

August 16, 2017

**AN ORDINANCE TO AMEND SECTION 25.09 OF CHAPTER 25
OF THE BROWN COUNTY CODE OF ORDINANCES ENTITLED
“CONVEYORS OF PUBLIC TRANSPORTATION”**

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 – **Section 25.09 of Chapter 25 of the Brown County Code of Ordinances, entitled “CONVEYORS OF PUBLIC TRANSPORTATION,” is hereby amended by being stricken in its entirety and by being replaced in its entirety with the following language:**

25.09 CONVEYORS OF PUBLIC TRANSPORTATION.

(1) Definitions. Terms used in this section, unless the context otherwise requires, have the following meaning:

(a) **Baggage Carrier** - Any person operating a vehicle which transports airline passenger baggage for hire.

(b) **Courtesy Vehicle** - Means any motor vehicle operated or contracted for by a hotel, motel, or any other establishment for the complimentary transportation of its patrons or prospective patrons to and from the Airport premises. Courtesy Vehicles must be operated as an incident to the business of the company providing the complimentary transportation. Courtesy Vehicles must be owned and operated by or contracted for by the specific company transporting its patrons, without cost to its patrons, and must be clearly identified with the company name painted on both exterior sides of the vehicle.

(c) **Freight Carrier** - Any person operating a vehicle which transports commodities, for hire.

(d) **Mail Carrier** - Any person operating a vehicle which transports U.S. Airmail, under contract with the U.S. Postal Service.

(e) **Taxicab** - a motor vehicle regularly engaged in the business of carrying passengers for hire and not operated on a fixed route or published schedule but not operated as a “TNC Vehicle” (see subparagraph (p), below).

(f) **Taxicab Company** - An individual or entity that owns one or more Taxicabs.

(g) **Taxicab Driver** - An individual who operates a Taxicab.

(h) **Limousine Company** - an individual or entity that owns one or more limousines.

(i) **Limousine** - As defined in § 77.995 of the Wisconsin Statutes.

(j) **Limousine Driver** - An individual who operates a limousine.

(k) Vehicle - Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway.

(l) Terminal building - That building located at 2077 Airport Drive, at Green Bay Austin Straubel International Airport which is used by passengers enplaning and deplaning aircraft.

(m) Transportation Network Company (TNC) - As defined in § 440.40(6) of the Wisconsin Statutes.

(n) Transportation Network Services - As defined in § 440.40(7) of the Wisconsin Statutes.

(o) Trip – each instance in which (i) a Participating Driver affiliated with a TNC exits the Airport Geo-Fence with a passenger arranged through that TNC’s digital network, or (ii) a Taxicab affiliated with a Taxicab Company exits the Airport with a passenger that was picked up at the Airport.

(p) TNC Vehicles - Any vehicle used by a Participating Driver while providing TNC Services.

(q) Participating Driver - As defined in § 440.40(3) of the Wisconsin Statutes.

(r) Shuttle Company - an individual or entity operating for hire on a pre-reserved basis, a Shuttle Vehicle, from the Airport and who has and shall keep in full force and effect, a Certificate of Common Carrier issued by the State of Wisconsin.

(s) Shuttle Vehicle - a van or similar vehicle regularly engaged in the business of carrying passengers for hire, having a maximum seating capacity of twenty-two (22) persons behind the driver but not operated as a Taxicab, Limousine, nor a TNC Vehicle (see subparagraphs (e), (i), and (p), above).

(t) Shuttle Driver - an individual who operates a Shuttle Vehicle.

(u) Commercial Ground Transportation - Any person or entity that provides transportation services including, but not limited to, the activities defined in subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (m), (n), (p), (q), (r), (s), and (t), above.

