

1987

OFFICIALS, BOARDS, EMPLOYEES
AND PUBLIC RECORDS

Sec. 3.50(9)(b)

- (b) Attendance at approved off-the-job training during working hours, shall be considered attendance at work, except where this will conflict with other sections of this ordinance.
- (10) Leave of Absence. Leaves of absence with or without pay may be granted for off-the-job training by department heads. A training leave of absence without pay, but at the expense of the City of more than thirty (30) calendar days duration, or without pay and not at the expense of the City of more than ninety (90) calendar days duration, shall be subject to prior approval by the Mayor. A training leave of absence with pay of more than five (5) working days shall be subject to the approval of the Mayor.
- (11) Expenses.
- (a) Reasonable traveling, sustenance, and other expenses for training purposes may be incurred and paid by the City for participation by eligible employees in any training program recommended by the Training Committee and approved by the employee's department head.
- (b) The Personnel Director, upon advice of the Training Officer, may arrange for sharing of training expenses between the City and eligible employees, subject to provisions of Section 3.50(11)(a).
- (12) Exceptions. This ordinance shall not apply to the Police or Fire Departments except that upon request of either department head, the Personnel Director and the Training Officer shall render such assistance as may be requested in accordance with the provisions of this ordinance.
- (13) Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

3.51 DEPARTMENT OF TRANSPORTATION.

- (1) There is hereby created a Department of Transportation for the purpose of planning, developing, coordinating, operating and regulating the various elements of transportation and transportation facilities in such a way as to provide for the safe, efficient and economical movement of people and goods in the City of Madison.
- (2) Responsibilities. The general responsibilities of the department shall be those of mass transportation, traffic engineering and parking, with these three (3) divisions to be developed and coordinated in such manner as to be of maximum benefit and economy to the people of the City of Madison.
- (3) Director of Transportation. The Department of Transportation shall be managed and directed by a Director of Transportation who shall be appointed by the Mayor, subject to approval of the Common Council. He shall hold this office under civil service. He is authorized, and it is his responsibility to perform all duties as may be delegated to him by ordinance or resolution of the Common Council, and he shall carry out all directives as may be issued by the Common Council or assigned to him by the Mayor. The Director of Transportation shall

appoint the City Traffic Engineer and the Parking Manager in accordance with City of Madison civil service rules and regulations after consultation with the Mayor and subject to approval by the Common Council. (Am. by Ord. 4603, 6-19-74)

He shall be charged with the responsibility of preparing and presenting the annual budgets of the department. He shall have authority to establish policies, technical standards, methods and procedures for the department, and is further authorized and directed to do any and all of the following:

- (a) To supervise the preparation of studies and the collection of data needed to measure existing, and estimate future, transportation and parking characteristics and needs in Madison and the metropolitan area.
- (b) To give assistance to the Director of Public Works in the planning of various highway programs or projects including applications for financial aids, grants or other assistance from Federal, State or County governmental bodies.
- (c) To serve as liaison between the United States Department of Transportation and the State of Wisconsin Department of Transportation and the City of Madison in order to coordinate, as related to ground, water, and intralocal air transportation, the various air, water, and ground transportation and safety programs and ensure eligibility for financial aids, grants, and other assistance that such programs provide; to coordinate all transportation and parking planning and traffic parking and transit operations of the City of Madison with that of the State of Wisconsin Department of Transportation, Dane County, the University of Wisconsin and surrounding governmental units and, on request, consult with and advise officials of these surrounding governmental units on traffic, transit, parking or other transportation problems and furnish, at cost, to them such standard traffic control devices or assistance as is reasonable and practical.
- (d) To approve and establish experimental traffic regulations or test new or experimental traffic control devices for a period of ninety (90) days except that such experiments may be continued for an additional ninety (90) day period unless the Common Council, by resolution, determines otherwise.
- (e) To supervise engineering analyses of traffic accident causes in cooperation with a designated officer of the Police Department and to jointly make such changes or take such actions as are necessary to reduce or eliminate such accidents; consult with the Chief of Police on enforcement procedures or policies which would make most effective the various traffic regulations and to meet with the Chief and Traffic Court Judge at regular intervals to review traffic and enforcement problems and procedures.
- (f) To review and recommend the geometric design or redesign of all streets, highways, alleys, courts, intersections, parking lots, parking ramps and other similar type traffic and parking facilities and determine on a transportation and traffic basis the need for construction, reconstruction or improvement of these facilities and forward a list of recommended priorities to the Director of the Department of Public Works.

