



Department of Planning & Community & Economic Development
 Economic & Community Development Division
Office of Business Resources – Street Vending

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Warren Hansen, Coordinator
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Notice of Hearing to Suspend or Revoke Vending License
 Section 9.13 (8)(a), Madison General Ordinances

TO: Jeffrey A. Okafo
 910 Magnolia Lane, #3
 Madison, WI 53713

NOTICE OF HEARING: **Date:** **April 12, 2010**
 Place: **215 Martin Luther King Jr. Blvd, Madison, WI**
 Conference Room 313
 Time: **5:00 p.m.**

You are hereby notified that the designee of the Director of Planning and Community and Economic Development has commenced proceedings to suspend or revoke the following vending license:

Vendor: Jeffrey A. Okafo, d/b/a Jin's Chicken and Fish
 Type of License: City of Madison Street Vendor License
 Date Issued: 04/17/09, Exp. 04/14/10
 Site/Location: Late Night Vending (N. Frances St.)

The reasons for this action are as follows (check all that apply):

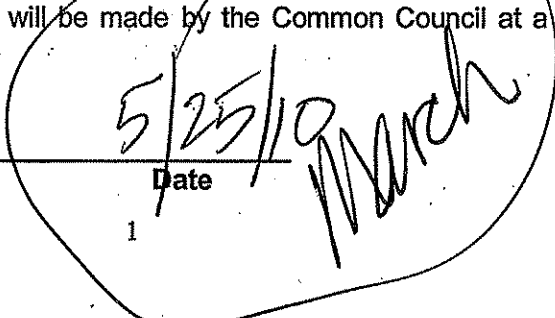
- Violation of Sec. 9.13 of the Madison General Ordinances or any regulation adopted pursuant to Sec. 9.13 (Vending Ordinance)
- Violation of Sec. 10.056 of the Madison General Ordinances (Street Use)
- Serious or repeated violations of Chapter 7 (Health Code)
- Serious or repeated violations of Chapter 12 (Parking)
- Other violations substantially related to vending
- Three (3) or more citations or summons or complaints for any of these violations, within a 12-month period (Mandatory)

A list of charges follows this notice.

YOU HAVE THE RIGHT TO A HEARING BEFORE THE VENDING OVERSIGHT COMMITTEE (VOC) TO DISPUTE THE CHARGES. At the hearing, you will have the right to represent yourself or be represented by an attorney of your choice, the right to present evidence, call witnesses on your behalf, and question and cross-examine witnesses. All testimony will be recorded by audiotape. Rules of Procedure for the Hearing are available at the Department of Planning and Community and Economic Development. After the hearing, the VOC will make a recommendation to the Common Council regarding your license. The final decision will be made by the Common Council at a future meeting.

NOTICE ISSUED BY:

 Warren Hansen, Vending Coordinator


 Date

- Notice of Charges -

I. PRIOR SUSPENSION

On September 2, 2008, the Madison Common Council adopted the recommendations of this Committee to suspend Mr. Okafo's street vending license for six (6) months. See City of Madison Common Council Proceedings – Approved, item 139.

II. VIOLATIONS OF SEC. 9.13, MGO; THREE (3) OR MORE IN A 12-MONTH PERIOD

Despite the suspension of Mr. Okafo's street vending license discussed in I. above, he has continued to violate Sec. 9.13, MGO, as detailed below. In all, Mr. Okafo has received seven (7) citations for violations of Sec. 9.13, MGO since September 2, 2008, including four (4) in the vending year 4-15-09 through 4-15-10.

City of Madison v. Jeff A. Okafo; 08MOR009556

Date of Violation: 9-18-08. Charges: 9.13(1)

Summary: The licensee was charged with vending without a license. A default judgment was entered against him. His \$288.00 fine remains outstanding.

City of Madison v. Jeff A. Okafo; 08MOR012053

Date of Violation: 11-26-08 Charges: 9.13(8)(d)

Summary: The licensee was charged with vending with a suspended or revoked license. A default judgment was entered against him. His \$298.00 fine remains outstanding.