(2) Purpose/Applicability. The purpose of this Section 25.09 is to regulate all companies and persons engaged in commercial ground transportation activities at Green Bay Austin Straubel International Airport (Airport) and all such companies and persons shall comply with the rules and regulations contained in this Section 25.09 or as established from time to time by the Airport Director, such rules and regulations to be consistent with this Section 25.09. For the purpose of this Section 25.09, an owner or operator of a vehicle is not “engaged in commercial ground transportation activities” if the owner or operator solely drops off a passenger and, after dropping off the passenger, immediately leaves Airport property without accepting another fare. Provided that with respect to TNCs, TNC Vehicles, and Participating Drivers operating at the Airport, only subsections (8), (9), (10), (11), (12), (13), (25), (26), (27), (28), and (29) shall apply thereto.

(3) Taxicab Driver, Limousine Driver, Shuttle Driver - Requirements. If a Permit is required under subsection (5), (14), or (18), then before a Taxicab Company, Limousine Company, or Shuttle Company allows an individual to be a Taxicab Driver, Limousine Driver, or Shuttle Driver for the company, the company shall do all of the following:

(a) Require the individual to submit an application to the company that includes at least all of the following:

- (i) The individual's full legal name, address, and age.
- (ii) A copy of the individual's driver's license.
- (iii) The individual's driving history.

(b) Conduct, or have a third party conduct, a local and national criminal background check for the individual that includes all of the following:

- (i) A multi-state and multi-jurisdictional criminal records locator or other similar commercial nationwide data base with validation.
- (ii) A National Sex Offender Registry data base.

(c) Obtain and review a driving history research report for the individual.

(4) Who May Not be a Taxicab Driver, Limousine Driver, or Shuttle Driver. If a Permit is required under subsection (5), (14), or (18), then a Taxicab Company, Limousine Company, or Shuttle Company shall not allow any of the following individuals to be a Taxicab Driver, Limousine Driver, or Shuttle Driver for the company:

(a) An individual who has had more than three (3) moving violations, as defined in § 343.01(2)(cg), Wis. Stats., in the past three (3) years, or one (1) conviction in the past three (3) years for an offense listed under § 351.02(1)(a), Wis. Stats.

(b) An individual who, in the last seven (7) years, committed an offense that resulted in a suspension, revocation, or other conviction counted under § 343.307(1), Wis. Stats., or was convicted of a sex offense, as defined in § 301.45(1d)(b), Wis. Stats., or of any crime involving fraud, theft, damage to property, violence, acts of terror, or the use of a motor vehicle in the commission of a felony.

(c) An individual whose information is contained in the Sex Offender Registry under § 301.45, Wis. Stats., or on the National Sex Offender Public Website.

(d) An individual who does not possess a valid driver's license.

(e) An individual who is not at least 19 years of age.

(5) Taxicab Company Permit. No Taxicab Company shall engage in commercial ground transportation activity at the Airport without a permit; a Taxicab is not engaged in commercial ground transportation activity if the owner or operator solely drops off a passenger and, after

dropping off the passenger, immediately leaves Airport property without accepting another fare. The Permit will be valid for a one (1) year period commencing March 1 of each year through the last day of February of the succeeding year. A Permit may be issued after March 1 (a “Mid-Year Permit”) and if a Mid-Year Permit is issued, it shall expire on the last day of the next February; the fees hereinafter set forth shall be the same whether the Permit is issued for a full or partial year. There shall be no refunds for Permittees who cease operations during the Permit year whether voluntarily or through revocation or suspension of the Permit nor if a given Taxicab is no longer owned or operated during the Permit year. Each Taxicab Company must have its own permit even if a given person or persons owns more than one Taxicab Company. The Permit cannot be transferred or assigned. The Permit shall be issued by the Airport Director subject to the following terms and conditions:

(a) To promote safe, orderly, and efficient ground transportation operation at the Airport, to allow for periodic vehicle inspections, reduce congestion and to promote adequate business for Taxicab Companies and Taxicab Drivers, the number of Permits may be limited to such number as the Airport Director determines. If the number of Permits is so limited, the Airport Director shall establish a method for application (e.g., request for proposals) that is uniform for all applicants.

(b) At the time of issuance of a Permit to a Taxicab Company, the Taxicab Company shall execute a “Permit” by and between the Taxicab Company and Brown County. Such Permit shall be on terms determined by the Airport Director, consistent with this ordinance and uniform for all Taxicab Companies.

