

### 3.14 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 transportation, traffic engineering and parking, with these three (3) areas to be developed and coordinated in such manner as to be of maximum benefit and economy to the people of the City of Madison. (Am. by Ord. 9462, 4-15-88; Renum. by ORD-07-00048, 4-12-07)
- (3) Director of Transportation. The Department of Transportation shall be managed and directed by a Director of Transportation. Effective March 1, 1989, the positions of Director of Transportation and the City Traffic Engineer and Parking Manager, as they become vacant, shall be filled according to Sec. 3.54(9)(f) of these ordinances. The incumbent of the position as of the above date may enter into an employment contract as described in such section at his or her option. The Director of Transportation is authorized, and is responsible for performing all duties as may be delegated by ordinance or resolution of the Common Council, and shall carry out all directives as may be issued by the Common Council or assigned by the Mayor. If the position of Director of Transportation is vacant, the Mayor may assign the duties of the position to other appropriate City employees. (Am. by Ord. 9745, 3-30-89; Renum. by ORD-07-00048, 4-12-07; Am. by ORD-13-00004, 1-15-13; ORD-14-00173, 12-10-14)

The Director of the Department of Transportation shall be the chief administrative officer and executive secretary of the Transportation Commission and may be a member of such other boards, committees or commissions as may be determined by the Mayor or Common Council. The Director of Transportation shall be charged with the responsibility of preparing and presenting the annual budgets of the department. The Director of Transportation 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 traffic, parking, transit and other transportation mode characteristics, including supply and demand and needs in Madison and the metropolitan area and supervise the preparation of studies and maintain records on past, present and future transportation travel uses by mode. (Am. by Ord. 9917, 12-29-89; Renum. by ORD-07-00048, 4-12-07)
- (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 determine and make recommendations for public transportation routes and terminals and to establish bus stops for intercity and intracity 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, their operation and regulation and 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, to administer the vehicle use permit program, for the need for sidewalks and pedestrian grade separations and to establish pedestrian crossing locations, markings, protection and special routing as needed.
- (i) To determine and make recommendations relative to pedestrian and bicycle safety related programs; and to plan, design and implement pedestrian and bicycle facilities for the City of Madison and, where applicable, the metropolitan area.
- (j) To make studies relating to alternate work schedules 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, ridesharing and transportation management programs for said establishments.

- (k) 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 Building Inspection Division of the Department of Planning and Community and Economic 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; to assist in the design and direct the installation and maintenance of police, fire, public works, County and other governmental agencies' telecommunications systems and equipment. (Am. by ORD-08-00109, 10-7-08)
- (l) 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.
- (m) Review all street graphics with respect to such graphics 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 Building Inspection Division of the Department of Planning and Community and Economic Development to correct the conditions. (Renum. by Ord. 9462, 4-15-88; Renum. by ORD-07-00048, 4-12-07; Am. by ORD-08-00109, 10-7-08)
- (n) Under the policy direction of the Transportation Commission to manage, operate and maintain all parking ramps and parking lots, to install, operate and maintain all parking meters and provide for the collection of all parking fees therefrom and to administer on-street and off-street parking permit programs.

(Sec. 3.51(3) Am. by Ord. 9539, 7-28-88; Renum. by ORD-07-00048, 4-12-07)

(4) Transit and Parking Commission.

- (a) Created. There is hereby created a Transit and Parking Commission charged with the duties and responsibilities contained herein. The Transit and Parking Commission shall make recommendations to the Common Council regarding policies on all transit and parking matters and shall be the official body which shall constitute a public utility within the meaning of Section 66.0621, Section 66.0805, and a transit commission with the meaning of Section 66.1021, 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 Transit and Parking

Commission shall be the public utility designated in any various bond revenue ordinances of the City of Madison. Acting as a Transit and Parking 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) Composition. The Transit and Parking Commission shall consist of nine (9) voting members to serve without compensation consisting of three (3) members of the Common Council, six (6) citizens and two (2) alternates who may be either Common Council members or citizens but at least one (1) of whom shall be a citizen. One member shall be an individual with special transportation needs requiring accessible fixed route transit or paratransit. Overlapping membership on the Transit and Parking Commission and the Pedestrian/Bicycle/Motor Vehicle Commission of two (2) members shall be encouraged but shall not be required. The Commission shall elect one (1) of its members as Chair and one (1) as Vice-Chair to serve in the absence of the Chair. The members of the Common Council shall serve ex officio. Two (2) members of the Transit and Parking Commission shall be appointed by the Chair of that Commission to serve on the Long-Range Transportation Planning Committee. All appointees (other than alderpersons) shall serve until their successors are appointed, confirmed and qualified. (Am. by Ord. 12,779, 3-13-01; Renum. by ORD-07-00048, 4-12-07; Am. by ORD-09-00052, Pub. 4-2-09, Eff. 8-1-09; Am. by ORD-12-00128, 10-24-12)
- (c) Appointment and Terms of Common Council Members. Common Council members of the Transit and Parking Commission shall be appointed by the Mayor subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April preceding the end of each Common Council member's term or as soon thereafter as the Mayor makes the appointment. In appointing Common Council members to the Transit and Parking Commission, the Mayor shall consider the need for representation of the various geographic areas of the City.
- (d) Appointment and Terms of Citizen Members. Citizen members of the Transit and Parking Commission shall be appointed by the Mayor subject to confirmation by the Common Council. The Mayor shall appoint one (1) citizen member for a term of three (3) years ending April 30, 2000, two (2) citizen members for terms of two (2) years ending April 30, 1999, and one (1) citizen member for a term of one (1) year ending April 30, 1998. Thereafter, terms for citizen members shall be for a period of three (3) years commencing on the first (1st) day of May. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April preceding the end of each citizen member's term or as soon thereafter as the Mayor makes the appointment.
- (e) Appointment and Terms of Alternate Members. In addition to members of the Transit and Parking Commission described in subdivisions (c) and (d) above, the Mayor shall, on an annual basis, appoint a first alternate and a second alternate member of said Commission subject to approval