- (g) To prepare and submit to the Mayor and Common Council an annual report of the operations and progress of the Department of Transportation and make recommendations for the establishment of ordinances or resolutions which would be needed for the further improvement of traffic conditions.
- (h) To make or supervise the making of studies and the collection of data concerning the use of mass transit systemsn other municipalities as it is deemed necessary or helpful in improving the local transit system; to supervise the preparation of studies and to maintain records relating to the present and future mass transit needs of Madison and the metropolitan area; to determine and dake recommendations for fares, routes, hours of service, frequency, stops and stop facilities, special service, contracts for service, equipment and equipment maintenance, supervision and promotional programs for mass transit.
- (i) To coordinate and further develop a mass transit system and program according to the recommendations and directions of the appropriate boards, commissions and Common Council.
- (j) As determined by the Common Council and under the policy direction of the Transportation Commission, to manage, operate and maintain any mass transit system and facilities of the City of Madison and, where applicable, the metropolitan area. (Am. by Ord. 4603, 6-19-74)
- (k) To determine and make recommendations for public transportation routes and terminals and to establish bus stops for intercity buses; for regulations to prevent obstructive train switching movements and crossing blockades, and for crossing protection for pedestrians and vehicles, crossing maintenance and related items; for the types of taxicab service and their operation, including their number and fares and to establish taxi stands; for truck routes, hours of delivery and types of delivery vehicles and to establish truck loading zones and review and approve the issuance of permits for oversize vehicles, for the need for sidewalks and pedestrian grade separations and to establish pedestrian crossing locations, markings, protection and special routing as needed.
- (l) To make studies relating to the staggering of work hours in the City and the surrounding metropolitan area, to meet with and confer with officials of any business or company located in the metropolitan area and to make recommendations as to work hours of the said establishments.
- (m) To establish detours (jointly with the City Engineer), confer with the Chief of Police on parades (as provided elsewhere in the Madison General Ordinances), approve street or sidewalk displays (jointly with the Inspection Unit of the Department of Planning and Development), approve commercial driveways and curb cuts, median breaks, passenger loading zones, no parking zones (up to one hundred feet), safety zones and other areas of no parking in the event of such contingencies as fire, flood and other emergencies; to review for recommendation requests for street closing or vacations, zoning or rezoning proposals, lot divisions, conditional use applications, new plats or replats and all traffic and parking plans of public agencies or departments; to direct the design, fabrication, installation, operation and maintenance of traffic control devices such as traffic signals and signal systems, street lights, police and fire alarm signal system, traffic signs, street markings, warning sirens, flood or playground lighting fixtures and traffic channeling devices. (Am. by Ord. 8081, 7-29-83)