(c) The Permittee shall abide by applicable laws of the United States and all applicable Statutes, codes, ordinance, rules and regulations of the State of Wisconsin, Brown County, and such rules and regulations as may be prescribed from time to time by the Airport Director, including, without restriction because of enumeration, the parking of Permittee’s vehicles on the Airport and the conduct of its operations on Airport property.

(d) All Taxicabs operated by a Taxicab Company shall be permanently marked in letters of sufficient size so that they may be clearly distinguished from both sides of the vehicle from a distance of at least 50 feet, describing the vehicle as a Taxicab and the Taxicab Company that owns or operates that Taxicab.

(e) The Taxicab Company shall furnish satisfactory evidence to Brown County that it carries insurance with a company approved by the County Risk Manager, and the insurance must be for the type and in the minimum amount of coverage protecting the County against liability as established by the County Risk Manager, and as such amounts and types may change from time to time.

(f) A Taxicab Company shall not operate a Taxicab at the Airport unless such Taxicab Company and Taxicab have received a license or permit as a Taxicab Company or Taxicab from a city, village, or town consistent with § 349.24, Wis. Stats., and unless such license or permit remains in full force and effect.

(g) If a Taxicab Company is organized as a corporation or limited liability company, at the time of application and throughout the term of the Permit, the Taxicab Company must be in good standing with the Wisconsin Department of Financial Institutions.

(6) Taxicab Company Fees. For the year commencing March 1, 2017, each Taxicab Company for which a Permit is required under subsection (5) shall pay an annual Permit fee of \$2,000.00 per year or \$200.00 per Taxicab it operates at the Airport, whichever is less. If a Permit has been issued to a Taxicab Company and the foregoing fee paid and the fee paid was less than \$2,000.00, and thereafter the Taxicab Company desires to operate additional Taxicabs at the Airport, then prior to such operation, the Taxicab Company shall pay a fee of \$200.00 and upon payment of such fee, a decal shall be issued for that Taxicab as provided in subsection (7). For succeeding years, the fees under this subsection (6) shall be as established in the County's annual budget.

(7) Permit/Decal Display. Upon compliance with the requirements of this ordinance regarding issuance of Permits including, but not limited to, execution of the required Permit and payment of the required fees, decals shall be issued to the Taxicab Company (the "Taxicab Company Decal"). A Taxicab Company Decal shall be issued for each taxicab for which the fee was paid under subsection (6). The Taxicab Company Decal shall be mounted on the lower left-hand corner of the windshield of the taxicab for which it was issued; the left corner being on the driver's left when seated behind the wheel. The Taxicab Company Decal shall only be displayed on the Taxicab Company taxicab for which it was issued; the Taxicab Company Decal shall not be transferred or displayed on any other Taxicab Company taxicab; provided that if a Taxicab Company Decal has been issued for a given Taxicab and that Taxicab is removed from service and no longer used as a Taxicab (a "Decommissioned Taxicab") and the Taxicab Company replaces the Decommissioned Taxicab with a different Taxicab (the "Replacement Taxicab"), then upon application to the Airport Director and surrender of the Taxicab Company Decal issued for the Decommissioned Taxicab, a Taxicab Company Decal shall be issued for the Replacement Taxicab without payment of an additional fee. The Airport Director may, in his/her discretion, waive the issuance and display of the decal referred to in this subsection.

(8) Transportation Network Company (TNC) Permit. No TNC shall engage in commercial ground transportation activities at the Airport unless it is licensed under § 440.40, *et seq.*, Wisconsin Statutes, has been issued the Permit required under this Code Section 25.09, and has signed the required Permit; a TNC is not engaged in commercial ground transportation activity if the owner or operator solely drops off a passenger and, after dropping off the passenger, immediately leaves Airport property without accepting another fare. The Permit will be valid for a one-year period, commencing March 1 of each year through the last day of February of the succeeding year. A Permit may be issued after March 1 (a "Mid-Year Permit") and if a Mid-Year Permit is issued, it shall expire on the last day of the next February; the fees hereinafter set forth shall be the same whether the Permit is issued for a full or partial year. There shall be no refunds for Permittees who cease operations during the Permit year whether voluntarily or through revocation or suspension of the Permit nor if a given TNC Vehicle is no longer operated

by the Participating Driver during the Permit Year. The Permit cannot be transferred or assigned. The Permit shall be issued by the Airport Director subject to the following terms and conditions:

(a) At the time of issuance of a Permit to a TNC, the TNC shall execute a "Permit" by and between the TNC and Brown County. Such Permit shall be on terms determined by the Airport Director, consistent with this ordinance and uniform for all TNCs.

