof, at least one red or amber reflector visible from all distances within 500 feet to 50 feet of the side of the vehicle when directly in front of lawful upper beams of headlamps.

(1m) No person shall operate on a highway during hours of darkness any train of vehicles authorized by s. [348.08 \(1\) \(b\)](#) unless there is mounted on each side of every vehicle in such train at least one lamp emitting a red or amber light visible from a distance of 500 feet to the side of the vehicle on which mounted or, in lieu thereof, at least one red or amber reflector visible from all distances within 500 feet to 50 feet of the side of the vehicle when directly in front of lawful upper beams of headlamps.

**History:** 1979 c. 143, 355; 1981 c. 276; 1981 c. 391 s. 210; 1987 a. 164; 2013 a. 377; 2015 a. 232.

### 347.22 Lamps on farm tractors, self-propelled implements of husbandry, and lightweight utility vehicles.

(1) No person shall operate or park a farm tractor, self-propelled

implement of husbandry, or lightweight utility vehicle, as defined in s. [346.94 \(21\) \(a\) 2.](#), upon a highway during hours of darkness unless such tractor, implement of husbandry, or lightweight utility vehicle carries the lighted headlamps and tail lamps which would be required of other motor vehicles under similar circumstances.

(2) Except as provided in s. [347.25 \(2g\)](#), no person shall operate or park a farm tractor, self-propelled implement of husbandry, or lightweight utility vehicle, as defined in s. [346.94 \(21\) \(a\) 2.](#), upon a highway during hours of darkness with any lamp thereon showing any light to the rear other than red or amber in color.

**History:** 2009 a. 157; 2013 a. 377; 2015 a. 232.

### 347.23 Lamps on highway maintenance equipment.

(1) No person shall operate upon a highway during hours of darkness any road machinery or motor vehicle used in highway construction or maintenance unless such vehicle or road machinery is equipped either as prescribed by par. (a) or (b):

(a) A red light visible from a distance of 500 feet shall be displayed on each side of the front and on each side of the rear to give adequate warning of the presence of such vehicle or machinery and to show safe clearance for passing or overtaking vehicles; or

(b) In lieu of the red lights prescribed by par. (a), 2 amber floodlamps may be used, one to be mounted on each side of the vehicle or machinery so as to illuminate its sides and its attachments, if any, to show safe clearance for passing or overtaking vehicles. Such floodlamps shall display an amber light of sufficient illuminating power to indicate safe clearance from a distance of 200 feet to the front and rear of such vehicle or machinery.

(2) The lights specified in sub. (1) need not be displayed upon motor vehicles used in highway construction or maintenance work when such vehicles are traveling along the highway at their normal operating speed in the ordinary course of traffic.

(4) No person shall operate upon the left-hand side of a highway during hours of darkness any road machinery or motor vehicle used in highway construction or maintenance, including snow and ice control, unless such vehicle or machinery is equipped with an auxiliary lamp or lamps projecting a flashing amber light visible from all directions for a 360-degree lens (beehive type lamp) or revolving type lamp and visible front and rear for reflectorized stationary directional type lamps. For flashing type lamps the number of flashes per minute shall be between 60 and 90. For revolving type lamps the revolutions per minute shall be between 45 and 90. The lenses of such auxiliary lamps shall not be less than 6 inches in diameter for the reflectorized stationary directional type lamp; 3–3/4 inches minimum diameter and 5-inch minimum height for the 360-degree lens (beehive type lamp); and 3–3/4 inches minimum width and 4–5/8 inches minimum height for the revolving type lamp. The lamps shall be equipped with bulbs of 50 candlepower minimum. The lamps shall be mounted approximately midway between the transverse extremities of the vehicle or machinery and at the highest practicable point.

### 347.24 Lamps and reflectors on nonmotor vehicles and equipment.

(1) (a) Except as provided under pars. (b) and (c) and s. [347.22 \(1\)](#), no person may operate on a highway during hours of darkness any implement of husbandry or any other vehicle not specifically required by law to be equipped with lamps or other lighting devices unless such implement or vehicle is equipped with at least 2 lighted lamps or lanterns exhibiting a white light visible from a distance of 500 feet ahead and 2 lighted lamps or lanterns exhibiting a red light visible from a distance of 500 feet to the rear or, as an alternative to the red lamps or lanterns, 2 red reflectors mounted as specified in s. [347.18](#) and meeting the visibility requirements of s. [347.19](#) may be displayed on the rear of such vehicle or implement of husbandry.

(am) No person may operate on a highway during hours of darkness any implement of husbandry that extends 4 feet or more to the left of the center line of its towing vehicle unless the implement is equipped with an amber reflector meeting the visibility requirements of s. [347.19](#) and mounted on the left side, facing for-

ward, so as to mark the extreme width of the implement to drivers of oncoming vehicles.

(b) Any implement of husbandry or any other vehicle not specifically required by law to be equipped with lamps or other lighting device and which was manufactured on or before January 1, 1984, shall comply with the lamp requirements of s. 347.24 (1), 1981 stats.

(c) An implement of husbandry which is an all-terrain vehicle or utility terrain vehicle need only comply with the lamp requirements established under s. 23.33 (6).

(d) An off-highway motorcycle, as defined in s. 23.335 (1) (q), that is being operated as an implement of husbandry off a highway need only comply with the lamp requirements established under s. 23.335 (17) (a).

(2) No person may operate on a highway during hours of darkness or during periods of inclement weather a vehicle drawn by an animal unless the vehicle is equipped with at least one lighted white light visible from a distance of 500 feet ahead and 2 lighted red lights and 2 yellow or amber strobe lights visible from a distance of 500 feet to the rear. The red rear lights shall be mounted in such a manner as to indicate the extreme width of the vehicle. The yellow or amber strobe lights shall be mounted not more than 6 inches from the lateral extremities of the vehicle.

(3) (a) In this subsection, “wide implement of husbandry” means any implement of husbandry that has a total width in excess of 15 feet or that partly extends, when operated primarily on the right half of the roadway, over the center of the roadway into any lane intended for travel in the opposite direction.

(b) Except as provided in par. (bm), no person may operate on a highway any wide implement of husbandry unless it is equipped with all of the following and any lamp or light required under this paragraph is lighted and visible at the time of operation:

1. At least 2 amber flashing warning lamps, visible from both the front and rear of the implement of husbandry. When lighted, these lamps shall be capable of being seen and distinguished under normal atmospheric conditions during hours of darkness at a distance of 500 feet from the front and rear of the implement of husbandry. These lamps shall be mounted, as nearly as practicable, to indicate the extreme width of the implement of husbandry, but not more than 16 inches from the lateral extremities of the implement of husbandry.

2. Red retroreflective conspicuity material, visible to the rear and mounted within 25 inches of, respectively, the extreme left and extreme right of the implement of husbandry and spaced as evenly as practicable. This conspicuity material shall be of such size and characteristics and so maintained as to be readily visible during the hours of darkness from all distances within 500 feet to 50 feet from the implement of husbandry when directly in front of lawful upper beams of headlamps.

3. At least 2 strips of yellow retroreflective conspicuity material visible to the front of the implement of husbandry. On the left and right sides of the implement of husbandry, the outer edge of at least one strip of this material shall be mounted within 16 inches of, respectively, the extreme left and extreme right of the implement of husbandry. This conspicuity material shall be of such size and characteristics and so maintained as to be readily visible during the hours of darkness from all distances within 500 feet to 50 feet from the implement of husbandry when directly in front of lawful upper beams of headlamps.

4. Subject to ss. 347.06 (1) and (3), 347.13 (2), and 347.22 (1), at least 2 red tail lamps mounted symmetrically to the rear of the implement of husbandry, or as close to the rear as practicable. These tail lamps are not required to be wired to light when headlamps or other lamps light. When lighted, these tail lamps shall be capable of being seen and distinguished under normal atmospheric conditions during hours of darkness at a distance of 500 feet from the rear of the implement of husbandry.

(bm) A person may operate on a highway, at times other than hours of darkness, a wide implement of husbandry that does not comply with par. (b) if all of the following apply:

1. The wide implement of husbandry is accompanied by an escort vehicle operating with hazard lights activated.

2. Two orange or red flags, not less than 12 inches square, are attached to the rear of the wide implement of husbandry, or as close to the rear as practicable, in a manner that is clearly visible to the operator of a vehicle approaching from the rear and that marks the extreme left and extreme right of the implement of husbandry.

(c) In addition to any applicable requirement under par. (b) or (bm), if a wide implement of husbandry has a total width in excess of 22 feet, no person may operate the implement of husbandry on a highway unless the implement of husbandry is accompanied by an escort vehicle operating with hazard lights activated. If the implement of husbandry is being operated on a highway with only one lane for travel in each direction, the escort vehicle shall be operated ahead of the implement of husbandry on the highway. If the implement of husbandry is being operated on a highway with more than one lane for travel in each direction or on a 3-lane highway, the escort vehicle shall be operated behind the implement of husbandry on the highway. This paragraph does not apply to an implement of husbandry that is traveling between fields or between a farm and a field and is operated on the highway for a distance of 0.5 miles or less.

(d) No person may operate on a highway any implement of husbandry manufactured on or after January 1, 2014, unless it is equipped with all lighting and marking devices with which the implement of husbandry was originally equipped by the manufacturer and all such lighting and marking devices are in good working order and visible at the time of operation.

(e) The requirements under this subsection apply in addition to any applicable requirements under subs. (1) and (2) and ss. 347.21, 347.22, and 347.27.

**History:** 1977 c. 418; 1983 a. 124; 1985 a. 29; 1993 a. 455; 2001 a. 104; 2011 a. 208; 2013 a. 377; 2015 a. 170, 232; 2017 a. 228.

#### 347.245 Identification emblem on certain slow moving vehicles. (1) No person may operate on a highway any vehicle or equipment, any implement of husbandry, any animal-drawn vehicle, or any other machinery, including all road machinery, that usually travels at speeds of less than 25 miles per hour or any vehicle operated under a special restricted operator’s license issued under s. 343.135 or any lightweight utility vehicle, as defined in s. 346.94 (21) (a) 2., unless there is displayed on the most practicable visible rear area of the vehicle or combination of vehicles, a slow moving vehicle (SMV) emblem as described in and displayed as provided in sub. (2). Any towed vehicle or machine is exempt from this provision if the towing vehicle is visible from the rear and is in compliance with this section. All road machinery is excluded when it is engaged in actual construction or maintenance work either guarded by a flagman or clearly visible warning signs. The requirement of the emblem shall be in addition to any lighting devices required or permitted by law. Mopeds and motor bicycles are excluded from the provisions of this section unless they are operated under a special restricted operator’s license issued under s. 343.135. Electric scooters, electric personal assistive mobility devices, and personal delivery devices are excluded from the provisions of this section. The SMV emblem need not be displayed on vehicles moving directly across the highway.