- (n) To install or order the installation of stop signs, yield signs, speed zone signs and street lights, and to control access to any public street, highway or traffic facility according to specific standards or ordinances adopted by the Common Council. (Am. by Ord. 4603, 6-19-74)
 - (o) Review all advertising signs in respect of such signs interfering with official traffic control devices, being an actual traffic hazard or being a contributory factor in actual traffic accidents and make appropriate recommendations to the Inspection Unit of the Department of Planning and Development to correct the conditions. (Am. by Ord. 8081, 7-29-83)
 - (p) Under the policy direction of the Transportation Commission to manage, operate and maintain all parking ramps and parking lots and to install, operate and maintain all parking meters and provide for the collection of all parking fees therefrom. (Am. by Ord. 4603, 6-19-74)
- (4) Retention of Present Boards. The creation of the Department of Transportation shall not affect the functions of the various boards and commissions as presently constituted under existing statutes or ordinances. The Director of the Department of Transportation shall be the Chief Administrative Officer and Executive Secretary of the Transportation Commission. He may be a member of such other boards, committees and commissions as may be determined by the Mayor or the Common Council.
- The Divisions of Traffic Engineering and Parking of the Department of Public Works shall be transferred to the newly created Department of Transportation and all personnel and authorities, duties, responsibilities and functions exercised by these divisions shall also be transferred simultaneously.
(Sec. 3.51(4) Am. by Ord. 5499A, 6-19-76)
- (5) Transportation Commission.
- (a) There is hereby established a Transportation Commission charged with the duties and responsibilities contained herein. The Transportation Commission shall make recommendations to the Common Council regarding policies on all transportation matters and shall be the official body which shall constitute a public utility within the meaning of Section 66.066 and Section 66.068, Wisconsin Statutes, and shall function as a parking utility for the operation of the parking utility system for the City of Madison, a transit utility for the operation of the transit system for the City of Madison, and a utility capable of issuing revenue bonds with Common Council approval. The Transportation Commission shall be the public utility designated in any various bond revenue ordinances of the City of Madison. Acting as a Transportation Commission, the commission shall be under a strict duty to comply with all revenue bond ordinances both of the Parking Utility and of the Transit Utility. Such commission shall not commingle the funds or use the assets of one utility to further the interest of another utility.
 - (b) The Transportation Commission shall consist of eleven (11) members to serve without compensation consisting of the Chairperson of the Parking Committee; Chairperson of the Transit Committee; Chairperson of the Pedestrian-Bicycle Committee; three citizen members; a representative of the Dane County Regional Planning Commission, or

designee; three members of the Common Council; and the Mayor, or designee. Upon organization of said commission following adoption of this ordinance, the Mayor shall appoint one citizen member for a term ending on the thirtieth (30th) day of April, 1976, and one citizen member for a term ending on the thirtieth (30th) day of April, 1977. Thereafter, terms for citizen members shall be for a period of three (3) years commencing on the first (1st) day of May, and appointments for such terms shall be made at the organization meeting of the Common Council on the third Tuesday in April preceding the end of any member's term. The Council members shall be appointed by the Mayor for a one-year term, which may be renewed annually. Citizen, Dane County Regional Planning Commission and Council member appointments shall be approved by the Common Council.

- (c) The Commissioners shall choose from their members a Chairperson who shall be entitled to vote in all matters before the Commission.
- (d) The Director of Transportation shall be the chief administrative officer of the Transportation Commission and its Executive Secretary and shall be responsible for implementing those ordinances, policies, rules and regulations of the Common Council or of the Transportation Commission, as they may relate to transportation, and shall represent the Transportation Commission in all matters of their concern when so requested.
- (e) It shall be the general duty of the Transportation Commission to develop, and recommend to the Common Council policies on the various elements of transportation and transportation facilities for the purpose of providing for the safe, efficient and economical movement of persons and goods in the City of Madison and the metropolitan area. These elements shall include, but not be limited to, private automobiles, commercial vehicles, railroads, watercraft, taxis, transit vehicles, motorcycles, bicycles, pedestrians, highways, streets, alleys, courts, intersections, parking ramps, parking lots, street parking, transit fares, taxi fares, parking rates, staggered work hours and other elements of similar nature. To accomplish these objectives the Transportation Commission shall adopt and publish in writing standards, warrants and objectives as criteria for traffic, transit and parking operations, services and facilities including streets and highways in order that such operations, services and facilities be a coordinated part of the overall transportation policy. Said standards, warrants, objectives and criteria shall not become effective until approved by the Common Council. In developing such standards, warrants and objectives, the Transportation Commission shall consider standards developed nationally for this purpose as well as the findings of the Madison Area Transportation Study and the Dane County Transportation Study. The Manual on Uniform Traffic Control Devices and the Recommended Standards, Warrants and Objectives for Transit Services and Facilities are two such publications. They may also review ordinances, resolutions, regulations, policies or practices of all departments concerned with any phase of transportation to eliminate conflicts with the transportation policies previously approved by the Common Council and the Transportation Commission and may recommend to the departments and the Common Council changes needed to eliminate such conflicts. The departments shall respond