of the Common Council. The alternates may be either Common Council members or citizen members. The first alternate member may act with full power and authority when any other member of the Commission is absent or refuses to act. The second alternate member may so act only when the first alternate is absent or refuses to act or when more than one member of the Commission is absent or refuses to act. In addition, alternates may participate in Transit and Parking Commission discussion and serve on subcommittees or as the TPC representative on other City committees at any time. (Am. by ORD-06-00058, 5-20-06; Renum. by ORD-07-00048, 4-12-07)

- (f) The Transit General Manager shall be the chief administrative officer of the Transit and Parking Commission and its Executive Secretary, shall represent the Transit and Parking Commission in all matters of their concern when so requested and shall prepare and submit to the Common Council an annual report of activities of the Transit and Parking Commission. The Transit General Manager and Parking Manager shall be responsible for implementing those ordinances, policies, rules and regulations of the Common Council and of the Transit and Parking Commission as they may relate to their respective areas of responsibility in transit and parking.
- (g) It shall be the general duty of the Transit and Parking Commission to develop, and recommend to the Common Council policies on the various elements of transit and parking and transit and parking 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 consistent with the Commission's mission to support the City's distinct and quality neighborhoods where people will want to live, work, do business, learn and play by providing comfortable, safe and efficient transportation. To accomplish these objectives the Transit and Parking Commission shall adopt and publish in writing standards, warrants, objectives and criteria for transit, parking and paratransit operations, services and facilities in order that such operations, services and facilities function as an integrated and coordinated part of the overall adopted transportation policy. In developing such standards, warrants, objectives and criteria, the Transit and Parking Commission shall consider standards developed nationally for this purpose as well as the findings of the Regional Transportation Plan. They may also review ordinances, resolutions, regulations, policies or practices of all City departments, boards, commissions or committees concerned with any phase of transportation to eliminate conflicts with the transit and parking policies previously approved by the Common Council and the Transit and Parking Commission and may recommend to the departments, boards, commissions or committees and the Common Council changes needed to eliminate such conflicts. The departments, boards commissions or committees shall respond affirmatively or show cause why they cannot comply with such recommendations. The Transit and Parking Commission shall periodically review the City's Master Plan, specifically the Objectives and Policies, Land Use, Capital Improvement Program and Economic Development Plan/Development Strategy to ensure that these elements are consistent with the adopted Transportation Plan and its plan elements and to recommend changes to reconcile

differences which are identified; and shall adopt and approve an annual work plan in furtherance of the Commission's purpose and responsibilities as set forth in this ordinance. The Transit and Parking Commission may hold public hearings on any transportation matter when requested to do so or when it appears to be in the general public interest.

(h) The Transit and Parking Commission shall be empowered to establish such rules and procedures as may be necessary to carry out the purpose and provisions of this ordinance. The duties of the Transit and Parking Commission for parking, transit, and paratransit are as follows:

1. Parking. The Commission, in addition to its responsibilities as a public utility, shall provide overall management, operation and control of the assets for the City of Madison parking system to ensure that it functions as an integrated part of the overall transportation system. The Transit and Parking Commission shall consider on-street and off-street parking policy matters, including but not limited to, insurance programs, parking ramp and lot location and size, design, construction and maintenance of parking lots and ramps, parking restrictions, permits, meter hoods, parking for people with disabilities, passenger and freight loading zones, parking meter rates and time limits, parking enforcement policies and forfeiture or deposit schedules, and may receive and approve or deny requests for changes of these items, and shall also have those responsibilities described in Sections 8.14 and 12.138 of the Madison General Ordinances.
2. Transit. The Commission shall, in addition to its responsibilities as a public utility, provide overall management, operation and control of the assets of the City of Madison transit and paratransit transportation system to ensure that it functions as an integrated part of the overall transportation system. The Commission shall consider policy matters including but not limited to service standards, performance targets, route additions, extensions or contractions, changes in schedules, fare structures, hours of service, specifications for new transit vehicles and equipment, establish maintenance standards for all transit vehicles, bus passengers, shelters, maintenance equipment and building grounds, marketing and advertising programs, insurance programs, charter service, hiring practices and policies, personnel recruitment and training, consultation on labor and management contracts and any other policy matters pertaining to the operation of the city-owned transit and paratransit transportation system and may receive and approve or deny requests for changes of these items.
3. Paratransit. The Commission, in addition to its responsibilities described in Sections 11.06 and 12.896, Madison General Ordinances, shall consider paratransit policy matters, including but not limited to intercity bus routes and stops, intracity bus routes and stops, horse drawn vehicles, taxis, limousines, courtesy cars, hotel buses, jitney services, hire-and-drive service, ride-sharing, subscription bus service, park and ride facilities, and any other policy matters pertaining to the operation of transportation modes which fall between the private automobile

and conventional transit and may receive and approve or deny requests for changes or additions to these items. The Commission shall provide the overall management and control of the paratransit operations within the City and ensure that they function as an integrated part of the overall transportation system.