City of Madison v. Jeff A. Okafo; 09MOR2834

Date of Violation: 3-5-09 Charges: 9.13(8)(d)

Summary: The licensee was charged with vending with a suspended or revoked license. A default judgment was entered against him. His \$298.00 fine remains outstanding.

City of Madison v. Jeff A. Okafo; 09MOR4365

Date of Violation: 5-9-09 Charges: 9.13(4)(n)

Summary: The licensee was charged with a late night vending violation for not being in his assigned area. A default judgment was entered against him. His \$298.00 fine remains outstanding.

City of Madison v. Jeff A. Okafo; 10MOR000670

Date of Violation: 1-14-10 Charges: 9.13(4)(l)

Summary: The licensee was charged with leaving his vending cart unattended on Library Mall. A citizen reported observing the cart sitting unattended for one to two weeks. Responding to the citizen complaint, the charging officer observed the Jin's Chicken and Fish food cart sitting unattended on Library Mall, an empty propane tank sitting on the trailer hitch and cooked but uneaten chicken rotting inside the cart. Madison Police Department had the trailer towed. This citation is still pending with an initial appearance date of April 27, 2010.

City of Madison v. Jeff A. Okafo; 10MOR002292

Date of Violation: 2-6-10 Charges: 9.13(4)

Summary: The licensee was charged with leaving his vending cart unattended in the 700 Block of State Street. The charting officer was on routine foot patrol when she observed the Jin's Chicken and Fish food cart sitting unattended in the 700 Block of State Street. This citation is still pending with the Initial Appearance set for April 7, 2010.

City of Madison v. Jeff A. Okafo; 10MOR002323

Date of Violation: 3-6-10 Charges: 9.13(4)

Summary: The licensee was charged with leaving his vending cart unattended in the 700 Block of State Street. The charting officer was on routine foot patrol when she observed the Jin's Chicken and Fish food cart sitting unattended in the 700 Block of State Street. This citation is still pending with the Initial Appearance set for April 7, 2010.

III. VIOLATIONS OF LAW, SUBSTANTIALLY RELATED TO VENDING

In recommending the six-month suspension discussed in I. above, this Committee considered other violations of law committed by the licensee that were substantially related to vending. Specifically, the Committee considered evidence related to charges of Resisting a Police Officer and Disorderly Conduct after he engaged in an altercation with a Madison Parking Enforcement Officer who was attempting to have his cart towed. Since September 2008, Mr. Okafo has received further citations that are substantially related to vending.

City of Madison v. Jeff A. Okafo, Case No. 10MTF004827/004828

Hit and Run, Wis. Stats. 346.67(1)

Operating after Revocation, Wis. Stats. 343.44

Summary: Jeff A. Okafo was issued citations for Hit and Run and Operating a Motor Vehicle after Revocation by the Madison Police Department arising out of an incident on January 28, 2010. Mr. Okafo was driving a silver pick-up truck and hauling the JD's food cart. He entered the U-Haul parking lot and, while backing the JD's food cart, he collided with the FIBS cart. Surveillance video footage from the incident clearly shows the FIBS cart slide backwards after impact. The video shows Mr. Okafo exit his vehicle, inspect the FIBS car, and then drive away. He did not leave a note or attempt to contact the staff at U-Haul to report the damage. According to DOT records, Okafo's Wisconsin driver's license has been revoked since approximately early 2004 and would have been revoked on the date of this incident. Therefore, it appears Okafo has been driving for the purposes of vending with a revoked drivers license, contrary to City ordinance and State law, MGO 12.011, Wis. Stat. sec. 343.44(1)(b) and (2)(b). These charges are still pending with the initial appearance set for April 7, 2010.

IV. VIOLATIONS OF CH. 12, MGO; THREE (3) OR MORE IN A 12-MONTH PERIOD

In recommending the six-month suspension discussed in I. above, this Committee considered 23 parking tickets issued to this licensee's vending cart between 5-01-07 and 5-01-08. Since then, nine (9) additional parking tickets have been issued to the licensee's vending cart. See attached list of nine (9) tickets issued to the licensee's vending trailer.