(b) The TNC shall abide by applicable laws of the United States and all applicable Statutes, codes, ordinances, rules and regulations of the State of Wisconsin, Brown County, and such rules and regulations as may be prescribed from time to time by the Airport Director, including, without restriction because of enumeration, the parking of TNC Vehicles on the Airport and the conduct of its operations on Airport property.

(c) All TNC Vehicles shall post or display signage or trade-dress displaying TNC's name and/or logo so that the TNC through whom the TNC Vehicle is being operated is easily identifiable. No TNC Vehicle shall display any other signage such as advertising.

(d) The TNC shall furnish satisfactory evidence to Brown County that it and its Participating Drivers carry insurance for the type and in the minimum amounts of coverage protecting the County against liability as established in § 440.48, Wisconsin Statutes, and as said Statute may be amended from time to time.

(9) TNC Permit Fee. For the year commencing March 1, 2017, each TNC engaged in commercial ground transportation business at the Airport shall pay an annual Permit fee of \$2,000.00 per year or \$200.00 per TNC Vehicle it operates at the Airport, whichever is less. If a Permit has been issued to a TNC and the foregoing fee paid and the fee paid was less than \$2,000.00, and thereafter the TNC desires to operate additional TNC Vehicles at the Airport, then prior to such operation, the TNC shall pay a fee of \$200.00 and upon payment of such fee, a decal shall be issued for that TNC Vehicle as provided subsection (10). For succeeding years, the fees under this subsection (9) shall be as established in the County's annual budget.

(10) Permit/Decal Display. Upon compliance with the requirements of this ordinance regarding issuance of Permits including, but not limited to, execution of the required Permit and payment of the required fees, decals shall be issued to the TNC (the "TNC Decal"). A TNC Decal shall be issued for each TNC Vehicle for which the fee was paid under subsection (9). The TNC Decal shall be mounted on the lower left-hand corner of the windshield of the TNC Vehicle for which it was issued; the left corner being on the driver's left when seated behind the wheel. The TNC Decal shall only be displayed on the TNC Vehicle for which it was issued; the TNC Decal shall not be transferred or displayed on any other TNC Vehicle; provided that if a TNC Decal has been issued for a given TNC Vehicle and that TNC Vehicle is removed from service and no longer used as a TNC Vehicle (a "Decommissioned TNC Vehicle") and the TNC replaces the Decommissioned TNC Vehicle with a different TNC Vehicle (the "Replacement TNC Vehicle"), then upon application to the Airport Director and surrender of the TNC Decal issued for the Decommissioned TNC Vehicle, a TNC Decal shall be issued for the Replacement TNC Vehicle without payment of an additional fee. The Airport Director may, in his/her discretion, waive the issuance and display of the decal referred to in this subsection.

(11) Geo-Fence. The TNC shall demonstrate to the Airport Director that the TNC has established a Geo-Fence to manage its business at the Airport and shall notify affiliated Participating Drivers of the establishment of said Geo-Fence. The Geo-Fence shall be comprised of one or more polygons whose points are geographic coordinates, the same to be subject to the approval by the Airport Director or his/her designee.

(12) Participating Driver Information. Each Participating Driver will maintain information on his or her smartphone or other device while using the TNC's digital network that will be used in lieu of a tangible Airport decal or placard. This information will allow the Airport to confirm the following information for any Participating Driver or Vehicle using the TNC's digital network while on Airport grounds:

- (a) Driver identity and color photo;
- (b) Vehicle make, model;
- (c) License plate number;
- (d) Certificates of insurance; and
- (e) The electronic equivalent of a waybill.