(2) Standards and specifications for the design and position of mounting of the SMV emblem shall be established by rule by the secretary. The standards and specifications for SMV emblems shall correlate with and, so far as possible, conform with those approved by the American society of agricultural engineers. The secretary shall submit such standards and specifications, and any subsequent changes therein, to the assembly and senate commit-

tees having jurisdiction over transportation matters as determined by the speaker of the assembly and the president of the senate acting jointly for their approval.

(3) No person shall display such emblem on a roadway, except as provided in sub. (1), nor on roadside stationary objects such as mailboxes or signposts and no such emblem shall be used as a clearance marker for wide vehicles. No slow moving vehicle actually engaged in construction or maintenance guarded by a flagman or clearly visible warning signs need remove the slow moving vehicle emblem.

(4) No person shall display such emblem on any vehicle or equipment not specified in sub. (1).

(5) This section does not apply to any vehicle or combination of vehicles to the left rear of which is attached a yellow or amber flashing light at least 4 inches in diameter, except to an implement of husbandry.

**History:** 1977 c. 29, 288; 1979 c. 34; 1981 c. 138; 1987 a. 164; 2001 a. 90; 2009 a. 157; 2013 a. 377; 2015 a. 232; 2017 a. 13; 2019 a. 11.

**Cross-reference:** See also ch. Trans 304, Wis. adm. code.

As applied to Amish appellants, requiring slow moving vehicle signs on buggies unconstitutionally infringed on religious liberties. *State v. Miller*, 202 Wis. 2d 56, 549 N.W.2d 235 (1996), 94–0159.

**347.25 Special warning lamps on vehicles.** (1) Except as provided in subs. (1m) (a), (1n), (1r), and (1s), an authorized emergency vehicle may be equipped with one or more flashing, oscillating, or rotating red lights, except that ambulances, fire department equipment, privately owned motor vehicles under s. 340.01 (3) (d), (dg), or (dm) being used by personnel of a full-time or part-time fire department, by members of a volunteer fire department or rescue squad, or by an organ procurement organization or any person under an agreement with an organ procurement organization, and privately owned motor vehicles under s. 340.01 (3) (dh) being used to transport or pick up medical devices or equipment, may be equipped with red or red and white lights, and shall be so equipped when the operator thereof is exercising the privileges granted by s. 346.03 or 346.215 (2) (a). The lights shall be so designed and mounted as to be plainly visible and understandable from a distance of 500 feet both during normal sunlight and during hours of darkness. No operator of an authorized emergency vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm, when transporting an organ for human transplantation, when transporting medical personnel for the purpose of performing human organ harvesting or transplantation immediately after the transportation, when necessarily parked in a position which is likely to be hazardous to traffic, or as authorized under s. 346.215 (2) (a).

(1m) (a) A police vehicle under s. 340.01 (3) (a) may be equipped with a blue light and a red light which are flashing, oscillating or rotating.

(b) If the vehicle is so equipped, the lights shall be illuminated as required under s. 346.03 or 346.215 (2) (a) when the operator of the police vehicle is exercising the privileges granted under s. 346.03 or 346.215 (2) (a). On a marked police vehicle, the blue light shall be mounted on the passenger side of the vehicle and the red light shall be mounted on the driver side of the vehicle. When in use on an unmarked police vehicle, the blue light shall be displayed on the passenger side of the vehicle and the red light shall be displayed on the driver side of the vehicle. The lights shall be designed and displayed so as to be plainly visible and understandable from a distance of 500 feet during normal sunlight and during hours of darkness. No operator of a police vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm, when necessarily parked on a highway in a position which is likely to be hazardous to traffic using the highway, or as authorized under s. 346.215 (2) (a).

(c) If the state or any local authority intends to equip its police vehicles as authorized under par. (a), the state or the local authority shall give notice of its intent as a class 2 notice under ch. 985 at least 90 days before so equipping the first vehicle.

(1n) A police vehicle under s. 340.01 (3) (a) may be equipped with one or more flashing white lights. The lights shall be designed and displayed so as to be plainly visible and understandable from a distance of 500 feet both during normal sunlight and during hours of darkness. The lights may be used only when the warning lamps authorized under sub. (1) or (1m) are in use.

(1r) (a) 1. A police vehicle under s. 340.01 (3) (a) may be equipped so that the high beams of its headlamps pulsate or flash alternately at a rate of 70 to 90 pulses or flashes per minute. The pulsating or flashing headlamps may be used only when the warning lamps authorized under sub. (1) or (1m) are in use.

2. If the state or any local authority intends to equip its police vehicles as authorized under subd. 1., the state or the local authority shall give notice of its intent as a class 2 notice under ch. 985 at least 90 days before so equipping the first vehicle.

(b) 1. a. A vehicle of a fire department under s. 340.01 (3) (c) or an ambulance under s. 340.01 (3) (g) may be equipped so that the high beams of its headlamps pulsate or flash alternately at a rate of 70 to 90 pulses or flashes per minute. The pulsating or flashing headlamps may be used only when the warning lamps authorized under sub. (1) are in use.

b. If any local authority intends to equip its vehicles as authorized under subd. 1. a., the local authority shall give notice of its intent as a class 2 notice under ch. 985 at least 90 days before so equipping the first vehicle.

2. a. A sheriff or others designated by the county board may authorize that an ambulance under s. 340.01 (3) (i) be equipped so that the high beams of its headlamps pulsate or flash alternately at a rate of 70 to 90 pulses or flashes per minute. The pulsating or flashing headlamps may be used only when the warning lamps authorized under sub. (1) are in use.

b. If the sheriff or others designated by the county board intend to authorize any ambulance under s. 340.01 (3) (i) to be equipped as authorized under subd. 2. a., the local authority shall give notice of its intent as a class 2 notice under ch. 985 at least 90 days before authorizing the first vehicle to be so equipped.

(c) 1. a. The state fire marshal may authorize that a privately owned motor vehicle under s. 340.01 (3) (d) that is being used by a deputy state fire marshal be equipped so that the high beams of its headlamps pulsate or flash alternately at a rate of 70 to 90 pulses or flashes per minute. The pulsating or flashing headlamps may be used only when the warning lamps authorized under sub. (1) are in use.

b. If the state fire marshal intends to authorize any privately owned motor vehicle under s. 340.01 (3) (d) that is being used by a deputy state fire marshal to be equipped as authorized under subd. 1. a., the state shall give notice of its intent as a class 2 notice under ch. 985 at least 90 days before authorizing the first vehicle to be so equipped.

2. a. A fire chief may authorize that a privately owned motor vehicle under s. 340.01 (3) (d) that is being used by an employee of the fire department or, if applicable, a member of the volunteer fire department be equipped so that the high beams of its headlamps pulsate or flash alternately at a rate of 70 to 90 pulses or flashes per minute. The pulsating or flashing headlamps may be used only when the warning lamps authorized under sub. (1) are in use.

b. If the fire chief intends to authorize any privately owned motor vehicle under s. 340.01 (3) (d) that is being used by an employee of the fire department or, if applicable, a member of the volunteer fire department to be equipped as authorized under subd. 2. a., the local authority shall give notice of its intent as a class 2 notice under ch. 985 at least 90 days before authorizing the first vehicle to be so equipped.

(1s) A vehicle in use by a fire department as a command post at the site of an emergency call may be equipped with a blue or green light which is flashing, oscillating or rotating.

(2) No person may operate a school bus which is painted as provided in s. 347.44 unless it is equipped with a 360-degree flashing white strobe light having a flashrate of 60 to 120 per minute and either flashing red warning lights or flashing red and amber warning lights. The secretary shall prescribe rules for the type, installation, operation and light output brilliance of the lights required under this subsection. No vehicle may be equipped with the warning and strobe lights required under this subsection unless it also is painted as provided in s. 347.44.

**Cross-reference:** See also ch. Trans 300, Wis. adm. code.

(2g) No person may operate on a highway any self-propelled implement of husbandry having a total width in excess of 12 feet unless it is equipped with a 360-degree yellow or amber rotating strobe or beacon light, mounted at the highest practicable point, or 2 flashing amber lights visible to the front and rear, and the light or lights are activated.

(2m) A human service vehicle may be equipped with a 360-degree flashing strobe light with a flashrate of 60 to 120 per minute. Notwithstanding s. 110.05 (1), the secretary shall prescribe rules for the type, color, installation, operation and light output brilliance of the lights permitted under this subsection.

(3) The lead vehicle in a funeral procession may be equipped, or any vehicle in the procession may be equipped if all vehicles in the procession are so equipped, with a flashing amber light that may be used only in the procession.

(4) No vehicle may be equipped with or display any blue colored light or lamp unless the vehicle is used in police work authorized by the state or a political subdivision of the state or is used by a fire department as authorized under sub. (1s).

(5) Notwithstanding s. 347.26 (11), whenever flashing warning lamps on an authorized emergency vehicle are designed and being used to exhibit a directional arrow at the scene of an emergency, the lamps exhibiting the directional arrow may be flashing simultaneously or sequentially. If the use of flashing warning lamps to exhibit a directional arrow would likely direct approaching traffic into a lane of traffic moving in the opposite direction, only the flashing warning lamps that exhibit the horizontal bar of a directional arrow may be used and such lamps shall be flashing simultaneously.

**History:** 1977 c. 29 s. 1654 (7) (c); 1977 c. 228; 1979 c. 54, 149; 1983 a. 56; 1985 a. 143; 1987 a. 126; 1989 a. 69; 1991 a. 73, 142; 1993 a. 369; 1995 a. 31, 190; 1997 a. 31, 117; 2007 a. 20, 177; 2009 a. 46; 2013 a. 95, 96, 313, 377; 2015 a. 232.

The trial court acted erroneously in imposing the burden of proof as to the intensity of the light upon the plaintiff. The statutory exemption of emergency vehicles from adherence to traffic regulations is available as an affirmative defense, and the defendants bear the burden of proving the necessary compliance with the statutory condition. A light showing only to the front would not provide the operator with emergency privileges for stopping, parking, or turning as to vehicles approaching from the rear. *Pittman v. Liefing*, 59 Wis. 2d 52, 207 N.W.2d 610 (1973).

**347.26 Restrictions on certain optional lighting equipment.** (1) **GENERAL RESTRICTIONS.** A vehicle need not be equipped with the lamps specified in this section, but if a vehicle is equipped with any such lamps, no person shall operate such vehicle on a highway during hours of darkness unless such lamps comply with the requirements of this section and no person shall use such lamps in a manner inconsistent with this section.

(2) **SPOTLAMPS.** (a) Any motor vehicle may be equipped with not more than 2 spotlamps.