(i) Bus Shelter Signs.

1. Purpose and Findings.

- a. Pursuant to Section 3.51(4)(g) of the Madison General Ordinances, it shall be the general duty of the Transit and Parking Commission to develop, and recommend to the Common Council policies on the various elements of transit and parking 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 consistent with the Commission's mission to support the City's distinct and quality neighborhoods where people will want to live, work, do business, learn and play by providing comfortable, safe and efficient transportation.
- b. Adequate mass transit services and facilities, and funding for those services and facilities, are critical to the economic well-being of the City of Madison, its residents, and its taxpayers. It is important to maximize transit revenues and transit physical amenities so as to provide Madison citizens and visitors an affordable, safe and efficient means of moving about the City for work, school, recreational or personal purposes. The City has for some time considered creative options used in other communities, i.e., raising funds for these services and facilities through the sale of advertising or other signage at, in or on Madison Transit Utility bus shelters.
- c. Certain state statutes and administrative rules, specifically sec. 86.19, Wis. Stats., and rules adopted pursuant to that statute, raise doubts about whether such signs may be located in or on bus shelters placed within the limits of highway rights of way. The determination of whether to place signs, including but not limited to route maps, schedules, "next bus arrival" digital signs, ads or other signs on Madison Transit Utility bus shelters is a matter of the local affairs and government of the City of Madison. The ability to sell ads or other signs at, in or on Madison Transit Utility bus shelters will assist the City in meeting the transportation needs of its residents and taxpayers; route maps, "next bus arrival" signs and other informational graphics will enhance ridership and increase transit revenues.

2. Signs on Madison Transit Utility Bus Shelters.

- a. The City of Madison, through its Common Council, hereby determines that, to the extent Wis. Stat. sec. 86.19 and related Wisconsin Administrative Code

regulations restrict the City's ability to place transit informational signs or to sell and place signs or advertisements at, in or on Madison Transit Utility bus shelters within the limits of any street or highway right of way, the City will not be governed by sec. 86.19 to that extent.

- b. The City, acting itself or through the services of a contractor, is authorized to contract for, accept, and place advertisements or other signs at, in or on Madison Transit Utility bus shelters, and to charge and accept fees for such advertisements or signs. Any fees collected shall go to Madison Transit Utility.
  - c. The Transit and Parking Commission shall recommend, and the Common Council by resolution shall approve, any plan carrying this ordinance into effect.
  - d. Any signs not authorized by this ordinance shall remain subject to regulation or ban pursuant to state and local law. This Charter Ordinance shall not apply to State Trunk Highways as defined in Section 84.02 Wis. Stats.
  - e. This Subsection (i) is a Charter Ordinance adopted pursuant to sec. 66.0101, Wis. Stats., and Article XI, Sec. 3 of the Wisconsin Constitution.
- (j) Any decision of the Transit and Parking Commission may be appealed to the Common Council. Such appeal must specify the reason therefore and be filed with the Transit General Manager. The Transit General Manager 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 Transit and Parking Commission shall stand unless the Common Council, by a majority vote of its members, reverses or modifies the action of the Transit and Parking Commission. (See Note Below.)

(Renum. by ORD-07-00048, 4-12-07)

This [Sec. 3.51(4)(a)-(j)] is a Charter Ordinance and shall be effective sixty (60) days after passage and publication, except as said effective date is extended herein, subject, however, to the referendum procedures in Section 66.0101(5), Wis. Stats. The effective date of this ordinance shall be the day after the second regular Common Council meeting of May 1997 provided that all appointments to the Transit and Parking Commission, the Pedestrian/Bicycle/Motor Vehicle Commission and the Long Range Transportation Planning Committee have been made by the Mayor and approved by the Common Council, but in no case shall the effective date be later than the day after the first regular meeting of the Common Council of June 1997.

(Sec. 3.51(4) R. and ReCr. as 3.51(4)(a)-(j) by Charter Ord. 70, Adopted 2-18-97, Effective no sooner than 5-21-97, no later than 6-4-97)

- (k) Subcommittees of the Transit and Parking Commission. The following subcommittees of the Transit and Parking Commission may be created.
- 1. ADA Transit Subcommittee to the Transit and Parking Commission.
    - a. The ADA Transit Plan Oversight to the Transit and Parking Commission shall consist of nine (9) members.