(13) Trip Reporting. The Airport Director, or his/her designee, may from time to time establish a "reporting period," e.g., monthly, quarterly, semi-annually, or annually. If the Airport Director or his/her designee establishes a reporting period, the Airport shall notify the TNCs and/or Taxicab Companies and thereafter, and until further notice from the Airport, the notified TNC or Taxicab Company shall within thirty (30) days after the end of a reporting period, submit an operations report to the Airport for the previous reporting period. The report shall be in an agreed upon electronic or paper format and shall contain the total number of Trips for the reporting period. All information submitted in a report shall be accurate.

(14) Limousine Company Permit. No Limousine Company shall engage in commercial ground transportation activities at the Airport without a Permit; a Limousine is not engaged in commercial ground transportation activity if the owner or operator solely drops off a passenger and, after dropping off a passenger, immediately leaves Airport property without accepting another fare. The Permit will be valid for a one (1) year period commencing March 1 of each year through the last day of February of the succeeding year. Limousines must operate on a pre-reserved (reservation) basis only; on demand service is prohibited. A Permit may be issued after March 1 (a "Mid-Year Permit") and if a Mid-Year Permit is issued, it shall expire on the last day of the next February; the fees hereinafter set forth shall be the same whether the Permit is issued for a full or partial year. There shall be no refund for Permittees who cease operations during the Permit year either voluntarily or through revocation or suspension of the Permit, nor if a given Limousine is no longer operated by the Limousine Company during the Permit Year. The Permit cannot be transferred or assigned. The Permit shall be issued by the Airport Director subject to the following terms and conditions:

(a) At the time of issuance of a Permit to a Limousine Company, the Limousine Company shall execute a "Permit" by and between the Limousine Company and Brown County. Such Permit shall be on terms determined by the Airport Director, consistent with this ordinance and uniform for all Limousine Companies.

(b) The Limousine Company shall abide by applicable laws of the United States and all applicable statutes, codes, ordinances, rules, and regulations of the State of Wisconsin, Brown

County, and such rules and regulations as may be prescribed from time to time by the Airport Director, including, without restriction because of enumeration, the parking of Limousines on the Airport and the conduct of its operations on Airport property.

(c) All Limousines shall post or display signage or trade-dress displaying the Limousine Company's name and/or logo so that the Limousine Company through whom the Limousine is being operated is easily identifiable. No Limousine shall display any other signage such as advertising.

(d) The Limousine Company shall furnish satisfactory evidence to Brown County that it carries insurance with a company approved by the County Risk Manager, and the insurance must be for the type and in the minimum amount of coverage protecting the County against liability as established by the County Risk Manager, and as such amounts and types may change from time to time.

(15) Limousine Company Fees. For the year commencing March 1, 2017, each Limousine Company for which a Permit is required under subsection (14), shall pay an annual Permit Fee of \$2,000.00 per year or \$200.00 per Limousine it operates at the Airport, whichever is less. If a Permit has been issued to a Limousine Company and the foregoing fee paid and the fee paid was less than \$2,000.00, and thereafter the Limousine Company desires to operate additional Limousines at the Airport, then prior to such operation, the Limousine Company shall pay a fee of \$200.00 and upon payment of such fee, a decal shall be issued for that Limousine as provided subsection (16). For succeeding years, the fees under this subparagraph (15) shall be as established in the County's annual budget.

(16) Limousines-Permit/Decal Display. Upon compliance with the requirements of this ordinance regarding issuance of Permits including, but not limited to, execution of the required Permit and payment of the required fees, decals shall be issued to the Limousine Company (the "Limousine Company Decal"). A Limousine Company Decal shall be issued for each Limousine for which the fee was paid under paragraph (15). The Limousine Company Decal shall be mounted on the lower left-hand corner of the windshield of the Limousine for which it was issued; the left corner being on the driver's left when seated behind the wheel. The Limousine Company Decal shall not be transferred to any other Limousine and may only be displayed on the Limousine for which it was issued; provided that if a Limousine Company Decal has been issued for a given Limousine and that Limousine is removed from service and no longer used as a Limousine (a "Decommissioned Limousine") and the Limousine Company replaces the Decommissioned Limousine with a different Limousine (the "Replacement Limousine"), then upon application to the Airport Director and surrender of the Limousine Company Decal issued for the Decommissioned Limousine, a Limousine Company Decal shall be issued for the Replacement Limousine without payment of an additional fee. The Airport Director may, in his/her discretion, waive the issuance and display of the decal referred to in this subsection.

