

CHAPTER 25
(Revised 8-25-2017)

AIRPORT REGULATIONS

25.01 DEFINITIONS. Terms used in this chapter have the following meanings:

Airport: The Brown County Airport, a.k.a., Austin Straubel International Airport.

Owner: Brown County.

Apron: That paved area designed and used solely for the temporary parking and servicing of aircraft.

Concession: Any non-aeronautical facility or service provided for the convenience of the public using the airport.

Condo-hangar: A building capable of housing two or more aircraft which provide individual door openings for each aircraft where each unit may be owned by different individuals.

Corporate hangar: A building capable of housing one or more aircraft which are registered to or leased by corporation using aircraft for business purposes or where the building itself is owned or leased by a business or corporation to house an aircraft used in the conduct of its business.

Director: The Director of the Brown County Airport.

Fixed-base operator: Any person carrying persons or property for hire, or furnishing aeronautical services, supplies, or instruction, and conducting such business from a particular municipal airport.

Hangar: Any building designed and used for aeronautical purposes, providing space for aircraft storage and service activities.

Lessor: Brown County.

Motor Vehicle: Every device in, upon, or by which any person or property is or may be transported or drawn.

Multiple T-hangar: A building capable of housing aircraft in a nested configuration which provides individual door openings for each aircraft.

Public areas: Those areas consisting of the terminal, roadways, and vehicle parking areas.

Public Thoroughfare: All areas in the administration area of the airport designed and used for the passage of people in vehicles or on foot.

Runway: Any hard-surfaced area used and designed for the taking off and landing of aircraft.

Shop: A building capable of housing one or more aircraft while such aircraft is being repaired.

Taxiway: A paved area designated solely for the taxiing of aircraft, except apron areas.

Tie-down: An area designed and used for the parking, tying down, or storage of aircraft.

25.02 PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE. The Planning, Development and Transportation Committee of the Board of Supervisors shall be the oversight committee of the Brown County Airport.

25.03 AIRPORT DIRECTOR. (1) The Director shall prepare and submit an annual report to the County Board. Such report shall include information on airline traffic, airport expenditures and revenues, and comparative figures on past, present and future traffic and activity, in addition to other information that the Director may deem pertinent to the report.

(2) The Director shall establish rules and regulations, not inconsistent with this chapter, for the purpose of administering and managing airport operations.

(3) The Director shall submit to the County Executive an annual budget setting forth anticipated revenues and expenditures, including capital improvements.

(4) The Director shall make studies and conduct surveys from time to time to improve the operation of the airport, and for planning purposes.

(5) The Director shall, in cooperation with the appropriate County department, establish an airport accounting system of sufficient detail to enable the Director to accurately establish rates and charges for lease purposes, and to eliminate possible inefficient operation and maintenance practices.

(6) The Director shall prepare, negotiate, and execute standard leases and agreements for the various types of airport activities and land uses authorized in this chapter and shall establish rates and charges to support the approved annual budget in a manner which causes the airport to be as self-sufficient as possible, consistent with FAA Grant requirements.

(7) The Director, in cooperation with the County Emergency Government Director, shall develop an emergency operation plan for the airport.

25.04 AIRPORT OPERATION POLICIES. The Airport Director, in carrying out his/her duties and responsibilities, shall adhere to the following owner policies:

(1) The owner shall encourage the development of the airport in those areas where substantial building costs are incurred by lessees, by approving long-term leases which provide for the re-examination and readjustment of rates and charges at specified periods of time during the term of the lease.

(2) Lessees shall be selected on the basis of their desirability, and not by bid basis. In determining the use of space in the terminal building, first consideration should be given to public convenience and necessity.

(3) Buildings to be constructed shall be approved by the Airport Director prior to construction.

25.05 PENALTY FOR VIOLATION OF MINIMUM STANDARDS AND REQUIREMENTS FOR COMMERCIAL AERONAUTICAL SERVICES AND ACTIVITIES AT AUSTIN STRAUBEL INTERNATIONAL AIRPORT.