One (1) member shall be a user of the City's paratransit service, one (1) member shall have a disability but shall be capable of using the City's accessible fixed route transit service, one (1) member shall be a job coach or agency representative serving people with developmental disabilities, one (1) member shall be a visually impaired representative, one (1) shall be an individual who uses a wheelchair as a mobility aid, one (1) shall be a general representative, one (1) shall be a member of the Common Council, one (1) member shall be a citizen member of the Transit and Parking Commission, and one (1) member shall be a member of the Disability Rights Commission. (Am. by ORD-15-00086, 8-12-15)

- b. Revised Composition. Subsequent to the effective date of this ordinance # ORD-05-00061 on April 7, 2005, as the term of the member in each of the above membership positions comes up for reappointment, the following appointment criteria shall respectively apply to the membership: one (1) member shall be an ambulatory Metro Plus user who regularly travels in sedans; one (1) member shall be a wheelchair user with a disability who regularly uses the City's accessible fixed-route transit system; one (1) member shall be a representative of a residential or supported employment agency serving people with developmental disabilities; one (1) member shall be an ambulatory person with a disability who regularly uses the City's fixed-route transit system; one (1) member shall be an individual with a disability who is a Metro Plus user with a common wheelchair who regularly travels in lift- or ramp-equipped vehicles; one (1) member shall be a general representative or a citizen member of the Transit and Parking Commission; one (1) member shall be a member of the Common Council; one (1) member shall be a citizen member of the Transit and Parking Commission; and one (1) member shall be any one of the following, in order of preference: a citizen member of the Disability Rights Commission or a member of the Committee on Aging or a general representative who represents the interests of the disabled and/or senior community. In making selections for appointment to this committee, special consideration shall be given to ensuring that the overall composition of the Subcommittee reflects community diversity and geographic distribution. (Am. by ORD-13-00004, 1-15-13; ORD-15-00086, 8-12-15)
- c. Appointment and Terms. All subcommittee members shall be appointed by the Mayor subject to approval by the Common Council and shall have a term of two (2) years from the date of appointment, with the exception of the member of the Common Council, the citizen

member(s) of the Transit and Parking Commission, the member of the Disability Rights Commission and other liaison bodies whose terms shall be limited to the duration of their membership on the liaison body. (Am. by ORD-15-00086, 8-12-15)

- d. Duties. This Subcommittee is advisory to the Transit and Parking Commission. It is the duty of the Subcommittee to monitor compliance by Metro Transit, the City's transit utility, in providing complementary paratransit and transit service in the Metro Transit service area in accordance with the Americans with Disabilities Act and its implementing regulations. In addition to any task assigned by the Transit and Parking Commission, the Subcommittee shall regularly assess the provision of ADA complementary paratransit and fixed route services to persons with disabilities in the Metro Transit service area, maximizing transportation options for everyone. The Subcommittee shall identify issues and recommend policies to the Transit and Parking Commission to address them, taking into account budget and service capacity limits, and shall review and develop recommendations for service-related complaints. In addition to the open public comment period at the beginning of all regular Subcommittee meetings, the body has an affirmative duty to seek public input and consultation with persons with disabilities and their representatives in the Metro Transit service area. This may include but is not limited to people with vision impairments or blindness; people who do not speak; people who do not understand spoken language; social service agencies that serve people with disabilities, including residential and vocational support providers; organizations and other coalitions of self-advocates; transit travel trainers; paratransit drivers; Dane County specialized transportation oversight staff and committees.
- e. Officers. The subcommittee shall annually select a chair and vice-chair from among its members at the first meeting in May or as soon thereafter as practicable.
- f. Members of the Subcommittee, in groups of three (3) each, shall serve as an appeals hearing panel for ruling on paratransit eligibility determinations. The hearing shall be conducted in accordance with the procedure contained in 49 CFR Part 37 and is the final step of the administrative appeals process. The panel shall determine if the initial finding by Metro staff and the subsequent appeal to and ruling of the Transit General Manager or designee were consistent with the eligibility standards contained in 49 CFR Part 37 and based on the substantial evidence in the record. Based on the testimony and evidence introduced at the hearing, the

panel, by majority vote, shall affirm, modify or reverse the ruling of the Transit General Manager or designee.

(Renum. by ORD-07-00048, 4-12-07)

[Editor's Note: The amendments to Sec. 3.51(4)(j)1., now Renum. to 3.51(4)(k)1., supersede Resolution Numbers 48,847 and 49,904.]

(Sec. 3.51(4)(k)1. Am. by ORD-05-00061, 4-6-05)

2. Parking Council for People with Disabilities. Under the authority of Wis. Stat. § 346.50(3m), a Parking Council for People with Disabilities is hereby created. Said Council members shall perform duties according to the descriptions herein.

a. Parking Council for People with Disabilities. The Parking Council for People with Disabilities shall consist of seven (7) members and two (2) alternates, all of whom shall be residents of the City, four (4) of whom may be members of the Disability Rights Commission, three (3) of whom may be members of the Transit and Parking Commission, and of whom at least four (4) regular members and one (1) alternate member shall be people to whom or on whose behalf the Department of Transportation of the State of Wisconsin has issued a special registration plate under Wis. Stat. §§ 341.14(1) to (1r), or a special identification card under Wis. Stat. § 343.51. The members designated as alternates shall only have voting powers when temporarily filling the office of a vacant or absent council member. Members of this council shall be appointed by the Mayor, subject to approval by the Common Council.

b. Terms. Members of the Parking Council for People with Disabilities shall have terms limited to the duration of their membership on the Disability Rights Commission or the Transit and Parking Commission. Those members who are not also members of the Disability Rights Commission or the Transit and Parking Commission shall have a term of three (3) years from the date of appointment.