(b) No spotlamp shall be used as a substitute for headlamps. No spotlamp shall be used as an auxiliary driving light on any motor vehicle except when such spotlamp is set or adjusted so that the rays of light are projected directly upon the road surface at a distance not exceeding 150 feet directly in front of the vehicle and to the right of the center of the traveled roadway. No spotlamp shall project any glaring light into the eyes of an approaching driver.

(3) **ADVERSE WEATHER LAMPS.** (a) Any motor vehicle may be equipped with not more than 2 adverse weather lamps which shall

be mounted on the front of the vehicle below the level of the centers of the headlamps.

(b) Adverse weather lamps shall not be used in lieu of headlamps unless absolutely necessary in case of rain, snow, dust or fog and then only when a vehicle is equipped with 2 adverse weather lamps mounted on opposite sides of the front of the vehicle and when both such adverse weather lamps are lighted. Whenever any vehicle is equipped with only one adverse weather lamp, both headlamps of such vehicle shall be lighted at all times when such adverse weather lamp is lighted.

(4) **BACK-UP LAMPS.** (a) Any motor vehicle may be equipped with not more than 2 back-up lamps which shall be so directed as to project a white or amber light illuminating the roadway to the rear of such vehicle for a distance not to exceed 75 feet.

(b) No lighted back-up lamp shall be displayed on any vehicle upon a highway except when such vehicle is about to be or is being driven backward. Whenever a back-up lamp is lighted during hours of darkness, the tail lamp or tail lamps on the vehicle displaying such lighted back-up lamp also shall be lighted.

(5) **IDENTIFICATION LAMPS ON TAXICABS AND BUSES.** No person shall operate a motor vehicle regularly used for transporting passengers for hire displaying any lighting device for identification purposes other than a single illuminated sign or lighted lamp mounted above the top line of the windshield, colored white, amber or green. Such illuminated sign or lamp shall be so constructed as to emit a steady or flashing nonglaring light.

(6) **WARNING LAMPS ON TOW TRUCKS AND SERVICE VEHICLES.** (a) Any vehicle which by reason of its use upon a highway creates a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing shall be equipped with a flashing or rotating amber lamp of the dome type at the highest practicable point, visible from a distance of 500 feet, or 2 flashing amber lamps, one showing to the front and one showing to the rear, visible from a distance of 500 feet and mounted approximately midway between the extremities of the width of the vehicle and at the highest practicable point. Such amber lamp or lamps shall be lighted when such vehicle is moving a disabled vehicle along or upon a public highway at a speed below the average speed of motor vehicle traffic on such street or highway and may not be lit at other times.

(b) Operators of tow trucks or towing vehicles shall equip each tow truck or towing vehicle with a flashing or rotating red lamp, in addition to flashing type amber lamps. Such lamp shall be placed on the dome of the vehicle at the highest practicable point visible from a distance of 500 feet. This flashing red lamp shall be used only when such vehicle is standing on or near the traveled portion of a highway preparatory to towing or servicing the disabled vehicle.

(7) **WARNING LAMPS ON CERTAIN HIGHWAY VEHICLES.** Any vehicle of the department or a county or municipal highway department that by reason of its use upon a highway creates a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing may be equipped with any of the following configurations of flashing red, amber, or green lamps:

(a) A lamp of the dome-light type.

(b) Two lamps, one showing to the front and one showing to the rear. The lamps shall be mounted approximately midway between the extremities of the width of the vehicle and at the highest practicable point and shall be used only for the purpose of warning operators of other vehicles of the presence of the traffic hazard.

(c) Four lamps, 2 showing to the front and 2 showing to the rear. The lamps showing to the front shall be mounted at the same level and as widely spaced laterally as practicable. The lamps showing to the rear shall be mounted at the same level and as widely spaced laterally as practicable.

(8) **WARNING LAMPS FOR MAIL DELIVERY VEHICLES.** Any vehicle used for mail delivery may be equipped with a flashing amber

lamp or strobe light mounted at the highest practicable point and showing to the front and rear that may be used only to warn other motorists of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing when the vehicle is being used to deliver mail.

**(9) WARNING LAMPS ON PUBLIC UTILITY AND COOPERATIVE VEHICLES.** (a) Subject to par. (b), any vehicle of a public utility, as defined in s. 196.01 (5), telecommunications carrier, as defined in s. 196.01 (8m), or cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power, or water to its members that by reason of its use upon a highway creates a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing may be equipped with any of the following configurations of flashing amber or green lamps:

1. A lamp of the dome–light type.
2. Two lamps, one showing to the front and one showing to the rear. The lamps shall be mounted approximately midway between the extremities of the width of the vehicle and at the highest practicable point and shall be used only for the purpose of warning operators of other vehicles of the presence of the traffic hazard. If the mounting of lamps midway between the extremities of the width of the vehicle is impracticable because of the vehicle’s design, then the mountings shall be made at or near the upper left front and rear corners of the vehicle.
3. Four lamps, 2 showing to the front and 2 showing to the rear. The lamps showing to the front shall be mounted at the same level and as widely spaced laterally as practicable. The lamps showing to the rear shall be mounted at the same level and as widely spaced laterally as practicable.

(b) In this paragraph, “maintenance and restoration of utility service” means the immediate restoration of a utility service that is outside the normal parameters of general maintenance or construction when damage or interruption of service has been caused to utility infrastructure by adverse weather or other events and that requires utility crews to park utility vehicles in the roadway or on the shoulder of the roadway. No person may use flashing green lamps under par. (a) unless the vehicle upon which the lamps are mounted is operated for the purpose of maintenance and restoration of utility service.

**(10) FLASHING AMBER LIGHT ON OVERSIZE VEHICLE.** Any vehicle moving on the highway pursuant to an oversize permit issued under s. 348.25, 348.26 or 348.27 may be equipped with a flashing amber dome light upon the cab of such vehicle or with double faced flashing amber light mounted along the sides of such vehicle mounted and used when the movement is oversize.

**(11) FLASHING WARNING LAMPS.** (a) Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing, and when so equipped may display such warning in addition to any other warning signals required by this section. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night. Directional signals meeting the requirements of this chapter shall be used or lamps meeting these requirements, mounted so as to comply with turn signal installation.

(am) In addition to any other lamps authorized under this subsection, a motor truck having a gross vehicle weight rating of more than 26,000 pounds may be equipped with a 360–degree flashing or rotating amber light mounted at the highest practicable point.

The flashing or rotating amber lamp may be lighted only when the motor truck is upon a highway having a maximum speed limit of more than 35 miles per hour and the motor truck is traveling 10 or more miles per hour below the maximum speed limit, is stopped, or is backing on such highway. The flashing or rotating amber lamp may not be lit at other times.

(b) Whenever any vehicle other than an automobile, which is equipped as permitted in par. (a), is stopped for more than 10 minutes on the traveled portion of any highway, or shoulder thereof, during hours of darkness, the driver of such vehicle shall display warning signals as required by s. 347.29.

**History:** 1977 c. 29 s. 1654 (8) (a); 1983 a. 53 s. 114; 1985 a. 204; 1989 a. 134, 336; 1993 a. 496; 2005 a. 38; 2021 a. 255; 2023 a. 155.

**Cross–reference:** See also ss. Trans 305.075, 305.08, 305.10, and 305.11, Wis. adm. code.

**347.27 When lighted lamps required on parked vehicles.** (1) No person shall park or leave a vehicle standing,

whether attended or unattended, upon a roadway or the shoulder immediately adjacent thereto during hours of darkness unless:

(a) Such vehicle is parked or standing where there is sufficient artificial light to render it visible from a distance of 500 feet or is lawfully parked within the corporate limits of a city or village and in either case is equipped with at least one red reflector mounted on the rear thereof as near as practicable to the side of the vehicle which is closest to passing traffic and otherwise meeting the mounting and visibility requirements specified in ss. 347.18 and 347.19; or

(b) Such vehicle displays one or more lighted lamps meeting the following requirements:

1. At least one lamp shall display a white or amber light visible from a distance of 500 feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of 500 feet to the rear of the vehicle.

2. The location of such lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic.

3. If the vehicle is equipped with 2 parking lamps and 2 tail lamps, both parking lamps and both tail lamps shall be lighted.

(2) Any lighted headlamps on a vehicle parked on a highway shall be depressed or dimmed.

(3) In this section, “vehicle” includes farm tractors, implements of husbandry, animal–drawn vehicles, lightweight utility vehicles as defined in s. 346.94 (21) (a) 2., and road machinery.

**History:** 2009 a. 157; 2015 a. 232.

**347.28 Certain vehicles to carry flares or other warning devices.** (1) No person shall operate a motor truck or motor bus more than 80 inches in width or a truck tractor or road tractor on any highway outside the corporate limits of a city or village during hours of darkness unless such vehicle carries in a place readily accessible to the driver the following warning devices:

(a) At least 3 pot torches or 3 red electric lanterns or 3 red emergency reflectors, each of which shall be capable of being seen and distinguished at a distance of at least 600 feet under normal atmospheric conditions during hours of darkness. If pot torches are carried in lieu of red electric lanterns, at least 3 red–burning fusees shall be carried in addition to such pot torches; and

(b) At least 2 red–cloth flags, not less than 12 inches square, with standards to support such flags.

(2) No person shall operate upon a highway outside the corporate limits of a city or village during hours of darkness any motor vehicle used for the transportation of explosives or any cargo tank truck used for the transportation of flammable liquids or compressed gases unless there is carried in such vehicle 3 red electric lanterns or 3 red emergency reflectors meeting the requirements of sub. (1). No pot torch or fusee or signal produced by flame shall be carried in any such vehicle. Such red emergency reflectors shall comply with the specifications for such reflectors as set forth



in interstate commerce commission motor carrier safety regulations.

**347.29 Display of warning devices for certain vehicles when standing on highway.** (1) Except as provided in s. 347.26 (1) (b), whenever any motor truck, motor bus, trailer or semitrailer more than 80 inches in width or truck tractor or road tractor is left standing, whether attended or unattended, during hours of darkness upon the traveled portion of any highway or the shoulder adjacent thereto outside the corporate limits of a city or village, the operator of such vehicle shall display the following warning devices upon the highway during the entire time the vehicle is so left standing and such devices shall be placed in the following order:

(a) A lighted fusee or lighted red electric lantern or a red emergency reflector shall immediately be placed at the traffic side of the vehicle in the direction of the nearest approaching traffic. If a lighted fusee was so placed, the driver shall replace such fusee with a lighted pot torch or lighted red electric lantern or a red emergency reflector after the driver has placed the warning devices specified in pars. (b) and (c) and before the fusee burns out.