(17) Limousine Rules. The Airport Director may, from time to time, establish rules and regulations controlling the activities of Limousines while on Airport property.

(18) Shuttle Company Permit. No Shuttle Company shall engage in commercial ground transportation activities at the Airport without a Permit; a Shuttle Vehicle is not engaged in

commercial ground transportation activity if the owner or operator solely drops off a passenger and, after dropping off a passenger, immediately leaves Airport property without accepting another fare. The Permit will be valid for a one (1) year period commencing March 1 of each year through the last day of February of the succeeding year. Shuttle Vehicles must operate on a pre-reserved (reservation) basis only; on demand service is prohibited. A Permit may be issued after March 1 (a “Mid-Year Permit”) and if a Mid-Year Permit is issued, it shall expire on the last day of the next February; the fees hereinafter set forth shall be the same whether the Permit is issued for a full or partial year. There shall be no refund for Permittees who cease operations during the Permit year either voluntarily or through revocation or suspension of the Permit nor if a given Shuttle Vehicle is no longer operated by the Shuttle Company during the Permit Year. The Permit cannot be transferred or assigned. The Permit shall be issued by the Airport Director subject to the following terms and conditions:

(a) At the time of issuance of a Permit to a Shuttle Company, the Shuttle Company shall execute a “Permit” by and between the Shuttle Company and Brown County. Such Permit shall be on terms determined by the Airport Director, consistent with this ordinance and uniform for all Shuttle Companies.

(b) The Shuttle Company shall abide by applicable laws of the United States and all applicable statutes, codes, ordinances, rules, and regulations of the State of Wisconsin, Brown County, and such rules and regulations as may be prescribed from time to time by the Airport Director, including, without restriction because of enumeration, the parking of Shuttle Vehicles on the Airport and the conduct of its operations on Airport property.

(c) All Shuttle Vehicles shall post or display signage or trade-dress displaying the Shuttle Company’s name and/or logo so that the Shuttle Company through whom the Shuttle Vehicle is being operated is easily identifiable. No Shuttle Vehicle shall display any other signage such as advertising.

(d) The Shuttle Company shall furnish satisfactory evidence to Brown County that it carries insurance with a company approved by the County Risk Manager, and the insurance must be for the type and in the minimum amount of coverage protecting the County against liability as established by the County Risk Manager, and as such amounts and types may change from time to time.

(19) Shuttle Company Fees. For the year commencing March 1, 2017, each Shuttle Company for which a Permit is required under Subsection (18), shall pay an annual Permit Fee of \$2,000.00 per year or \$200.00 per Shuttle Vehicle it operates at the Airport, whichever is less. If a Permit has been issued to a Shuttle Company and the foregoing fee paid and the fee paid was less than \$2,000.00, and thereafter the Shuttle Company desires to operate additional Shuttle Vehicles at the Airport, then prior to such operation, the Shuttle Company shall pay a fee of \$200.00 and upon payment of such fee, a decal shall be issued for that Shuttle Vehicle as provided subsection (20). For succeeding years, the fees under this subparagraph (19) shall be as established in the County’s annual budget.