c. Duties. The Parking Council for People with Disabilities shall give advice and recommendations on the location of those spaces reserved for use by a motor vehicle used by a person with a physical disability that are subject to any time limitations imposed pursuant to Wis. Stat. § 346.50(3m)(b). The council may also authorize specific persons to place on a vehicle educational material relating solely to the parking privileges of people with physical disabilities if that person(s) has a good faith belief that the vehicle is violating state or local law on parking for motor vehicles used by people with physical disabilities. The council may also hear and investigate matters concerning the quality and availability of parking within the city for persons with disabilities and shall report its findings and recommendations to the

Common Council from time to time. (Am. by ORD-06-00099, 8-2-06; Renum. by ORD-07-00048, 4-12-07)

- d. Chair. The Parking Council for People with Disabilities subcommittee shall select a chair from among its members. The subcommittee shall consider such matters and perform such tasks as are referred to them by the Transit and Parking Commission. Common Council referral of items to the subcommittee of the Transit and Parking Commission shall be referred through the Transit and Parking Commission.

(Sec. 3.14(4)(k)2. Am. by ORD-13-00162, 10-9-13; ORD-15-00086, 8-12-15)

3. Contracted Service Oversight Subcommittee. The Contracted Service Oversight Subcommittee shall consist of nine (9) members. Five (5) members shall be representatives of governmental entities which contract with the City of Madison to provide transit and/or paratransit service: one (1) member representing the City of Middleton; one (1) member representing the Town of Madison; one (1) member representing the City of Fitchburg, one (1) member representing the City of Verona, one (1) member representing the University of Wisconsin; two (2) members shall be representatives of governmental entities which are additional Metro Transit funding partners: one member representing the Madison Metropolitan School District (MMSD), one (1) member representing Madison Area Technical College (MATC); and two (2) members shall be members of the Transit and Parking Commission. In addition, the governmental entities shall each be allotted one alternate. Alternates shall be permitted to participate in meetings regardless of the presence or absence of the primary member. Notwithstanding anything in Sec. 3.30(4)(c), MGO, to the contrary, members and alternates representing a governmental entity shall be appointed and removed by their respective governmental entity in accordance with its established appointment process. The remaining members shall be appointed by the Chair of the Transit and Parking Commission. The residency qualifications of Sec. 3.30, MGO, shall not apply. (Am. by ORD-05-00178, 11-25-05)

- a. Terms. Members who are also members of the Transit and Parking Commission shall have terms limited to the duration of their membership on the Transit and Parking Commission. Other members and alternates shall have a term of two (2) years from the date of appointment.

- b. Duties. The Contracted Service Oversight Subcommittee shall consider policy matters relating to contracted for transportation service, including but not limited to service standards, performance targets, route additions, extensions or contractions, changes in schedules, fare structures, hours of service, equipment, marketing and advertising programs, and any other policy matters pertaining to the operation of contracted for transportation services and/or additional Metro

Transit funding partners transportation services contributions, and may receive, consider, and/or make recommendations to the Transit and Parking Commission regarding requests for changes to these items. The Subcommittee shall consider such additional matters and perform such tasks as are referred to it by the Transit and Parking Commission or staff. Common Council referral of items to the Subcommittee shall be referred through the Transit and Parking Commission.

- c. Chair. The Contracted Service Oversight Subcommittee shall select a Chair from among its members.
- d. Staff. Metro Transit General Manager and other staff as requested by the TGM will provide staff assistance to the subcommittee.
- e. The ordinance adding two members who are representatives of governmental entities who are additional Metro transit funding partners shall become effective on April 1, 2008.

(Cr. by Ord. 13,136, 8-28-02; Ord. 13,652, 7-7-04; Renum. by ORD-07-00048, 4-12-07; Am. by ORD-08-00027, 2-26-08)

(Renum. by ORD-07-00048, 4-12-07)

(Section 3.51(4)(k) Cr. by Ord. 11,848, Adopted 4-15-97, Effective no sooner than 5-21-97, no later than 6-4-97; Am. by Ord. 12,582, 5-17-00)

- (l) The Transit General Manager and the Parking Manager shall have the authority and responsibility in their respective areas to administer and carry out the published standards, warrants, objectives and criteria as adopted by the Transit and Parking Commission and only in cases of an appeal of a staff decision will the Commission review the administration of the standard, warrant, objective or criterion. (Rec. by ORD-13-00004, 1-15-13)

- (5) Reserved for Future Use. (City-County Telecommunications Commission R. by Ord. 10,678, Adopted 6-1-93; Renum. by ORD-07-00048, 4-12-07)

- (6) Pedestrian/Bicycle/Motor Vehicle Commission.

- (a) Created. There is hereby created a Pedestrian/Bicycle/Motor Vehicle Commission charged with the duties and responsibilities contained herein. The Pedestrian/Bicycle/Motor Vehicle Commission shall make recommendations to the Common Council regarding policies on all pedestrian, bicycle and motor vehicle matters.