(1) No person, firm or corporation shall operate commercially at Austin Straubel International Airport without first obtaining a Commercial Operating Permit/Lease granted by the Airport Director in accordance with the rules and regulations adopted by the Transportation Committee of the County Board except that transient commercial operators may make occasional use of Austin Straubel International Airport upon approval of the Airport Director and upon payment of applicable fees prescribed by the Airport Director without first securing a Commercial Operator Permit/Lease. Any person, firm or corporation who violates any provision of this subsection or any rules or regulations adopted by the Transportation Committee shall be subject to a forfeiture of not less than \$50 nor more than \$1,000 per violation. Each day of violation, or part thereof, or each occurrence prohibited by this subsection shall be deemed a separate violation.

(2) In this subsection, "operate commercially" means the conduct or provision of any commercial aeronautical service or any business or activity for a fee, whether received directly or indirectly.

(3) All aviation fuel and any other flammable fluids stored in bulk quantities shall be in an area specified in the Airport Layout Plan as "fuel farm" and in accordance with applicable State and Federal regulations. Transportation and dispensing of fuels shall be done in accordance with the current edition of NFPA Standard 407. In no case will aircraft be fueled within the confines of any hangar or other structure on Austin Straubel International Airport.

(4) Only aircraft owners or their regular employees may perform maintenance or repairs on their aircraft on airport property. Aircraft maintenance or repair that creates a fire hazard or endangers other aircraft or property of another is prohibited.

(5) Aircraft shall not be parked in a manner which interferes with movement of aircraft or emergency vehicles.

25.06 UTILITIES. (1) Sanitary Sewerage. All sanitary sewage resulting from operations on the airport shall be discharged into the sanitary sewer system. Service connections from the sewer mains to the point of connection shall be provided by the user. The County may establish rates for the furnishing of sanitary sewer service, the price of which shall be based on the quantity of fresh water metered.

(2) Water Service. Water requirements on the airport shall be furnished by connections to water mains provided by Brown County. Service connections from the water mains to the point of connection shall be provided by the user. The County may establish rates for the furnishing of water service not metered at users' premises. Water metered at users' premises may be paid by the County and included as part of the lease agreement or the lessee may be required to pay metered water charge at the discretion of the Airport Director.

(3) Electrical Service. Brown County shall provide an electrical distribution system in the terminal area. Service connections from the primary distribution system to the point of connection shall be provided by the user through arrangement with the Wisconsin Public Service Corporation.

25.065 FUEL FLOWAGE FEE. (1) Definitions. Terms used in this Section have the following meanings:

(a) "Air carrier company" means an person (which as used herein includes all partnerships, associations, limited liability companies, corporations, or other entities) engaged in the commercial carriage of persons, property, cargo and/or mail by aircraft which hold the necessary authority from the FAA to provide such commercial air transportation services and who pay a signatory or non-signatory landing fee to the Airport for the commercial operation of their aircraft.

(b) "Aircraft" means any contrivance, except those owned by an air carrier company, invented, used, or designed for navigation or flight in the air.

(c) "Airport" means Austin Straubel International Airport.

(d) "General aviation fuel" means products placed in the fuel supply tank of aircraft, commonly or commercially known as aviation gasoline and jet turbine fuel and other combustible gases and liquids suitable for the generation of power for propulsion of aircraft.

(e) "General aviation fuel user" means the owner or other person, including the state and any political subdivision of the state, but not including the United States or its agencies or air carrier companies, who is responsible for the operation of an aircraft at the time general aviation fuel is placed in the fuel supply tank of the aircraft while the aircraft is at the Airport.

(2) Fuel Flowage Fee. Commencing July 1, 2014, and thereafter, there is imposed upon the sale of general aviation fuel at the Airport a fuel flowage fee per gallon of fuel sold, at the rate established yearly as set forth in the County Board approved current annual Airport budget, as is authorized by Wis. Stat. §114.14, as amended from time to time.

(3) Collection and Payment. The fuel flowage fee shall be computed and paid as follows:

(a) Each person who delivers general aviation fuel to a general aviation fuel user shall collect form the purchaser and the purchaser shall pay to the person who delivers general aviation fuel the fuel flowage fee imposed by this Ordinance, at the rate set forth in the County Board approved current annual Airport budget, at the time of the sale, irrespective of whether the sale is for cash or on credit. The fuel flowage fee shall be added to the selling price so that the fuel flowage fee is paid ultimately by the user of the general aviation fuel.

(b) Each person who delivers general aviation fuel to a general aviation user shall, within the first twenty (20) days of the month next following delivery, prepare a statement of such general aviation fuel deliveries and shall mail or deliver the same to the Airport Director, together with a check for the total amount of the fuel flowage fee imposed. All checks shall be payable to Brown County or Austin Straubel International Airport.