(b) A lighted pot torch or lighted red electric lantern or a red emergency reflector shall be placed approximately 100 feet from the standing vehicle in the center of the lane occupied by such vehicle and toward traffic approaching in that lane.

(c) One lighted pot torch or lighted red electric lantern or a red emergency reflector shall be placed approximately 100 feet from the standing vehicle in the center of the lane occupied by such vehicle and in the opposite direction from the warning device placed in accordance with par. (b).

(2) Whenever any vehicle referred to in this section is left standing, whether attended or unattended, within 500 feet of a curve, hillcrest or other obstruction to view, the warning signal in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than 100 feet nor more than 500 feet from the standing vehicle.

(3) Whenever any vehicle of a type referred to in this section is left standing, whether attended or unattended, upon any roadway of a divided highway during hours of darkness, the appropriate warning devices prescribed in subs. (1) and (4) shall be placed as follows:

(a) One shall be placed at a distance of approximately 200 feet from the vehicle in the center of the lane occupied by the standing vehicle and in the direction of traffic approaching in that lane;

(b) One shall be placed at a distance of approximately 100 feet from the vehicle in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane;

(c) One shall be placed at the traffic side of the vehicle and approximately 10 feet from the vehicle in the direction of the nearest approaching traffic.

(4) No operator of a motor vehicle used in the transportation of explosives, or of a cargo tank truck used for the transportation of any flammable liquid or compressed flammable gas shall use any flame-producing emergency signal for protecting any such vehicle. In lieu thereof, red electric lanterns or red emergency reflectors shall be used, the placement of which shall be in the same order and manner as prescribed in subs. (1) to (3).

(5) Whenever any vehicle of a type referred to in this section is left standing at any place mentioned in this section at times other than during hours of darkness, the operator of the vehicle shall display 2 red flags upon the roadway in the lane of traffic occupied by the standing vehicle, one at a distance of approximately 100 feet in advance of the vehicle and one at a distance of approximately 100 feet to the rear of the vehicle.

(6) The flares, fusees, red electric lanterns, red emergency reflectors and flags to be displayed as required in this section shall conform with the requirements of s. 347.28.

(7) This section does not apply to vehicles standing on a highway in compliance with traffic regulations or the directions of a traffic officer or official traffic sign or signal.

**History:** 1991 a. 316.

A flag warning under sub. (5) is not applicable in a city. *Northland Insurance Co. v. Avis Rent-A-Car*, 62 Wis. 2d 643, 215 N.W.2d 439 (1974).

**347.30 Penalty for violating lighting equipment requirements.** (1) Any person violating s. 347.06 or 347.13 (2), (3) or (4) may be required to forfeit not less than \$10 nor more than \$20 for the first offense and not less than \$25 nor more than \$50 for the 2nd or subsequent conviction within a year.

(2) Any person violating ss. 347.03, 347.07 to 347.12, 347.13 (1) or 347.14 to 347.29 may be required to forfeit not less than \$10 nor more than \$200.

(3) Notwithstanding sub. (2), on or after April 5, 2018, and before 6 months after April 5, 2018, if a person violates s. 347.24 (2) by operating on a highway during hours of darkness a vehicle that is drawn by an animal and that is not equipped with 2 yellow or amber strobe lights visible from a distance of 500 feet to the rear and mounted not more than 6 inches from the lateral extremities of the vehicle, a law enforcement officer shall issue the person a warning notice and may not issue a citation.

**History:** 1971 c. 278; 2017 a. 228.

### SUBCHAPTER III

#### OTHER EQUIPMENT

**347.35 Brakes.** (1) **MOTOR VEHICLES.** No person shall operate any motor vehicle, other than a moped or motorcycle, upon a highway unless such motor vehicle is equipped with brakes adequate to control the movement of and to stop and hold such vehicle and capable of meeting the performance specifications under s. 347.36. There shall be 2 separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least 2 wheels.

(1a) **PARKING BRAKES.** Every such vehicle and combination of vehicles, except mopeds and motorcycles, shall be equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading on a surface free from snow, ice or loose material. The parking brakes shall be capable of being applied by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power provided that failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied. The parking brakes shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake shoe anchors and mechanical brake actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative brakes.

(2) **MOPEDS AND MOTORCYCLES.** No person may operate a moped or motorcycle upon a highway unless the moped or motorcycle is equipped with at least one brake capable of meeting the performance specifications set forth in s. 347.36. The brake may be designed to be operated either by hand or by foot.

(3) **TRAILERS, SEMITRAILERS AND TOWED VEHICLES.** (a) Except as provided in par. (am), no person shall operate on a highway any trailer, semitrailer or other towed vehicle having a gross weight of 3,000 pounds or more and manufactured after January 1, 1942 unless such vehicle is equipped with brakes adequate to control the movement of and to stop and hold it.

(am) A motor vehicle may be towed without being equipped with brakes as provided in par. (a) if the gross weight of the towed vehicle is not more than 40 percent of the gross weight of the towing vehicle and the brakes on the towing vehicle are capable of bringing the combination of towing vehicle and towed vehicle to a stop as provided in s. 347.36 (1).

(b) Every full trailer, semitrailer, pole trailer or other towed vehicle required to be equipped with brakes shall be equipped with brake systems of such design and type, and capable of meeting such performance standards, as established by rule of the department.

(c) This subsection does not apply to farm trailers or to disabled vehicles while being towed to a place of repair or to automobiles or trucks while being towed or being transported pursuant to s. 341.47 (1) (b).

**(4) MOBILE HOMES AND RECREATIONAL VEHICLES.** No person shall manufacture and no person shall sell a mobile home or recreational vehicle in this state unless such mobile home or recreational vehicle is equipped with brakes adequate to control the movement of and to stop and hold it. No person shall operate on a highway any mobile home registered as a 1940 or later year model or recreational vehicle unless such mobile home or recreational vehicle is equipped with brakes adequate to control the movement of and to stop and hold it.

**(5) IMPLEMENTS OF HUSBANDRY.** (a) No person may operate on a highway any self-propelled implement of husbandry manufactured after February 1, 1985, unless the vehicle is equipped with brakes or other stopping device adequate to control the movement of and to stop and hold the implement of husbandry.

(b) Every self-propelled implement of husbandry required to be equipped with brakes or other stopping device shall be equipped with brakes or a stopping device that meets design, type or performance standards established by the department by rule. The rule of the department under this paragraph shall comply with the applicable standard established by the American society of agricultural engineers.

**History:** 1977 c. 29 s. 1654 (7) (e); 1979 c. 163; 1983 a. 124, 243, 244; 1985 a. 65; 2007 a. 11; 2019 a. 50.

**Cross-reference:** See also ch. Trans 308 and ss. Trans 305.17, 305.37, and 305.51, Wis. adm. code.

**347.36 Performance ability of brakes.** (1) Brakes on motor vehicles and brakes on combinations of vehicles shall be capable of bringing the vehicle or combination of vehicles to a stop, under normal conditions, within 50 feet when traveling at a speed of 20 miles per hour.

(3) All required brakes shall be maintained in good working order.

**History:** 1983 a. 243.

**Cross-reference:** See also ss. Trans 305.17 and 305.37, Wis. adm. code.

**347.37 Brake fluid, sale regulation.** (1) After January 1, 1960, no hydraulic brake fluid for use in motor vehicles shall be sold in this state if such brake fluid is below the minimum standard of specifications established by the society of automotive engineers for heavy duty type brake fluid No. 70R1 or a later designator for an improved product.

(2) All manufacturers of brake fluids selling such fluids in Wisconsin shall state on the immediate containers in which such fluid is packaged that the fluid therein meets or exceeds the specifications under sub. (1).

**347.38 Horns and warning devices.** (1) No person shall operate a motor vehicle upon a highway unless such motor vehicle is equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no person shall at any time use a horn otherwise than as a reasonable warning or make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

(2) Except as otherwise provided in this section, no vehicle shall be equipped with nor shall any person use upon a vehicle any siren or compression or exhaust whistle.

(3) Any vehicle may be equipped with a theft alarm signal device if such device is so arranged that it cannot be used by the driver as an ordinary warning signal.

(4) An authorized emergency vehicle shall be equipped with a siren, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm, when transporting an organ for human transplantation, or when transporting medical personnel for the purpose of performing human organ harvesting or transplantation immediately after the transportation, in which events the driver of such vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers.

**Cross-reference:** See also ss. Trans 305.25 and 305.41, Wis. adm. code.

**History:** 2007 a. 20.

**347.385 Traffic control signal preemption and priority devices.** (1m) In this section:

(a) “Authorized emergency vehicle” means an authorized emergency vehicle as defined in s. 340.01 (3) (a), (c), (g), or (i).

(d) “Political subdivision” means a county, city, village, or town.

(e) “Snow removal vehicle” means any vehicle equipped with a snowplow or anti-icing equipment that is used by a political subdivision for snow removal and is operated by a political subdivision or the agent or lessee of a political subdivision.

(f) “Traffic control signal preemption device” means a device, located on or within a traffic control signal, that is designed to receive an electronic, radio, light, or sound transmission from an approaching vehicle that alters the normal sequence of the traffic control signal to provide or maintain a green signal for the vehicle to proceed through the intersection.

(g) “Traffic control signal priority device” means a device, located on or within a traffic control signal, that is designed to receive an electronic, radio, light, or sound transmission from an approaching vehicle to request that a green signal be provided or maintained for the vehicle to proceed through the intersection.

(i) “Transmitter” means a device that emits a signal for the purpose of activating a traffic control signal preemption device or a traffic control signal priority device.

**(2m)** An authorized emergency vehicle may be equipped and operated with lamps designed and used, or with any other transmitter designed and used, to activate traffic control signal preemption devices.

**(2r)** A snow removal vehicle equipped with oscillating, rotating, or flashing lights that is actively engaged in snow removal activities may be equipped and operated with lamps designed and used, or with any other transmitter designed and used, to activate traffic control signal priority devices.

**(3m)** The lamps authorized for use under this section may be any color and may be flashing, oscillating, rotating or pulsating.

(4) No operator of an authorized emergency vehicle may use a transmitter, including lamps under sub. (2m), except when responding to an emergency call, when pursuing an actual or suspected violator of the law, or when responding to, but not when returning from, a fire alarm.

(5) (a) No person may operate upon a highway a motor vehicle, other than an authorized emergency vehicle or snow removal vehicle, that is equipped with a transmitter or in which a transmitter is located. This subsection does not apply to a motor carrier or person in the business of selling transmitters to authorized users who transports a transmitter in original, unopened packaging or in an inoperative condition in an enclosed storage compartment of the vehicle.

(b) No person may sell a transmitter except for use for authorized purposes as described in sub. (2m) or (2r).