- (b) Composition. The Pedestrian/Bicycle/Motor Vehicle Commission shall consist of nine (9) voting members to serve without compensation consisting of three (3) members of the Common Council, six (6) citizens and two (2) alternates who may be either Common Council members or citizens but at least one (1) of whom shall be a citizen. Two (2) members of the Pedestrian/Bicycle/Motor Vehicle Commission shall be members of the Long-Range Transportation Planning Committee. Of the total members, one (1) shall be a member of the City Plan Commission, two (2) shall be users of the City's bicycle ways, two (2) shall be pedestrian advocates, and one (1) shall be an individual with disabilities. Overlapping membership on the Pedestrian/Bicycle/Motor Vehicle Commission and the Transit and Parking Commission of two (2) members shall be encouraged but shall not be required. The Commission

shall elect one (1) of its members as Chair and one (1) as Vice-Chair to serve in the absence of the Chair. The members of the Common Council shall serve ex officio. All appointees (other than alderpersons) shall serve until their successors are appointed, confirmed and qualified. (Am. by ORD-09-00052, Pub. 4-2-09, Eff. 8-1-09; Am. by ORD-12-00128, 10-24-12)

- (c) Appointment and Terms of Common Council Members. Common Council members of the Pedestrian/Bicycle/Motor Vehicle Commission shall be appointed by the Mayor subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April preceding the end of each Common Council member's term or as soon thereafter as the Mayor makes the appointment. In appointing Common Council members to the Pedestrian/Bicycle/Motor Vehicle Commission, the Mayor shall consider the need for representation of the various geographic areas of the city. (Am. by ORD-12-00128, 10-24-12)
- (d) Appointment and Terms of Citizen Members. Citizen members of the Pedestrian/Bicycle/Motor Vehicle Commission shall be appointed by the Mayor subject to confirmation by the Common Council. The Mayor shall appoint one (1) citizen member for a term of three (3) years ending April 30, 2000, two (2) citizen members for terms of two (2) years ending April 30, 1999, and one (1) citizen member for a term of one (1) year ending April 30, 1998. Thereafter, terms for citizen members shall be for a period of three (3) years commencing on the first (1st) day of May. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April preceding the end of each citizen member's term or as soon thereafter as the Mayor makes the appointment.
- (e) Appointment and Term of Alternate Members. In addition to members of the Pedestrian/Bicycle/Motor Vehicle Commission described in subdivisions (c) and (d) above, the Mayor shall, on an annual basis, appoint a first alternate and a second alternate member of said Commission subject to the approval of the Common Council. The alternates may be either Common Council members or citizen members. The first alternate member may act with full power and authority when any other member of the Commission is absent or refuses to act. The second alternate member may so act only when the first alternate is absent or refuses to act or when more than one member of the Commission is absent or refuses to act. In addition, alternates may participate in Pedestrian/Bicycle/Motor Vehicle Commission discussion and serve on subcommittees or as the PBMVC representative on other City committees at any time. (Am. by ORD-06-00058, 5-20-06; Renum. by ORD-07-00048, 4-12-07)
- (f) The City Traffic Engineer shall be the chief administrative officer of the Pedestrian/Bicycle/Motor Vehicle Commission and its Executive Secretary and shall be responsible for implementing those ordinances, policies, rules and regulations of the Common Council and the Pedestrian/Bicycle/Motor Vehicle Commission, as they may relate to pedestrian, bicycle and motor vehicle, shall represent the

Pedestrian/Bicycle/Motor Vehicle Commission in all matters of their concern when so requested and shall prepare and submit to the Common Council an annual report of activities of the Pedestrian/Bicycle/Motor Vehicle Commission.

- (g) It shall be the general duty of the Pedestrian/Bicycle/Motor Vehicle Commission to develop and recommend to the Common Council policies and programs addressing the use and effects of the various elements of Pedestrian, Bicycle and Motor Vehicle systems and facilities to ensure the safe, efficient and economical movement of persons and goods in the city of Madison and the metropolitan area consistent with the Commission's mission to support the city's distinct and quality neighborhoods where people will want to live, work, do business, learn and play by providing comfortable, safe and efficient transportation. To accomplish these objectives, the Pedestrian/Bicycle/Motor Vehicle Commission shall adopt and publish in writing standards, warrants, objectives and criteria for pedestrian, bicycle and motor vehicle operations, services and facilities in order that such operations, services and facilities function as an integrated and coordinated part of the overall adopted transportation policy. In developing such standards, warrants, objectives and criteria, the Pedestrian/Bicycle/Motor Vehicle Commission shall consider standards developed nationally for this purpose as well as the findings of the Dane County Transportation Study. They may also review ordinances, resolutions, regulations, policies or practices of all City departments, boards, commissions or committees concerned with any phase of transportation to eliminate conflicts with the pedestrian, bicycle and motor vehicle policies previously approved by the Common Council and the Pedestrian/Bicycle/Motor Vehicle Commission and may recommend to the departments, boards, commissions or committees and the Common Council changes needed to eliminate such conflicts. The departments, boards, commissions or committees shall respond affirmatively or show cause why they cannot comply with such recommendations. The Pedestrian/Bicycle/Motor Vehicle Commission shall periodically review the City's Master Plan, specifically the Objectives and Policies, Land Use, Capital Improvement Program and Economic Development Plan/Development Strategy to ensure that these elements are consistent with the adopted Transportation Plan and its plan elements and to recommend changes to reconcile differences which are identified; and shall adopt and approve an annual work plan in furtherance of the Commission's purpose and responsibilities as set forth in this ordinance. The Pedestrian/Bicycle/Motor Vehicle Commission may hold public hearings on an pedestrian, bicycle and motor vehicle matter when requested to do so or when it appears to be in the general public interest.