affirmatively or show cause why they cannot comply with such recommendations. The Transportation Commission may receive requests or complaints on traffic operational items such as speed zones, one-way streets, traffic signals, heavy traffic routes, turning restrictions and limitations, school crossing guards and other traffic regulations and shall, according to previous criteria, approve or disapprove such requests. They shall consider mass transit policy matters including, but not limited to, route extensions or contractions, significant changes in schedules, fare structures, marketing programs, negotiations of new bus contracts or renegotiations of existing contracts, charter service and any other policy matter pertaining to the general operation of the municipally-owned mass transit system, and may receive and approve or deny requests for changes of these items, subject, however, to appeal procedures hereinafter noted.

They shall consider on- or off-street parking policy matters including, but not limited to, parking ramp or lot location and size, parking rates, parking meter and time limit zones, general parking restrictions or limitations, parking enforcement and forfeiture or deposit schedules and other policy matters pertaining to general City-wide parking matters and may receive and approve or deny requests for changes of those items, except for changes in forfeiture or deposit schedules. For these items, the commission may make recommendations for changes to the Common Council. They may hold public hearings on any transportation matter when requested to do so or when it appears to be in the general public interest.

- (f) Any decision of the Transportation Commission may be appealed to the Common Council. Such appeal must specify the reason therefor and be filed with the Director of Transportation. The Director of Transportation shall transmit such appeal to the City Clerk who shall file such appeal with the Common Council. The Common Council shall fix a reasonable time for the hearing of the appeal and give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. The action of the Transportation Commission shall stand unless the Common Council, by a majority vote of its members, reverses or modifies the action of the Transportation Commission.

(g) Parking Committee.

1. There is hereby created a Parking Committee of the City of Madison to constitute an advisory body to the Transportation Commission on the operational management of the Parking Utility. The Parking Committee shall consist of six (6) members to serve without compensation consisting of three (3) citizen members, a member of the Common Council, City Director of Planning and Development or designee, and the Director of Public Works.

Upon organization of said committee following adoption of this ordinance, the Mayor shall appoint one (1) citizen member for a term ending on the thirtieth (30th) day of April, 1975, one (1) citizen member for a term ending on the thirtieth (30th) day of April, 1976, and one (1) citizen member for a term ending on the thirtieth (30th) day of April, 1977. Thereafter, terms for citizen members shall be for a period of

three (3) years commencing on the first (1st) day of May, and appointments for such terms shall be made at the organization meeting of the Common Council on the third (3rd) Tuesday in April preceding the end of any member's term. The Alderperson member shall be appointed by the Mayor for a one-year term, which may be renewed annually. Citizen and Alderperson member appointments shall be approved by the Common Council.