(6) The authority responsible for maintenance of a traffic control signal may establish procedures for resolving conflicts between multiple requests for signal preemption or priority at a traffic signal, except that a signal preemption request from an authorized emergency vehicle must be given priority over any signal priority request.

**History:** 2005 a. 193 ss. 1 to 6; Stats. 2005 s. 347.385; 2023 a. 167.

**347.39 Mufflers.** (1) No person shall operate on a highway any motor vehicle subject to registration unless such motor vehicle is equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise or annoying smoke. This subsection also applies to motor bicycles.

(2) No muffler or exhaust system on any vehicle mentioned in sub. (1) shall be equipped with a cutout, bypass or similar device nor shall there be installed in the exhaust system of any such vehicle any device to ignite exhaust gases so as to produce flame within or without the exhaust system. No person shall modify the exhaust system of any such motor vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally installed on the vehicle, and such original muffler shall comply with all the requirements of this section.

(3) In this section, “muffler” means a device consisting of a series of chambers of baffle plates or other mechanical design for receiving exhaust gases from an internal combustion engine and which is effective in reducing noise.

**History:** 1983 a. 243.

**Cross-reference:** See also ss. [Trans 305.20](#) and [305.39](#), Wis. adm. code.

**347.40 Mirrors.** (1) No person shall operate any motor vehicle upon a highway unless such vehicle is equipped with a mirror so located as to reflect to the operator a view of the roadway for a distance of 200 feet to the rear of such vehicle.

(2) No person shall operate on a highway any school bus having a passenger-carrying capacity of 10 or more persons including the operator unless such bus is equipped with at least one mirror which is 7 inches in diameter so located as to enable the operator to see a reflection of the road from the entire front bumper forward to a point where direct observation is possible.

(3) No person may operate or permit the operation of any motor bus on a highway unless the bus is equipped with 2 outside rearview mirrors, one to the right and one to the left of the operator. Each mirror shall have not less than 50 square inches of unobstructed reflective surface and shall be firmly supported and adjustable to give the operator a clear view past both the right and left rear of the bus.

**History:** 1975 c. 84; 1987 a. 235.

**Cross-reference:** See also ss. [Trans 305.26](#) and [305.44](#), Wis. adm. code.

**347.41 Speed indicators.** No person shall operate on a highway any motor vehicle primarily designed for use upon a highway unless such motor vehicle is equipped with a speedometer which with reasonable accuracy registers the speed of the vehicle, except that motor trucks or truck tractors may be equipped with tachometers or any other devices that indicate speed and motor vehicles transported pursuant and in compliance with s. [341.47 \(1\) \(b\)](#) and (c) may be equipped with a governor of speed of a type which restricts speed and which is set at a level equal to or below the limits of 55 miles per hour in lieu of a speedometer.

**History:** 1983 a. 54.

**Cross-reference:** See also s. [Trans 305.18](#), Wis. adm. code.

**347.413 Ignition interlock device tampering; failure to install.** (1) No person may remove, disconnect, tamper with, or otherwise circumvent the operation of an ignition interlock device installed in response to the court order under s. [346.65 \(6\)](#), 1999 stats., or s. [343.301 \(1\)](#), 2007 stats., or s. [343.301 \(1g\)](#), or fail to have the ignition interlock device installed as ordered by the court, or violate a court order under s. [343.301 \(1g\)](#) restricting the per-

son’s operating privilege. This subsection does not apply to the removal of an ignition interlock device upon the expiration of the order requiring the motor vehicle to be so equipped or to necessary repairs to a malfunctioning ignition interlock device by a person authorized by the department.

(3) The department shall design a warning label which shall be affixed to each ignition interlock device upon installation. The label shall provide notice of the penalties for tampering with or circumventing the operation of the ignition interlock device under sub. (1) and s. [343.10 \(5\) \(a\) 3](#).

**History:** 1991 a. 277; 1993 a. 213; 1999 a. 109; 2001 a. 16 ss. [3445f](#), [3445g](#), [4060hd](#), [4060hw](#), [4060hy](#); 2009 a. 100, 121; 2017 a. 124.

**347.415 Odometer tampering.** (1g) In this section, “odometer” means an instrument for measuring and recording the actual distance that a motor vehicle, snowmobile, all-terrain vehicle, or utility terrain vehicle has traveled while in operation, but does not include any auxiliary instrument designed to be reset to zero to measure and record the actual distance that a motor vehicle, snowmobile, all-terrain vehicle, or utility terrain vehicle has traveled on trips.

(1m) No person may, either personally or through an agent, remove, replace, disconnect, reset, tamper with, alter, or fail to connect the odometer of any motor vehicle, snowmobile, all-terrain vehicle, or utility terrain vehicle with the intent to change or affect the number of miles indicated thereon.

(2) No person may operate a motor vehicle subject to registration under ch. [341](#) on any street or highway with knowledge that the odometer is removed, disconnected or nonfunctional. An exemption may be provided if parts are on back order to correct a nonfunctional odometer.

(3) No person may advertise for sale, sell, use, install, or have installed any device which causes an odometer to register any mileage other than the true mileage driven. For purposes of this subsection, “true mileage driven” means that mileage traveled by the vehicle as measured and recorded by the odometer within the manufacturer’s design tolerance.

(4) No person shall conspire with any other person to violate sub. (1m), (2) or (3).

(5) Nothing in this section shall prevent the service, repair or replacement of an odometer, provided the mileage indicated thereon remains the same as before the service, repair or replacement. Where the odometer is incapable of registering the same mileage as before such service, repair or replacement, the odometer shall be adjusted to read zero, and a written notice shall be attached, by the owner or an agent, to the left door frame of the vehicle, or other location as prescribed by the department, specifying the mileage prior to service, repair or replacement of the odometer and the date on which it was serviced, repaired or replaced. No person may, with intent to defraud, remove or alter such a notice so affixed. No person who services, repairs or replaces an odometer that is incapable of registering the same mileage as before such service, repair or replacement may fail to adjust the odometer to read zero or fail to attach the notice required by this subsection.

**History:** 1975 c. 121, 199; 1977 c. 29 s. 1654 (7) (a); 1993 a. 159; 2003 a. 166; 2011 a. 208.

**Cross-reference:** See also ch. [Trans 154](#), Wis. adm. code.

**347.417 Immobilization device tampering.** (1) No person may remove, disconnect, tamper with, or otherwise circumvent the operation of any immobilization device installed in response to a court order under s. [346.65 \(6\)](#), 1999 stats., or s. [343.301 \(2\)](#), 2007 stats. This subsection does not apply to the removal of an immobilization device pursuant to a court order or to necessary repairs to a malfunctioning immobilization device.

(2) The department shall design a warning label which shall be affixed by the owner of each immobilization device before the device is used to immobilize any motor vehicle under s. [346.65 \(6\)](#), 1999 stats., or s. [343.301 \(2\)](#), 2007 stats. The label shall provide notice of the penalties for removing, disconnecting, tamper-

ing with, or otherwise circumventing the operation of the immobilization device.

**History:** 1991 a. 277; 1999 a. 109; 2001 a. 16 ss. 3445h to 3445m, 4060hg, 4060hj, 4060hw, 4060hy; 2009 a. 100.

**347.42 Windshield wipers.** No person may operate on a highway any motor vehicle equipped with a windshield, except a moped or motorcycle, unless the motor vehicle also is equipped with a device for cleaning rain, snow or other moisture from the windshield. The device shall be so constructed as to be controlled or operated by the operator of the vehicle and shall at all times be maintained in good working order.

**History:** 1979 c. 163; 1983 a. 243; 1985 a. 65; 2019 a. 50.

**Cross-reference:** See also s. [Trans 305.35](#), Wis. adm. code.

**347.43 Safety glass. (1g)** In this section, “safety glass” means glass so treated or combined with other materials as to reduce, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from external sources or by such glass when it is struck, cracked or broken.

**(1s)** No person may operate upon a highway any motor vehicle manufactured after January 1, 1936, except a recreational vehicle other than a 5th-wheel recreational vehicle, unless the motor vehicle is equipped with safety glass wherever glass is used on the motor vehicle in partitions, doors, windows or windshields.

**(2)** No person may sell any new motor vehicle unless such vehicle is equipped with safety glass in accordance with the requirements of sub. **(1s)**.

**(4)** If a common carrier or person operating under a permit or certificate issued by the department is convicted of operating a vehicle in violation of this section, the department may suspend or revoke the permit or certificate until such time as the vehicle has been equipped with safety glass as required by this section.

**History:** 1977 c. 29 s. 1654 (9) (f); 1981 c. 347; 1985 a. 187; 1993 a. 16; 1999 a. 85; 2007 a. 60.

**Cross-reference:** See also ss. [Trans 305.32](#) and [305.34](#), Wis. adm. code.

Sub. **(1)** [now sub. **(1s)**] requires that whenever broken glass is replaced in a vehicle it must be replaced with safety glass. Replacing glass with plastic violated this section, and an officer observing a vehicle with replacement plastic had probable cause to stop the vehicle for a violation of this section. *State v. Longcore*, 2001 WI App 15, 240 Wis. 2d 429, 623 N.W.2d 201, 00–1171.

**347.435 Vehicle monitoring and feedback.** Notwithstanding s. [346.88](#), a person may operate a vehicle that has a device mounted to the front windshield if all of the following apply:

**(1)** The device is designed to monitor the vehicle and provide feedback to the operator for the purpose of safety or improving vehicle operation.

**(2)** The device is mounted directly above, behind, or below the mirror required in s. [347.40 \(1\)](#) or, if no mirror is present, at the location where the mirror would typically be mounted.

**(3)** The device is mounted in a manner consistent with applicable federal requirements if the vehicle is a commercial motor vehicle as defined in [49 CFR 390.5](#).

**History:** 2015 a. 160.

**347.44 Painting requirements for school buses; restrictions as to painting of other vehicles. (1)** All school buses shall be painted as follows:

**(a)** With the exception of trim, the body, including hood, fenders, cowl and roof shall be painted a uniform color, national school bus glossy yellow, according to national institute of standards and technology specifications;

**(b)** The body trim, if used, shall be black; and

**(c)** The words, “SCHOOL BUS”, in black letters at least 8 inches high shall appear on both the front and rear of the upper body area or on a sign attached thereto.

**(2)** A motor vehicle described in s. [340.01 \(56\) \(b\)](#) may, but need not, comply with sub. **(1)**. If the motor vehicle complies with sub. **(1)**, the vehicle shall comply with other regulations relating to school buses prescribed by the department by rule.

**(3)** No person may paint or in any way designate a motor vehicle in the manner described in sub. **(1)** except as expressly authorized by this section.