The duties of the Pedestrian/Bicycle/Motor Vehicle Commission for pedestrian, bicycle, and motor vehicles are as follows:

1. Pedestrian and Bicycle. The Pedestrian/Bicycle/Motor Vehicle Commission, in addition to its general responsibilities related to pedestrian and bicycle traffic modes, shall consider pedestrian and bicycle policy matters including but not limited to ensuring that pedestrian and bicycle modes function as an integrated part of the overall transportation system, developing and updating

short- and long-range pedestrian and bicycle safety related policy, program and facility plans annual pedestrian and bicycle safety, enforcement and facility maintenance work programs including setting priorities for these work programs within the context of approved plans and policies and forwarding to the Mayor budget recommendations and priorities for these work programs, reviewing and determining Adult School Crossing Guard locations subject to funds being available in the current Police Department budget. The Pedestrian/Bicycle/Motor Vehicle Commission shall take into account the impacts of projects and policies under consideration on the safety and/or feasibility of pedestrian and bicycle travel, and shall seek public input on pedestrian and bicycle issues.

2. Motor Vehicles. The Commission shall provide the overall management, operation and control of the City's system for motor vehicles and ensure that it functions as an integrated part of the overall transportation system and supports Madison neighborhoods. The Pedestrian/Bicycle/Motor Vehicle Commission shall consider all traffic policy matters, including but not limited to, traffic safety programs and projects, speed zones, one-way streets, traffic signals, stop and yield signs, railroad-street crossing protection, street markings, street lighting, commercial parking lot and driveway design, street access control, median breaks, traffic channelizing devices, heavy traffic routes, mass transit ways and preferential lane use, turning restrictions and limitations, parking restrictions, geometric design and redesign of streets, transportation and traffic planning and plans, transportation impact studies, vehicle use permits and any other policy matters pertaining to the physical and operational aspects of traffic and may in accordance with adopted criteria and standards receive and approve or deny requests for changes in these items.
  - (h) Rules. The Pedestrian/Bicycle/Motor Vehicle Commission shall be empowered to establish such rules and procedures as may be necessary to carry out the purpose and provisions of this ordinance.
  - (i) The City Traffic Engineer shall have the authority and responsibility to administer and carry out the published standards, warrants, objectives and criteria as adopted by the Pedestrian/Bicycle/Motor Vehicle Commission and only in cases of an appeal of a staff decision will the Commission review the administration of the standard, warrant, objective or criterion.
  - (j) Any decision of the Pedestrian/Bicycle/Motor Vehicle Commission may be appealed to the Common Council. Such appeal must specify the reason therefore and be filed with the City Traffic Engineer. The City Traffic Engineer 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 Pedestrian/Bicycle/Motor Vehicle Commission shall stand unless the Common Council, by a majority vote of its members, reverses or



modifies the action of the Pedestrian/Bicycle/Motor Vehicle Commission.

(Sec. 3.51(6) Cr. by Ord. 11,848, Adopted 4-15-97; Effective no sooner than 5-21-97, no later than 6-4-97; Renum. by ORD-07-00048, 4-12-07)

(7) Long-Range Transportation Planning Committee. (Am. by ORD-09-00052, Pub. 4-2-09, Eff. 8-1-09)

(a) Created. There is hereby created a Long-Range Transportation Planning Committee charged with the duties and responsibilities contained herein. The Long-Range Transportation Planning Committee shall address transportation planning issues and special initiatives involving the integration of the subjects of mutual concern to the Transit and Parking Commission, Pedestrian/Bicycle/Motor Vehicle Commission, Plan Commission, and Board of Public Works.

(b) Composition. The Long-Range Transportation Planning Committee shall consist of eleven (11) voting members to serve without compensation consisting of two (2) members of the Pedestrian/Bicycle/Motor Vehicle Commission, two (2) members of the Transit and Parking Commission, one (1) member of the Board of Public Works, two (2) members of the Plan Commission, one (1) member of the Dane County Board of Supervisors who resides in Madison, two (2) City representatives of the Madison Area Transportation Planning Board, and one citizen member who resides in Madison and is a member of another standing City committee, board or commission. Of the eleven (11) Committee members, three (3) shall also be members of the Common Council. The Mayor may also designate one (1) alternate. (Am by Ord. 12,466, 9-27-99; Ord. 12,540, 2-18-00; Ord. 13,431, 10-24-03; Renum. by ORD-07-00048, 4-12-07; Am. by ORD-10-00066, 7-13-10; ORD-12-00078, 6-20-12)