2. The committee members shall choose from among their citizen members a Chairperson, who shall be entitled to vote in all matters before the committee. The Secretary shall be the head of the Parking Division of the Department of Transportation. The committee may make rules for their own proceedings and for the general operational management of the parking system, and may request the services of any City department or division head when assistance is needed in carrying out their responsibilities. They shall keep books of account in the manner and form prescribed for public utilities, which books shall be open to the public. The Parking Committee or a representative thereof shall represent the City at any hearing of record. The Chairperson, or designee, shall represent the Parking Committee at all meetings of the Transportation Commission, and shall have the right to vote. Said committee shall file an annual report.
3. The head of the Parking Division of the Department of Transportation shall be their chief administrative officer, and shall be responsible for implementing all rules and regulations and preparation of reports of the Parking Utility Committee. He/she shall represent the Parking Committee in all matters of their concern when so requested.
4. It shall be the general duty of the Parking Committee to provide overall supervision of the assets and operation of the parking system to insure that it functions as an integrated part of the overall transportation system. This supervision shall include, but not be limited to, recommendations to the Transportation Commission relating to the issuance of revenue bonds, design, construction and maintenance of parking ramps and parking lots, collection of parking fees, enforcement of parking regulations in ramps and lots, insurance and other items which concern the physical and operational aspects of parking management.

(h) Transit Committee.

1. There is hereby created a Transit Committee of the City of Madison to constitute an advisory body to the Transportation Commission on the operational management of the Transit Utility. The Transit Committee shall consist of six (6) voting members and one (1) non-voting ex officio member who shall be a Madison Metro bus driver, all of whom shall serve without compensation. The six (6) voting members shall consist of three (3) citizen members, a member of the Common Council, City Director of Planning and Development or designee, and Director of Public Works. Upon organization of said committee following adoption of this ordinance, the Mayor shall appoint one (1)

citizen member for a term ending on the thirtieth (30th) day of April, 1975, one (1) citizen member for a term ending on the thirtieth (30th) day of April, 1976, and one (1) citizen member for a term ending on the thirtieth (30th) day of April, 1977. Thereafter, terms for the three (3) citizen members shall be for a period of three (3) years commencing on the first (1st) day of May, and appointments for such terms shall be made at the organization meeting of the Common Council on the third (3rd) Tuesday in April preceding the end of any member's term. The Madison Metro bus driver member shall be recommended to the Mayor for appointment by the Bargaining Unit which includes Metro Bus Drivers and said member shall reside in the City of Madison as required by Sec. 3.27 of the Madison General Ordinances and upon appointment and confirmation shall serve for a term ending on the thirtieth (30th) day of April, 1980. Thereafter, the term for the bus driver member shall be for one (1) year, commencing on the first (1st) day of May, and appointments for such term shall be made at the organizational meeting of the Common Council on the third (3rd) Tuesday of April preceding the end of the member's term. The Alderperson member shall be appointed by the Mayor for a one-year term, which may be renewed annually. Citizen, Madison Metro bus driver and Alderperson member appointments shall be approved by the Common Council.

2. The Committee members shall choose from among their citizen members a Chairperson, who shall be entitled to vote in all matters before the Committee. The secretary shall be the head of the Transit Division of the Department of Transportation.

The committee members may make rules for their own proceedings and for the general operational management of the bus transit system and may request the services of any City department or division head when assistance is needed in carrying out their responsibilities. They shall keep books of account in the manner and form prescribed by the Public Service Commission, which books shall be open to the public. The Transit Committee with approval of the Transportation Commission and Common Council shall apply to the Public Service Commission for any transit changes requiring their approval and the Transit Committee or a representative thereof shall represent the City at all hearings before the Public Service Commission. The Chairperson, or designee, shall represent the Transit Committee at all meetings of the Transportation Commission and shall have the right to vote. Said committee shall file an annual report.

3. The head of the Transit Division of the Department of Transportation shall be the chief administrative officer of the Transit Committee and shall be responsible for implementing all rules and regulations and preparing reports of the Transit Committee. He/she shall represent the Transit Committee in all matters of their concern when so requested.

4. It shall be the general duty of the Transit Committee to provide overall supervision of the assets and operation of the transit system to insure that it functions as an integrated part of the overall transportation system. This supervision shall include, but not be limited to, recommendations to the Transportation Commission relating to the issuance of revenue bonds, service agreements and contracts, retention of professional management, routes, fares, hours of service, buildings and grounds, purchase and maintenance of transit vehicles, personnel recruitment and training, labor relations and negotiations, advertising and insurance and other items which concern the physical and operational aspects of bus transit management.