V. CONCLUSION

In light of the previous 6-month suspension of Mr. Okafo's street vending license, his continued unlawful behavior shows a total lack of respect for the laws of this City and State, the work of this Committee, and the decisions of the Madison Common Council. Accordingly, it is requested that this Committee exercise its maximum authority under Sec. 9.13(8)(a)4, MGO, and recommend to the Common Council that Mr. Okafo's street vending license be **revoked** for one (1) year.

NOTE: This Notice of Hearing has been recorded with the City Clerk's Office and hearing notices and agenda have been posted. If you need an interpreter, materials in alternate formats, or other accommodations to access this service, activity, or program, please contact the Street Vending Coordinator at 261-9171, TDY 266-6573. Please do so at least two (2) days prior to the meeting date so that proper arrangements can be made.

138. 11194 Authorizing the Mayor and City Clerk to enter into an agreement with the University of Wisconsin - Madison for the University to purchase and install sixty-three (63) Bus Shelters within the University of Wisconsin - Madison boundaries as well as to provide parts and/or reimburse the City of Madison for parts into perpetuity for the maintenance, repair, and replacement of the shelters, to be done by Metro Transit.

Sponsors: Brian L. Solomon and Jed Sanborn

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-08-00879

REPORT OF VENDING OVERSIGHT COMMITTEE

139. 11414 Hearing to Suspend/Revoke the Street Vending License of Jeffery Okafo. (See attached "Notice to Suspend/Revoke Vending License" dated July 9, 2008.)
2 Registrant(s) in opposition wishing to speak; 1 Registrant(s) in support wishing to speak.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Accept the Report and Recommendation of the Vending Oversight Committee to Suspend the Street Vending License for 6 months. The motion passed by voice vote/other.

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

140. 11408 Declaring September 10 - October 10, 2008, as Voter Registration Month in the City of Madison.
- Sponsors:** David J. Cieslewicz, Tim Bruer, Mark Clear, Zachariah Brandon, Joseph R. Clausius, Lauren Cnare, Judy Compton, Tim Gruber, Eli Judge, Julia S. Kerr, Brenda K. Konkol, Larry Palm, Thuy Pham-Remmele, Satya V. Rhodes Conway, Marsha A. Rummel, Jed Sanborn, Michael Schumacher, Paul E. Skidmore, Brian L. Solomon, Michael E. Verveer and Robbie Webber

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-08-00880

Parking Tickets Issued to Jeff A. Okafo, d/b/a Jin's Chicken and Fish

DATE	TICKET #	VEHICLE	LOCATION
6/27/2008	Q5703272	JINS Vending Cart	400 N. Frances
6/28/2008	Q5937293	JINS Vending Cart	400 N. Frances
7/14/2008	Q6046596	JINS Vending Cart	400 N. Frances
9/25/2008	Q6113800	JINS Vending Cart	400 N. Frances
10/10/2008	Q6175352	JINS Vending Cart	400 N. Frances
12/23/2008	Q6565204	JINS Vending Cart	400 N. Frances
3/23/2009	Q7050212	JINS Vending Cart	400 W. Gillman
5/26/2009	Q7317354	JINS Vending Cart	130 Sunnymeade
11/09/2009	Q8074441	JINS Vending Cart	602 W. Wash

B

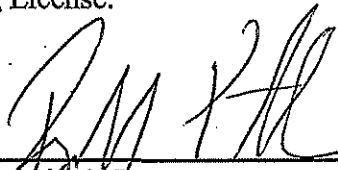
CERTIFICATE OF PERSONAL SERVICE

STATE OF WISCONSIN

DANE COUNTY

In re: Jeffrey A. Okafo Vending License Suspension/Revocation
Notice of Charges and Hearing to Suspend or Revoke Vending License

I, Officer Reginald Patterson, City of Madison Police Department, certify that on the
27 day of March, 2010, at approximately 7:05 A.m. at
910 Magnolia LN #3, Madison, Wisconsin, I personally
served Jeffrey A. Okafo with the above Notice of Charges and Hearing to Suspend or Revoke
Vending License, by delivering to and leaving with him personally a copy of the Notice of
Charges and Hearing to Suspend or Revoke Vending License.



Reginald Patterson
Madison Police Officer
City of Madison, Wisconsin

3-27-10
Date