**(4)** When a motor vehicle in compliance with sub. **(1)**, s. [347.25 \(2\)](#), and the rules of the department relating to school bus equipment is no longer operated as a school bus, the registration of the motor vehicle for another purpose may not be permitted until the owner:

**(a)** Physically removes the signs identifying the vehicle as a school bus, the lights required by s. [347.25 \(2\)](#) and such other equipment as the department may specify by rule; and

**(b)** Repaints the entire vehicle to a color other than national school bus glossy yellow or any color commonly referred to as yellow.

**History:** 1975 c. 121, 199, 224, 429; 1977 c. 29 s. 1654 (7) (e); 1977 c. 228; 1979 c. 221; 1983 a. 175; 1985 a. 287; 1989 a. 165.

**Cross-reference:** See also ch. [Trans 300](#), Wis. adm. code.

**347.445 Crossing gates for school buses.** No person may operate a school bus that is painted as provided in s. [347.44](#) unless it is equipped with a retractable crossing gate on the front of the bus that, when in use, prevents children from crossing in front of the school bus in such proximity that they are not visible to the operator of the school bus from the operator’s seat. The secretary shall prescribe rules for the specifications, installation, and operation of crossing gates required under this section.

**History:** 2001 a. 58.

**347.447 Additional safety mirrors on school buses.** A school bus that is painted as provided in s. [347.44](#) may be equipped with a supplemental mirror system, mounted on the passenger side of the school bus and designed to enhance operator visibility of children near the passenger side of the school bus, if the supplemental mirror system does not make inoperative or diminish the performance of any other mirror or safety device required on the school bus.

**History:** 2011 a. 223.

**347.45 Tire equipment. (1)** All automobiles, motor trucks, motor buses, truck tractors, trailers, semitrailers, recreational vehicles, and mobile homes when operated upon a highway shall be completely equipped with tires inflated with compressed air and all other motor vehicles when operated on a highway shall be equipped with tires of rubber or of some material or construction of equal resiliency. No person may operate on a highway any motor vehicle, trailer, semitrailer, recreational vehicle, or mobile home having any metal tire in contact with the roadway, except that tire chains of reasonable proportions may be used when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid, and except as provided in sub. **(2) (c)**.

**(2)** No person shall operate on a highway any vehicle, including farm tractors, implements of husbandry, animal-drawn vehicles and road machinery, if such vehicle has on the periphery of any of its tires any block, stud, flange, cleat, spike or other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that:

**(a)** Farm tractors, implements of husbandry, bicycles, animal-drawn vehicles, and road machinery may be operated with metal tires or tires having protuberances that will not injure the highway.

**(b)** Tire chains of reasonable proportions may be used on any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid.

**(c)** A pneumatic tire may have embedded in it wire or wire coils for improving traction on ice and snow, but such tire shall be so constructed that the percentage of wire or wire coils in contact with the roadway does not exceed, after the first 1,000 miles of use or operation, 5 percent of the total tire area in contact with the roadway. During the first 1,000 miles of use or operation of any such tire the wire or wire coils in contact with the roadway shall not exceed 20 percent of the total tire area in contact with the road-

way. Tires equipped with tungsten carbide studs shall be limited in usage and design as follows:

1. The department shall, by rule, designate the times of year during which any type of tire described in this paragraph may be used.

2. Such tires may be used only on authorized emergency vehicles, school buses, vehicles used to deliver mail and automobiles with out-of-state registrations and then only if such automobile is in the course of passing through this state for a period of not more than 30 days.

3. Such studs shall not project more than one-eighth inch beyond the tread surface of the tire.

(3) The authority in charge of maintenance of the highway in question may, in its discretion, issue a special permit authorizing operation upon such highway of a vehicle the operation of which would otherwise be prohibited under this section.

(4) No person shall knowingly operate on any highway any vehicle on which any tire has been regrooved or recut or offer such tire for sale or exchange. This subsection shall not apply to regrooved or recut commercial vehicle tires which are designed and constructed in such a manner that regrooving or recutting is an acceptable and safe practice, nor does this subsection apply to regrooving or recutting done in a tire recapping process.

(5) Notwithstanding sub. (2), an implement of husbandry equipped with rubber tracks or tracks made of equivalent material may be operated on a highway if such operation will not injure the highway.

**History:** 1973 c. 338; 1977 c. 29 s. 1654 (7) (a); 1985 a. 187; 1997 a. 102; 1999 a. 85; 2007 a. 11; 2009 a. 177; 2011 a. 73; 2015 a. 15, 232.

**Cross-reference:** See also ch. Trans 306 and s. Trans 305.30, Wis. adm. code.

**347.455 Modifications to height of vehicle.** (1) Except as further provided in this section, no person may operate any vehicle on a highway if modifications have been made to the suspension system, axles or chassis of the vehicle which cause any portion of the vehicle to ride more than 4 inches above the height of the vehicle specified by the manufacturer. The height of the vehicle shall be measured from the level surface on which the vehicle stands.

(2) If the modification is for the purpose of strengthening or improving handling, modifications may be made to the suspension system, axles or chassis of a 4-wheel drive vehicle or a motor truck which has a gross weight of not more than 8,000 pounds which cause the vehicle to ride 5 or less inches above the height of the vehicle specified by the manufacturer. The height of the vehicle shall be measured from the level surface on which the vehicle stands.

(3) A 4-wheel drive vehicle or a motor truck which has a gross weight of not more than 8,000 pounds may be modified to use a tire and wheel size which exceeds the wheel and tire size specified by the manufacturer for the vehicle by up to 4 inches in radius.

(4) No person may operate any vehicle on a highway if modifications have been made to the suspension system, axles, chassis or exhaust system of the vehicle which cause any portion of the vehicle, except the tires, to extend below lines drawn from the bottom of each wheel rim to the points of contact between the tires on the opposite side and opposite end of the vehicle and the level surface on which the vehicle stands.

**History:** 1981 c. 216; 1993 a. 165.

**Cross-reference:** See also ss. Trans 305.18, 305.29, and 305.31, Wis. adm. code.

**347.46 Fenders and mudguards.** (1) No person shall operate a vehicle of the tractor type on a highway unless the driving wheels of such vehicle are protected by suitable fenders.

(2) No person shall operate on a highway in intercity movement any privately owned motor truck or privately owned semitrailer drawn by a truck tractor, except those motor trucks and semitrailers equipped with dump bodies, unless such motor truck or semitrailer is equipped with rear fenders or mudguards of such material and so constructed and placed as to restrict to a minimum

the splashing of water, mud or other material which may be thrown by the rear wheels. Such rear fenders or mudguards shall meet the following minimum specifications:

(a) The fenders or mudguards shall cover the tire or multiple tires they are protecting starting at the top from a line drawn vertically through the center of the axle and extending rearward and downward so that the fender or mudguard under any condition of operation or loading of the vehicle has a ground clearance of not more than one third of the horizontal distance from the center of the rearmost axle to the fender or mudguard;

(b) The fenders or mudguards shall be at least as wide as the tire or multiple tires they are protecting;

(c) If the vehicle is so designed and constructed that the rear wheels are covered in the manner specified in pars. (a) and (b) by means of fenders, body construction or other means of enclosure, then no special mudguards are required. Otherwise, the vehicle shall be equipped with special mudguards to the extent necessary to meet the requirements of pars. (a) and (b).

**Cross-reference:** See also ss. Trans 305.22 and 305.53, Wis. adm. code.

**347.47 Drawbars, trailer hitches and mobile home couplings.** (1) No person shall operate a vehicle towing or drawing another vehicle or vehicles on a highway if the drawbar or other connection between any 2 vehicles exceeds 12 feet in length.

(2) No person shall operate a motor vehicle drawing a trailer, semitrailer, recreational vehicle, or mobile home upon a highway unless the hitch and coupling attaching the trailer, semitrailer, recreational vehicle, or mobile home to the vehicle by which it is drawn is of such construction as to cause such trailer, semitrailer, recreational vehicle, or mobile home to follow in direct line with the propelling vehicle without dangerous side swing or wobble. The hitch and coupling, the surface to which they are attached, and the connections, shall be of sufficient strength to prevent failure under all conditions of operation. The hitch is that part of the connecting mechanism, including the coupling platform and its attaching members or weldments, which is attached to the towing vehicle. The coupling is that part of the connecting mechanism, including the coupling and its attaching members or weldments, which is attached to the trailer, recreational vehicle, or mobile home and by which connection is made to the hitch. If a device is used between the trailer proper and the coupling such as a pole, such device shall also meet the requirements of this section.

(3) In addition to the hitch and coupling specified in sub. (2), every towed vehicle shall be coupled to the towing vehicle by means of safety chains, leveling bars or cables. This requirement does not apply to a semitrailer having a connecting device composed of a 5th wheel and kingpin assembly, nor to a pole or pipe dolly. The safety chains, leveling bars or cables shall have only the necessary slack to permit proper turning and safety chains or cables shall be so connected to the towed and towing vehicle to prevent the drawbar from dropping to the ground if the hitch or coupling disengages. Two separate lengths of safety chain, leveling bars or cable shall be required on all trailers and mobile homes; however, the department may authorize use of such other appropriate equipment or methods approved by nationally recognized organizations which recommend safety standards for motor vehicles.

(4) Trailer, semitrailer, recreational vehicle, and mobile home couplings and the safety chains, leveling bars or cables shall be of such minimum strength, design and type as established by published rule of the department.

**History:** 1971 c. 88; 1977 c. 29 s. 1654 (7) (e); 1979 c. 34; 2007 a. 11.

**Cross-reference:** See also ch. Trans 308 and s. Trans 305.52, Wis. adm. code.

**347.475 Airbags, prohibited practices.** (1) In this section, "airbag" means an inflatable restraint system that is designed to be installed and to operate in a motor vehicle to deploy by inflating upon an impact of the vehicle with another object.

(2) No person may, either personally or through an agent, sell, install, reinstall, or distribute any previously deployed airbag.

This subsection does not apply to the sale of a motor vehicle with a previously deployed airbag unless the deployment is concealed or disguised.

(3) No person may, either personally or through an agent, remove, disconnect, tamper with, or otherwise circumvent the operation of any airbag, except for the purpose of testing, repairing, or maintaining an airbag, salvaging an undeployed airbag, disposing of a deployed airbag, or replacing a deployed airbag with a functional airbag. This subsection does not apply to the installation or use of an on–off switch by any person who is authorized by federal law or regulation to install or use an on–off switch for an airbag.

(4) No person may, either personally or through an agent, install a cover or otherwise conceal or disguise a missing airbag or a previously deployed airbag.

History: 2001 a. 28.

### 347.48 Safety belts and child safety restraint systems.

(1) SAFETY BELTS REQUIRED. (a) No person may buy, sell, lease, trade or transfer a motor vehicle other than an automobile at retail from or to Wisconsin residents unless the vehicle is equipped with safety belts installed for use as required under 49 CFR 571, and no such vehicle may be operated in this state unless such belts remain installed.