(c) Each person who delivers general aviation fuel to a general aviation user shall, for a period of eighteen (18) months following the date of delivery, retain copies of all invoices or delivery tickets showing complete information as to the name of the purchaser, date of delivery, and kind and quantity of product delivered (herein "Delivery Records"). Upon written demand, such person shall provide to the Airport Director or his/her designee, true and correct copies of Delivery Records and such other information as the Airport Director or his/her designee may request so as to allow the Airport to verify compliance with the provisions of this Ordinance and proper and timely payment of amounts due hereunder.

(4) Violations/Delinquent Payments. (a) Any person who violates the provisions of this Ordinance shall, upon conviction, be subject to a forfeiture, or penalty, of not more than \$500, pursuant to Wis. Stats. §114.27, as amended from time to time. Each act of violation and every day upon which a violation occurs or exists shall constitute a separate offense.

(b) Any portion of the fuel flowage fee which remains unpaid after its due date shall bear interest at the rate of one and one-half percent (1.5%) per calendar month or fraction thereof during which the payment remains unpaid.

(c) This imposition or payment of any forfeiture or penalty imposed hereunder shall not relieve any person from the civil consequences of failure to collect and timely pay amounts due hereunder, including any legal action to recover amounts due.

25.07 TRAFFIC REGULATIONS. (1) Definitions. Terms used in this section have the following meanings:

Emergency Equipment: Ambulances, crash rescue and fire fighting apparatus and such other equipment as the Airport Director may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.

Pedestrian: Any person afoot.

Service, maintenance and construction equipment: Equipment normally operated by Brown County and/or the Federal Aviation Administration on landing areas, runways, taxiways, and peripheral roads for the servicing, maintenance and construction of airport facilities and services. This definition shall include equipment owned and operated by contractors performing work on the airport under a contractual agreement with Brown County.

Vehicle: Any device in, upon or by which any person or property is or may be transported or drawn.

(2) Operation of Vehicles on Runways, Taxiways and Ramps. No vehicle shall enter, be driven upon or operated upon any airport runway, taxiway, ramp, tie-down area or any area posted by signs prohibiting the entrance thereon without authorization from the appropriate authorities. The provisions of this section shall not apply to emergency equipment and/or service, maintenance and construction equipment when engaged in performing official duties.

(3) Speed of Vehicles. No vehicle shall be driven upon any road within the perimeter of the Austin Straubel International Airport, or upon other airport areas, in excess of the posted speed limit, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicular traffic. The speed limit on the aircraft apron area is 15 miles per hour for motor

vehicles. It shall be the responsibility of the FBO and airline personnel to operate all vehicles at a safe, controllable speed.

(4) Pedestrian Traffic on Airport. No pedestrian shall be allowed beyond the public areas or to the apron or aircraft tie-down area unless for the purpose of embarking in or disembarking from an aircraft, or unless authorized by the Airport Director. Pedestrian traffic is prohibited in the runway and outlying area of the airport except for those employees of the county, state and federal government, or contractors engaged in airport construction or maintenance work.

(5) Aircraft Movement. Taxiing or moving aircraft shall have the right-of-way at all times. Motor vehicles, including emergency vehicles, shall yield to moving aircraft. If a parked aircraft begins movement, moving motor vehicles in the area of the aircraft shall come to a stop or yield the right-of-way.

(6) Enforcement. It shall be the duty of the Airport Director and appropriate law enforcement officials to enforce the provisions of this section.

25.08 VIOLATIONS. It shall be unlawful and a violation of this section for any person, firm, corporation, business organization or other association of persons, whether individually or in concert with others, to do any of the following or cause to be done any of the following on the premises of Austin Straubel International Airport:

(1) To park or leave standing any motor vehicle of any type except within areas designated for the particular type of vehicle involved, and then only in accordance with the posted regulations relating to the area and type of vehicle.

(2) To park any vehicle within the areas designated as "loading zones", other than while actually boarding or discharging persons or freight from that vehicle, or leave unattended any vehicle in such an area.

(3) To double park any motor vehicle in any areas designated for parking purposes.

(4) To park any motor vehicle in areas designated as reserved for the handicapped or disabled veterans, unless the vehicle involved is being used to transport a handicapped person or a veteran and is appropriately marked as a handicapped vehicle.