(i) Pedestrian-Bicycle Committee.

1. There is hereby created a Pedestrian-Bicycle Committee of the City of Madison to constitute an advisory body of the Transportation Commission for the development, implementation, maintenance and perpetuation of the pedestrian facilities and bikeways in the City of Madison. The Pedestrian-Bicycle Committee shall be comprised of seven (7) voting members to serve without compensation consisting of the following: one (1) member of the Common Council, if such member has been appointed by the Mayor pursuant to this ordinance; and six (6) citizen members, one of whom shall be sixty (60) years of age or older. If one or more Alderperson request appointment to the Pedestrian-Bicycle Committee, the Mayor shall appoint one of those requesting such appointment. If no Alderperson requests such appointment no appointment shall be made and no Alderperson shall serve. The Common Council member shall serve for a one-year term, which may be renewed annually. Six (6) citizen members shall be appointed by the Mayor as follows: two (2) citizen members for a term ending on the 30th day of April, 1977; two (2) citizen members for a term ending on the 30th day of April, 1978; and two (2) citizen members for a term ending on the 30th of April, 1979. Thereafter the term for these citizen appointments shall be for a period of three years commencing on the first day of May, and appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday of April preceding the end of any member's term. Citizen and Alderperson appointments shall be approved by the Common Council.
2. The Committee members shall choose from among the citizen members a Chairperson who shall be entitled to vote on all matters before the Committee. The Chairperson or designee shall represent the Pedestrian-Bicycle Committee as a voting member of the Transportation Commission. The Secretary shall be the City Traffic Engineer or his/her designee. The Committee members may make rules for their own proceedings and may request the services of any City department or division head when assistance is needed in carrying out their responsibilities.

3. It shall be the general duty of the Pedestrian-Bicycle Committee to develop and recommend to the Transportation Commission pedestrian and bicycle safety related policies and programs and pedestrian and bikeway systems, including but not limited to, planning design and implementation of pedestrian and bicycle facilities and safety programs and other items which concern the physical and operational aspects of pedestrians and bicyclists.

This is a Charter Ordinance and shall be effective upon sixty (60) days from passage and publication subject, however, to the referendum procedures in Section 66.01(5), Wis. Stats.

(Sec. 3.51(5) R. and Re-Cr. by Charter Ord. 57, 6-1-87)

(6) City-County Telecommunications Commission.

(a) There is hereby created a City-County Telecommunications Commission of the City of Madison and the County of Dane to constitute a policy-formulating body to direct and coordinate the design and implementation of various communications systems within their jurisdiction. These systems shall include communications functions associated with or related to facilitation of broadband telecommunication intergovernmental projects. The City-County Telecommunications Commission shall establish system-management policies for the City of Madison and Dane County communications systems to include but not be limited to priority of public safety agencies, new system requests, system expansion or modification, additional new frequencies, and disposition of surplus equipment. It shall be the general duty of the City-County Telecommunications Commission to make recommendations to the Common Council, the Dane County Board of Supervisors, the Dane County Executive, the Mayor of Madison, or other boards and commissions as may be appropriate on communication matters requiring legislation or budget approval. The City-County Telecommunications Commission shall also be responsible for review of the schedule of charges for communications services and for making recommendations as to staffing level requirements to provide adequate maintenance of City, County, and other governmental communications systems and equipment, except as is within the jurisdiction of the Public Safety Communications Control Board. (Am. by Ord. 9132, 2-27-87)

(b) The City-County Telecommunications Commission shall be comprised of seven (7) voting members, consisting of three (3) citizen members, two (2) members of the Common Council, and two (2) members of the Dane County Board of Supervisors, none of whom shall be employees of any telecommunications company doing business in Dane County. In addition, in recognition of the need for input from telecommunications companies, each telecommunications company which provides services is entitled to appoint one of its employees to serve as a nonvoting member of the Commission.