(b) No person may buy, sell, lease, trade or transfer an automobile that is required under 49 CFR 571 to be equipped with safety belts from or to a resident of this state unless the front designated seating positions of the automobile are equipped with safety belts installed for use as required under 49 CFR 571 and unless each rear outboard designated seating position of the automobile is equipped with a safety belt consisting of a combination of a pelvic and upper torso restraint that conforms to standards for a Type 2 seat belt assembly under 49 CFR 571.209, and no automobile may be operated in this state unless such belts remain installed. Nothing in this section applies to antique reproductions.

(2) TYPE AND MANNER OF INSTALLING. All such safety belts must be of a type and must be installed in a manner approved by the department. The department shall establish specifications and requirements for approved types of safety belts and attachments thereto. The department will accept, as approved, all seat belt installations and the belt and anchor meeting the society of automotive engineers' specifications.

(2m) REQUIRED USE. (a) In this subsection, “properly restrained” means wearing a safety belt approved by the department under sub. (2) and fastened in a manner prescribed by the manufacturer of the safety belt which permits the safety belt to act as a body restraint.

(b) If a motor vehicle is required to be equipped with safety belts in this state, no person may operate that motor vehicle unless the person is properly restrained in a safety belt.

(c) If a motor vehicle is required to be equipped with safety belts in this state, no person may operate that motor vehicle unless each passenger who is at least 8 years old and who is seated at a designated seating position in the front seat required under 49 CFR 571 to have a safety belt installed or at a designated seating position in the seats, other than the front seats, for which a safety belt is required to be installed is properly restrained.

(d) If a motor vehicle is required to be equipped with safety belts in this state, no person who is at least 8 years old and who is seated at a designated seating position in the front seat required under 49 CFR 571 to have a safety belt installed or at a designated seating position in the seats, other than the front seats, for which a safety belt is required to be installed may be a passenger in that motor vehicle unless the person is properly restrained.

(dm) Paragraphs (b), (c) and (d) do not apply to the operation of an authorized emergency vehicle by a law enforcement officer or other authorized operator under circumstances in which compliance could endanger the safety of the operator or another.

(dr) Paragraph (b) does not apply to the operator of a vehicle while on a route which requires the operator to make more than 10 stops per mile involving an exit from the vehicle in the scope of his or her employment. Paragraphs (c) and (d) do not apply to a passenger while on a route which requires the passenger to make more than 10 stops per mile involving an exit from the vehicle in the scope of his or her employment.

(e) The department shall, by rule, exempt from the requirements under pars. (b) to (d) persons who, because of a physical or medical condition, cannot be properly restrained in a safety belt.

Cross-reference: See also ch. Trans 315, Wis. adm. code.

(f) 1. This subsection does not apply if the motor vehicle is a taxicab or is not required to be equipped with safety belts under sub. (1) or 49 CFR 571.

2. This subsection does not apply to a privately owned motor vehicle while being operated by a rural letter carrier for the delivery of mail or while being operated by a delivery person for the delivery of newspapers or periodicals.

3. This subsection does not apply to a motor vehicle while being operated by a land surveying crew while conducting a land survey along or upon the highway.

7. This subsection does not apply to a farm truck or dual purpose farm truck while being used in conjunction with the planting or harvesting of crops and not being operated upon the highway.

(g) Evidence of compliance or failure to comply with par. (b), (c) or (d) is admissible in any civil action for personal injuries or property damage resulting from the use or operation of a motor vehicle. Notwithstanding s. 895.045, with respect to injuries or damages determined to have been caused by a failure to comply with par. (b), (c) or (d), such a failure shall not reduce the recovery for those injuries or damages by more than 15 percent. This paragraph does not affect the determination of causal negligence in the action.

(gm) A law enforcement officer may not take a person into physical custody solely for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection, sub. (1) or (2) or rules of the department.

(3m) SAFETY BELT INFORMATION PROGRAM. The department shall develop and administer a public information program to promote safety belt awareness and use.

(4) CHILD SAFETY RESTRAINT SYSTEMS REQUIRED; STANDARDS; EXEMPTIONS. (ag) In this subsection:

1. “Child booster seat” means a child passenger restraint system that meets the applicable federal standards under 49 CFR 571.213 and is designed to elevate a child from a vehicle seat to allow the vehicle’s safety belt to be properly positioned over the child’s body.

2. “Designated seating position” has the meaning given in 49 CFR 571.3.

3. “Properly restrained” means any of the following:

a. With respect to par. (as) 1. and 2., fastened in a manner prescribed by the manufacturer of the child safety restraint system which permits the system to act as a body restraint but does not include a system in which the only body restraint is a safety belt of the type required under sub. (1).

b. With respect to par. (as) 3., wearing a safety belt consisting of a combination lap belt and shoulder harness approved by the department under sub. (2) and fastened in a manner prescribed by the manufacturer of the safety belt so that the safety belt properly fits across the child’s lap and the center of the child’s chest in a manner appropriate to the child’s height, weight, and age that permits the safety belt to act as a body restraint.

c. With respect to par. (as) 4., fastened in a manner prescribed by the manufacturer of the system which permits the system to act as a body restraint.

(am) No person may transport a child under the age of 8 in a motor vehicle unless the child is restrained in compliance with par.

(as) in a safety restraint system that is appropriate to the child's age and size and that meets the standards established by the department under this paragraph. The department shall, by rule, establish standards in compliance with applicable federal standards, including standards under 49 CFR 571.213, for child safety restraint systems.

(as) A child under the age of 8 years who is being transported in a motor vehicle shall be restrained as follows:

1. If the child is less than one year old or weighs less than 20 pounds, the child shall be properly restrained in a rear-facing child safety restraint system, positioned at a designated seating position in a back passenger seat of the vehicle if the vehicle is equipped with a back passenger seat.

2. Subject to subd. 1., if the child is at least one year old and weighs at least 20 pounds but is less than 4 years old or weighs less than 40 pounds, the child shall be properly restrained as provided in subd. 1. or properly restrained in a forward-facing child safety restraint system, positioned at a designated seating position in a back passenger seat of the vehicle if the vehicle is equipped with a back passenger seat.

3. Subject to subds. 1. and 2., if the child is at least 4 years old but less than 8 years old, weighs at least 40 pounds but not more than 80 pounds, and is not more than 57 inches in height, the child shall be properly restrained as provided in subd. 2. or properly restrained in a child booster seat.

4. Subject to subds. 1. to 3., if the child is less than 8 years old, the child shall be properly restrained as provided in subds. 1. to 3. or properly restrained in a safety belt approved by the department under sub. (2).

(b) The department may, by rule, exempt from the requirements under pars. (am) and (as) any child who because of a physical or medical condition or body size cannot be placed in a child safety restraint system, child booster seat, or safety belt.

(c) This subsection does not apply if the motor vehicle is a motor bus, school bus, taxicab, moped, motorcycle or is not required to be equipped with safety belts under sub. (1) or 49 CFR 571.

(d) Evidence of compliance or failure to comply with pars. (am) and (as) is admissible in any civil action for personal injuries or property damage resulting from the use or operation of a motor vehicle but failure to comply with pars. (am) and (as) does not by itself constitute negligence.

**History:** 1975 c. 337; 1977 c. 29 s. 1654 (7) (a); 1981 c. 327; 1983 a. 285; 1987 a. 132 ss. 3 to 6, 11; 1987 a. 399; 1989 a. 22; 1991 a. 26, 39, 198, 269; 1997 a. 190; 2005 a. 106; 2009 a. 28; 2011 a. 111.

**Cross-reference:** See also ch. Trans 310 and s. Trans 305.27, Wis. adm. code. "Seat belt negligence" and "passive negligence" are distinguished. Jury instructions regarding seat belts are recommended. A method for apportioning damages in seat belt negligence cases is adopted. *Foley v. City of West Allis*, 113 Wis. 2d 475, 335 N.W.2d 824 (1983).

A common law action for contribution may not be brought against a person who violates sub. (2m) (g). *Gaertner v. Holcka*, 219 Wis. 2d 436, 580 N.W.2d 271 (1998), 96–2726.

A statute requiring the wearing of seat belts in motor vehicles would be constitutional. 58 Atty. Gen. 241.

The seat belt defense — state of the law. *Kircher*, 53 MLR 172.

The seat belt defense — the trial lawyer's view. *Bowman*, 53 MLR 191.

Practical defense problems — the expert's view. *Huelke*, 53 MLR 203.

The seat belt as a cause of injury. *Snyder*, 53 MLR 211.

### 347.485 Protective headgear for use on motorcycles.

(1) (a) No person who holds an instructional permit under s. 343.07 (4) or who is under 18 years of age may operate or ride upon a motorcycle on any highway unless the person is wearing protective headgear of a type which meets the standards established for motorcycle operation in 49 CFR 571.218 and the chin strap is properly fastened.

(am) No person may operate a motorcycle when carrying a passenger under 18 years of age unless the passenger is wearing protective headgear.

(b) No person may sell or offer for sale any protective headgear for use by a driver or passenger on a motorcycle, not meeting the

standards established for motorcycle operation in 49 CFR 571.218.

(2) (a) No person may operate a motorcycle on any highway without wearing any of the following eye protection:

1. A protective face shield attached to the headgear.
2. Glasses.
3. Goggles.

(b) Except for photosensitive corrective glasses prescribed by an ophthalmologist, physician, oculist or optometrist, eye protection worn during hours of darkness may not be tinted or darkened.

(c) Notwithstanding par. (a), if the vehicle is an autocycle equipped with a windshield or a motorcycle equipped with a windshield that rises a minimum of 15 inches above the handlebar, the use of other eye protective devices is not mandatory.

(d) This subsection shall not apply to persons operating a motorcycle in a parade sanctioned by the local municipality.

(3) No person may rent, lease or loan a motorcycle to another unless he or she has ascertained that such party has the required eye protection and, if the party holds an instructional permit under s. 343.07 (4) or is under 18 years of age, that the party has the required protective headgear for operating the motorcycle.

(4) Every person in the motorcycle rental business shall have clean, usable protective headgear for rent in sufficient quantity to care for the needs of all customers.

**History:** 1977 c. 29 s. 1654 (7) (e); 1977 c. 204, 447; 1983 a. 133, 243, 538; 1985 a. 65, 85; 2019 a. 50.

Three-wheeled trucks and automobiles, golf carts, and other special purpose vehicles such as street sweepers, industrial fork-lifts, and motorized wheelbarrows are not motorcycles, and operators are not subject to this section. 58 Atty. Gen. 17.