(5) To park any vehicle in such a manner that the same shall not be within only one stall, as designated by lines or marks painted on the pavement.

(6) Any unauthorized car parked in areas assigned for the exclusive use of the car rental companies and so indicated by signs, may be removed or caused to be removed by the Airport Director, or his designee, to the unlimited parking section of the public parking lot. The Director or designee may also remove or cause to be removed, from any other area on the airport, any vehicle which is illegally parked, disabled, or abandoned or which creates an operational problem. Any such vehicle shall be released to the owner or operator thereof upon proper identification of the person claiming it and payment of towing and storage charges and, where such vehicle has been moved to the unlimited section of the public parking lot, the payment of the accrued parking fees thereon. The County shall not be liable for damage to any vehicle which might result from the act of removal.

(7) Within one week of employment, any employee having a vehicle parked in the employee parking lot shall have a parking permit (decal) obtained from the Airport Director. Decals shall be affixed so as to be visible through the windshield of the vehicle at all times and ready for inspection by the Airport Public Safety Department.

(8) Penalty. Any person found guilty of violating provisions of this section, or any part thereof, shall forfeit not less than \$10 nor more than \$100, and the cost of prosecution, for the first offense, and not less than \$50 nor more than \$200, and the cost of prosecution, for the second or subsequent violation within one year, and upon failure to pay said forfeiture and the costs, may be confined in the County jail for a period not to exceed 10 days for the first offense and 30 days for the second offense, or until the payment of the forfeiture and costs is made.

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 unmatching 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.

25.10 LITERATURE AND NEWSPAPER RACK PROHIBITION. It shall be unlawful to maintain or use any table, box, stand, newspaper vending machine, or other structure for the sale, display, or storage of newspapers, leaflets, or magazines. This section shall not apply to areas of the airport for which a lease exists, or whereby a part of the lessee's business is normally and customarily selling or providing newspapers, leaflets, or magazines to the public, e.g., the gift shop.

25.11 AIRPORT SECURITY. The Airport Director is responsible for administering and enforcing the airport security plan in accordance with parts 107 and 108 of the Federal Aviation Regulations. It shall be unlawful and a violation of this section for any person, firm, corporation, business organization or other association of persons, whether individually or in concert with others, to do any of the following or cause to be done any of the following on the premises of Austin Straubel International Airport:

(1) To enter or attempt to enter the secure area without the required airport identification badge or proper escort.

(2) To permit an unauthorized breach of security into any area, including "sterile areas" as outlined in the Airport Security Plan. "Sterile area" means an area to which access is controlled by the inspection of persons and property in accordance with parts 107 and 108 of the Federal Aviation Regulations.

(3) To make statements at screening check points regarding the carrying or possession of hazardous materials, items, articles, or firearms as restricted by Federal Aviation Regulations.

(4) To assault, threaten, intimidate, or interfere with security checkpoint screening personnel, in the performance of their duties at or in the vicinity of the "Screening Checkpoint" being operated under Federal Aviation Security requirements.

25.12 APPEALS. Any person aggrieved by any decision made in the administration of this ordinance may apply to the Brown County Transportation Committee to reverse wholly or partly, or modify or otherwise change, abrogate, or rescind any such decision upon meeting the following requirements:

(1) Such appeals be filed within thirty (30) calendar days following the contested administrative action.

(2) Such appeals shall be filed with the Airport Director in writing, who shall accept it on behalf of the Transportation Committee.

(3) The appeal shall specify:

(a) The specific rule or regulation contested; and

(b) The reason(s) for the appeal.

The Brown County Planning, Development and Transportation Committee, upon receipt of the appeal, shall include discussion and action on the appeal at its next regularly scheduled meeting, provided the appeal is received at least ten (10) working days prior to the regularly scheduled meeting.

(1) Any party may appear in person, by agent, or by attorney in conjunction with the appeal.

(2) A decision regarding the appeal shall be made unless additional information, facts or testimony is deemed necessary. In such cases, the decision on the appeal shall take place at the next regularly scheduled meeting of the Brown County Planning, Development and Transportation Committee.

(3) The disposition of the appeal shall be by a majority decision of the Brown County Planning, Development and Transportation Committee. Such decision shall state the specific facts and rationale which are the basis for the Committee's decision and shall either affirm, reverse, or modify the administrative action in whole or in part.