(20) Permit/Decal Display. Upon compliance with the requirements of this ordinance regarding issuance of Permits including, but not limited to, execution of the required Permit and payment of the required fees, decals shall be issued to the Shuttle Company (the “Shuttle

Company Decal”). A Shuttle Company Decal shall be issued for each Shuttle Vehicle for which the fee was paid under subsection (19). The Shuttle Company Decal shall be mounted on the lower left-hand corner of the windshield of the Shuttle Vehicle for which it was issued, the left corner being on the driver’s left when seated behind the wheel; provided that if a Shuttle Company Decal has been issued for a given Shuttle Vehicle and that Shuttle Vehicle is removed from service and no longer used as a Shuttle Vehicle (a ”Decommissioned Shuttle Vehicle”) and the Shuttle Company replaces the Decommissioned Shuttle Vehicle with a different Shuttle Vehicle (the “Replacement Shuttle Vehicle”), then upon application to the Airport Director and surrender of the Shuttle Company Decal issued for the Decommissioned Shuttle Vehicle, a Shuttle Company Decal shall be issued for the Replacement Shuttle Vehicle without payment of an additional fee. The Shuttle Company Decal shall not be transferred to any other Shuttle Vehicle and may only be displayed on the Shuttle Vehicle for which it was issued. The Airport Director may, in his/her discretion, waive the issuance and display of the decal referred to in this subsection.

(21) Shuttle Company Rules. The Airport Director may, from time to time establish rules and regulations controlling the activities of Shuttle Vehicles while on Airport Property.

(22) Vehicle Standards. This subsection applies to all vehicles operated at the Airport whether or not such vehicle is deemed engaged in ground transportation activities under subsection (2). In this subsection, the term “vehicle” means a Taxicab, Limousine, Courtesy Vehicle, and Shuttle Vehicle. The vehicle shall meet all safety standards required by law and be kept in good operating condition and appearance, including, but not limited to the following:

(a) A vehicle shall not have a windshield or any window which is cracked or broken.

(b) A vehicle’s interior and exterior shall be free of dirt, mud, oil, rips, tears, exposed springs, food stuff, trash, waste material, or any other substance or object capable of harm, damage, or injury to, or interference with the person, clothing, personal property, comfort, or convenience of any passenger, whether upon ingress or egress of such vehicle or while riding therein. A vehicle shall have an exterior which is free of any misshapen or deformed condition arising from collision, crash, or other impact. Vehicles shall be free of holes in floor boards, and the trunk shall be empty except for emergency equipment. The vehicle shall be free of exterior rust and exteriors must be painted a uniform color so as not to have patches of un-matching paint on the vehicle. The vehicle shall have operational headlights, taillights, parking lights, and right/left turn signals; there shall be no missing bumper(s), taillight covers, license plates, or mirrors; there shall be no missing or different style hubcaps; there shall be no oil, coolant, or other fluid leaks; the vehicle’s exhaust pipe shall be secured and the muffler operational; there shall be no unsecured or missing decorative pieces (chrome).

(23) Driver Conduct and Appearance. This subsection applies to all drivers of Taxicabs, Limousines, Courtesy Vehicles, and Shuttle Vehicles who operate at the Airport whether or not deemed engaged in commercial ground transportation activities. The Taxicab Company, Limousine Company, Shuttle Company, or establishment providing Courtesy Vehicle transportation are responsible for their respective drivers complying with the provisions of this subsection and shall also be responsible for any violation thereof. All Taxicabs, Limousines, Courtesy Vehicles, and Shuttle Vehicles and their drivers may be inspected, at any time, for compliance with the standards listed in this subsection. It shall be a violation for any driver of a

Taxicab, Limousine, Courtesy Vehicle, or Shuttle Vehicle to do any of the following on the property of the Airport:

(a) Interfere or attempt to interfere in any manner whatsoever with a passenger selection of ground transportation service.

(b) Solicit, or attempt to solicit, any passenger by the utterance of words, by repeated and persistent canvassing or loitering upon the approaches or exits to the Airport terminal building, or by other acts which are calculated to induce persons to engage a particular ground transportation service.

(c) Fail to diligently remove, or cause to be removed, his/her vehicle from Airport property in the event such vehicle becomes inoperative.

(d) Engage in the use of profanity or obscenity within the hearing of any member of the public, display any rudeness or discourtesy to any member of the public or, while in a designated loading or unloading zone, sleep or recline in or on any motor vehicle, or sit on the exterior thereof.

(e) Stage a vehicle in any location other than a designated staging area.