**347.486 General requirements.** (1) No person may operate a motorcycle if the handgrips of the handlebars rise more than 30 inches above the lowest point of the top of the driver's seat when the seat is occupied.

(2) No person may operate a motorcycle with an improvised, defective or repaired handlebar.

(3) No person may operate a motorcycle without a functioning muffler.

**History:** 1979 c. 163; 1983 a. 243; 1985 a. 65; 2019 a. 50.

**Cross-reference:** See also subch. III of ch. Trans 305, Wis. adm. code.

**347.487 Seating requirements.** Except as provided in s. 346.595 (3m), no more than 2 persons may ride on a motorcycle during operation, and then only if the vehicle is equipped and designed with adequate seats and foot rests or pegs. Foot rests or pegs shall be mounted in accordance with manufacturer's specifications. In the absence of manufacturer's specifications, foot rests or pegs for the passenger shall be located on the same horizontal plane as those of the operator.

**History:** 1983 a. 243; 1985 a. 65; 2019 a. 50.

**347.488 Moped equipment.** No person may operate a moped unless:

(1) The moped complies with all federal emission, equipment and safety standards applicable at the time of manufacture;

(2) None of the original equipment installed on the moped by the manufacturer has been replaced with equipment of lesser performance characteristics; and

(3) The performance characteristics of the moped have not been altered so as to enable it to exceed the maximum design speed authorized for a moped under s. 340.01 (29m).

**History:** 1977 c. 288.

### 347.489 Lamps and other equipment on bicycles and other vehicles and devices.

(1) No person may operate a bicycle, motor bicycle, personal delivery device, electric scooter, or electric personal assistive mobility device upon a highway, sidewalk, bicycle lane, or bicycle way during hours of darkness unless the bicycle, motor bicycle, personal delivery device, electric scooter, or electric personal assistive mobility device is equipped with or, with respect to a bicycle or motor bicycle, the

operator is wearing, a lamp emitting a white light visible from a distance of at least 500 feet to the front of the bicycle, motor bicycle, personal delivery device, electric scooter, or electric personal assistive mobility device. A bicycle, motor bicycle, personal delivery device, electric scooter, or electric personal assistive mobility device shall also be equipped with a red reflector that has a diameter of at least 2 inches of surface area or, with respect to an electric scooter or an electric personal assistive mobility device, that is a strip of reflective tape that has at least 2 square inches of surface area, on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be used in lieu of the red reflector.

**(1m)** No person may operate a personal delivery device upon a sidewalk unless the device is equipped with a braking system that, when engaged, will enable the personal delivery device to come to a controlled stop.

**(2)** No person may operate a bicycle, motor bicycle, electric scooter, or electric personal assistive mobility device upon a highway, bicycle lane, or bicycle way unless it is equipped with a brake in good working condition, adequate to control the movement of and to stop the bicycle, motor bicycle, electric scooter, or electric personal assistive mobility device whenever necessary.

**(3)** No bicycle, motor bicycle, electric scooter, or electric personal assistive mobility device may be equipped with nor may any person riding upon a bicycle, motor bicycle, electric scooter, or electric personal assistive mobility device use any siren or compression whistle.

**(3m)** (a) 1. After January 1, 2018, a manufacturer or distributor of electric bicycles shall permanently affix to the electric bicycle a label containing all of the following information in Arial font of a minimum size of 9 point:

- a. The classification number of the electric bicycle.
- b. The speed at which the motor will cease to provide assistance or power.
- c. The wattage of the motor equipped to the electric bicycle.

2. If a person modifies an electric bicycle so as to change the classification of the electric bicycle, the person shall prepare and affix to the electric bicycle a revised label satisfying the requirements of subd. 1.

(b) An electric bicycle shall meet the requirements of 16 CFR Part 1512, as if the electric bicycle were a bicycle as defined under 16 CFR 1512.2 (a).

(c) An electric bicycle shall operate so that the motor ceases to provide assistance or power when the brakes are applied or the motor ceases to provide assistance or power when the rider stops pedaling.

(d) No person may operate a class 3 electric bicycle unless the electric bicycle is equipped with a speedometer that with reasonable accuracy registers the speed of the electric bicycle in miles per hour.

**(4)** No person may operate a personal delivery device upon a sidewalk unless the device is equipped with a plate or marker that is in a position to be clearly visible and that identifies the name and contact information of the personal delivery device operator.

**History:** 1973 c. 182, 333; 1977 c. 208; 1983 a. 243 s. 39; Stats. 1983 s. 347.489; 1995 a. 138; 2001 a. 90; 2011 a. 73; 2017 a. 13; 2019 a. 11, 34.

**347.49 Equipment of vehicles transporting flammable liquids.** **(1)** In this section, “flammable liquid” means any gasoline, naphtha, benzine, fuel oil, crude oil, kerosene or other liquid which has a flashpoint of 80 degrees Fahrenheit or less as determined by a Tagliabue or equivalent closed-cup test device.

**(2)** No person shall transport in or on any motor vehicle, trailer or semitrailer upon a highway any flammable liquid except by

tank mounted on or attached to or structurally a part of such motor vehicle, trailer or semitrailer and which is plainly marked to show that flammable liquids are being transported therein.

**(3)** This section does not apply to transportation of flammable liquids as freight only by the consumer from the place of purchase to the place of consumption if such liquids are transported in drums or other containers having a capacity of not more than 100 gallons each and if the total amount of such liquids so transported in any one vehicle or combination of vehicles does not exceed 500 gallons.

**History:** 2017 a. 365 s. 111.

**347.50 Penalties.** **(1)** Any person violating ss. 347.35 to 347.49, except s. 347.385 (5), s. 347.413 (1) or s. 347.415 (1m), (2) and (3) to (5) or s. 347.417 (1) or s. 347.475 or s. 347.48 (2m) or (4) or s. 347.489, may be required to forfeit not less than \$10 nor more than \$200.

**(1m)** Any person violating s. 347.385 (5) may be fined not more than \$10,000 or imprisoned for not more than one year in the county jail, or both, for each violation.

**(1s)** Any person violating s. 347.413 (1) or 347.417 (1) may be fined not less than \$150 nor more than \$600, or may be imprisoned for not more than 6 months, or both for the first offense. For a 2nd or subsequent conviction within 5 years, the person may be fined not less than \$300 nor more than \$1,000, or imprisoned for not more than 6 months, or both.

**(1t)** In addition to the penalty under sub. (1s), if a person who is subject to an order under s. 343.301 violates s. 347.413, the court shall extend the order restricting the person’s operating privilege under s. 343.301 (1g) or (2m) for 6 months for each violation.

**(2)** Any person violating s. 347.415 (1m), (2), and (3) to (5) or 347.475 may be fined not more than \$5,000 or imprisoned for not more than one year in the county jail, or both, for each violation.

**(2m)** (a) Any person who violates s. 347.48 (2m) (b) or (c) and any person 16 years of age or older who violates s. 347.48 (2m) (d) shall be required to forfeit \$10.

(b) No forfeiture may be assessed for a violation of s. 347.48 (2m) (d) if the violator is less than 16 years of age when the offense occurs.

**(3)** (a) Any person violating s. 347.48 (4) (am) may be required to forfeit not less than \$30 nor more than \$75 if the child is less than 4 years old.

(b) No forfeiture may be assessed under par. (a) if all of the following apply:

1. The motor vehicle was not equipped with a child safety restraint system meeting the requirements under s. 347.48 (4) (am) at the time the uniform traffic citation was issued.

2. The person provides proof that, within 30 days after the uniform traffic citation was issued, a child safety restraint system meeting the requirements under s. 347.48 (4) (am) was purchased or leased and properly installed in the motor vehicle.

3. The person has not, within the immediately preceding 3 years, been issued a uniform traffic citation for a violation of s. 347.48 (4) (am).

**(4)** Any person violating s. 347.48 (4) (am) may be required to forfeit not less than \$10 nor more than \$25 for the first offense if the child is at least 4 years old and less than 8 years old. For a 2nd or subsequent conviction within 3 years involving a child who is at least 4 years old and less than 8 years old, a person may be required to forfeit not less than \$25 nor more than \$200.

**(5)** Any person violating s. 347.489 may be required to forfeit not more than \$20.

**History:** 1971 c. 278; 1975 c. 121; 1981 c. 327; 1983 a. 243; 1985 a. 309; 1987 a. 132; 1989 a. 22; 1991 a. 26, 277; 2001 a. 28; 2003 a. 166; 2005 a. 106, 193; 2007 a. 97; 2009 a. 28, 100; 2017 a. 124.





# CITY OF APPLETON

## MEMORANDUM

**Date:** 8/2/24

**To:** Human Resources & Information Technology Committee

**From:** Charles E Sepers, Jr, PhD, MPH, Health Officer/Director, Department of Public Health

**Subject:** Exclusion of Chicken Hens from Maximum Animal Provision

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The purpose of this memo is to highlight the changes made to the existing ordinance regarding the number and types of animals allowed per household or dwelling unit.

### **Original Ordinance Language:**

#### **Sec. 3-12. Maximum number of animals.**

"No person or household shall keep more than six (6) animals, the maximum number of dogs being three (3), the maximum number of rabbits being two (2), on any City lot, land parcel, or dwelling unit if in a multiple dwelling unit, with the exception of a litter of pups or kittens, which may be kept for a period of time not to exceed five (5) months from birth. This section does not apply to premises holding a valid kennel license."

### **Modified Ordinance Language:**

#### **Sec. 3-12. Maximum number of animals.**

"No person or household shall keep more than six (6) animals, the maximum number of dogs being three (3), the maximum number of rabbits being two (2), on any City lot, land parcel, or dwelling unit if in a multiple dwelling unit, with the exception of a litter of pups or kittens, which may be kept for a period of time not to exceed five (5) months from birth. This section does not apply to premises holding a valid kennel license or to chicken hens maintained under a valid permit issued by the Health Department."

### **Summary of Changes:**

1. **Exception of Chicken Hens:** The modified ordinance now includes an exception for chicken hens. Specifically, it allows for chicken hens to be kept if they are maintained under a valid permit issued by the Health Department.
  - o **New Exception Clause:** "or to chicken hens maintained under a valid permit issued by the Health Department."

This amendment provides clarity and a legal framework for residents wishing to keep chicken hens within city limits, under regulated conditions set by the Health Department.

**100-24**

**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 8-7-2024)

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 created as follows. This ordinance supersedes and repeals any conflicting ordinance regarding parking in the designated area.

Parking be prohibited on the west side of Summit Street from Packard Street to Elsie Street.

**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.

**101-24**

**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 8-7-2024)

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 created as follows. This ordinance supersedes and repeals any conflicting ordinance regarding parking in the designated area.

Parking be prohibited on the west side of Summit Street from Prospect Avenue to Fourth Street.

**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.