(f) Load or unload, or attempt to load or unload, any passenger at any location other than a designated zone.

(g) Dispose of garbage, papers, refuse, or other material on Airport property, except in receptacles provided for that purpose, or use a comfort station other than in a clean and sanitary manner, or expectorate (spit) on floors, walls, or other surfaces of any Airport facility.

(h) Drink intoxicating beverages, be intoxicated, or in a drugged condition, or commit any disorderly, obscene, or indecent act, or commit any act of nuisance, nor conduct or engage in any form of gambling, or violate any federal, state, or local laws on the Airport property.

(i) Fail or refuse to comply with or otherwise violate any administrative regulation promulgated by the Airport Director, or any lawful directive of the Airport Director or Airport Security.

(24) Taxicab Fares. Prior to transporting patron(s)/passenger(s), a Taxicab Driver shall, if requested by the patron(s)/passenger(s), inform the patron(s)/passenger(s) of the fare to be charged for the requested transport. The fare shall include all amounts (excluding tip) that the patron(s)/passenger(s) will be required to pay the Taxicab Driver upon completion of the transport. Unless the patron(s)/passenger(s) requests a material change in the requested transport, thereby resulting in a material change in the distance and/or time to accomplish the same, the amount payable by the patron(s)/passenger(s) shall be the amount initially quoted by the Taxicab Driver.

(25) Regulations. All Limousines, Courtesy Vehicles, Taxicabs, TNC Vehicles, Shuttle Vehicles, Baggage Carriers, Freight Carriers, and Mail Carriers shall stage, load and unload in such a manner and in such areas as may be designated from time to time by the Airport Director.

(26) Revocation and Suspension of Permit; Denial of Access.

(a) Permits issued under this section may be revoked or suspended by the Airport Director in the event Permittee, its employees, agents, or servants have failed to comply with any of the following:

(i) Provisions of this Code;

(ii) Regulations promulgated pursuant to this Chapter; or

(iii) In the event that user, its employees, agents, or servants become involved on the Airport premises in any disturbance, altercation, or dispute, verbally or otherwise, with the public or with agents or servants of any transportation or aviation company, or with the employees, agents, or officers of Brown County.

(b) Users of the Airport who, under this Section 25.09 are not required to obtain a Permit may be denied access to the Airport in the event such user, its employees, agents, or servants have failed to comply with any of the following:

(i) Provisions of this Code;

(ii) Regulations promulgated pursuant to this Chapter; or

(iii) In the event that the user, its employees, agents, or servants become involved on the Airport premises in any disturbance, altercation, or dispute, verbally or otherwise, with the public or with agents or servants of any transportation or aviation company, or with the employees, agents, or officers of Brown County.

(c) Prior to a Permit revocation or suspension, or denial of access [except under subsection 26(d)], the Permittee or user, as the case may be, must be given ten (10) days written notice of the reasons for suspension, revocation, or denial of access.

(d) The Airport Director shall have the authority to suspend forthwith a Permit or to deny access forthwith when, in his/her judgment, an emergency or threat to the safety of Airport users exists.

(27) Appeal. Any person aggrieved by the decision of the Airport Director to suspend, revoke, or deny access under subsection (26), may appeal such decision as provided in Chapter 25, Section 25.12 of the Brown County Code of Ordinances.

(28) Penalties. In addition to, and not in lieu of, the provisions of subsection (26), any individual or company who shall violate any of the provisions of this Section 25.09 may be required to forfeit not less than \$50.00 nor more than \$500.00 together with the cost of prosecution. Each day of an offense shall constitute a separate offense.

(29) Effective Date. If this Section 25.09 is adopted after March 1, 2017, then the Permits required under subsections (5), (8), (14), and (18), shall be required as of the first day of the first month following adoption. If a Taxicab Company has previously paid a Permit fee for the year commencing March 1, 2017, then such Permit fee shall be applied to the fee payable under subsection (6) and if the Taxicab Company elects not to obtain a Permit under subsection (5), the previously paid Permit fee shall be refunded.

Section 2 – This ordinance shall become effective upon passage and publication.