(c) Appointment and Terms of Members. Each board or commission with membership on the Long-Range Transportation Planning Committee shall recommend its representative(s) to the Committee except that the representatives of the Transit and Parking Commission and the Pedestrian/Bicycle/Motor Vehicle Commission shall include the chair of each or the chair's designee. Appointments to the Long-Range Transportation Committee shall be for the same duration as the appointee's term on the parent Commission. From the list of potential Committee members recommended by the parent bodies, the Mayor shall appoint Committee members, and ensure that three (3) are also members of the Common Council. The members appointed to the Committee by the Mayor shall be approved by the Common Council. The Common Council members' terms of service on the Committee shall coincide with their terms on the Common Council. The member of the Dane County Board of Supervisors shall be appointed by the Dane County Executive. That member's term of service on the Committee shall coincide with her/his term on the Dane County Board of Supervisors. The Mayor shall appoint the citizen member who is a member of another City sub-unit and whose term shall coincide with the term on the other sub-unit. The Mayor may also designate an alternate. The Mayoral Designee Alternate may participate in Committee business as though s/he were a full member, but may vote only in the absence of at least one Committee member. The term of the alternate shall coincide with the two- (2) year

terms of the Common Council members. (Am. by Ord. 12,466, 9-27-99; Ord. 12,540, 2-18-00; Ord. 13,431, 10-24-03; Renum. by ORD-07-00048, 4-12-07; Am. by ORD-12-00078, 6-20-12; ORD-12-00128, 10-24-12)

- (d) The Committee shall elect one (1) of its members as Chair and one (1) as Vice-Chair to serve in the absence of the Chair. All appointees shall serve until their successors are appointed, confirmed and qualified. The Planning Division Director or designee shall be the chief administrative officer of the Long-Range Transportation Planning Committee and shall represent the Long-Range Transportation Planning Committee in all matters of their concern when so requested and shall prepare and submit to the parent commissions of the Committee's members reports of activities of the Long-Range Transportation Planning Committee.
- (e) It shall be the general duty of the Long-Range Transportation Planning Committee to develop and recommend to the Plan Commission, Transit and Parking Commission, Pedestrian/Bicycle/Motor Vehicle Commission, and Board of Public Works policies on the various elements of long-range transportation planning for all modes including but not limited to transit, parking, pedestrian, bicycle, and motor vehicles, as well as special initiatives involving the integration of the various subjects under the jurisdiction of the aforementioned bodies, 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 consistent with the Committee's mission to support the City's distinct and quality neighborhoods where people will want to live, work, do business, learn and play by providing comfortable, safe and efficient transportation. To accomplish these objectives the Long-Range Transportation Planning Committee shall make recommendations to the parent commissions of Committee members regarding transit, parking, pedestrian, bicycle, and motor vehicle operations, services, and facilities in order that such operations, services, and facilities function as an integrated and coordinated part of the overall adopted transportation policy. The Committee shall also deal with items referred to it by the parent commissions of Committee members or by the Common Council and shall advise the City's representative to the Regional Plan Commission on matters before the latter body. The Committee shall also serve as a body to consider items of mutual interest to the parent commissions of the Committee members in order to better coordinate transportation and land use planning activities. The Committee may also review ordinances, resolutions, regulations, policies or practices of all City departments, boards, commissions or committees concerned with any phase of transportation and land use to eliminate conflicts with policies previously approved by the Common Council and the parent commissions of the Committee and may recommend to the departments, boards, commission or committees and the Common Council changes needed to eliminate such conflicts. The departments, boards, commission or committees shall respond affirmatively or show cause why they cannot comply with such recommendations. The Long-Range Transportation Planning Committee shall periodically review the City's Master Plan, specifically the Objective and Policies, Land Use, Capital Improvement Program and Economic Development Plan/Development

Strategy to ensure that these elements are consistent with the adopted Transportation Plan and its plan elements and to recommend changes to reconcile differences which are identified; and shall adopt and approve an annual work plan in furtherance of the Committee's purpose and responsibilities as set forth in this ordinance. The Long-Range Transportation Planning Committee may hold public hearings on any transportation and land use planning matter when requested to do so or when it appears to be in the general public interest.

(f) Rules. The Long-Range Transportation Planning Committee shall be empowered to establish such rules and procedures as may be necessary to carry out the purpose and provisions of this ordinance.

(g) Any decision of the Long-Range Transportation Planning Committee may be appealed to the Common Council. Such appeal must specify the reason therefore and be filed with the Planning Division Director. The Planning Division Director 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 Long-Range Transportation Planning Committee shall stand unless the Common Council, by a majority vote of its members, reverses or modifies the action of the Long-Range Transportation Planning Committee.

(Sec. 3.51(7) Cr. by Ord. 11,848, Adopted 4-15-97; Am by Ord. 12,365, 4-13-99; Renum. by ORD-07-00048, 4-12-07; Am. by ORD-09-00052, Pub. 4-2-09, Eff. 8-1-09)

(8) Joint Transportation Subcommittee. At the request of any one commission in Subsections (4), (6), and (7), a joint subcommittee of not less than five (5) members appointed by the Chair of their respective parent commission may be established, on an ad hoc basis, to address issues of mutual and overlapping concern to the parent commissions so as to facilitate integrated and coordinated intermodal transportation planning activities.

(Sec. 3.51(8) Cr. by Ord. 11,848, Adopted 4-15-97; Effective no sooner than 5-21-97, no later than 6-4-97; Renum. by ORD-07-00048, 4-12-07)

(9) Traffic Engineering Division.

(a) The Traffic Engineering Division shall be supervised by the City Traffic Engineer and Parking Manager. The position of City Traffic Engineer as it becomes vacant shall be filled according to Sec. 3.54(9)(f) of these ordinances. (Am. by ORD-14-00173, 12-10-14)

(b) Traffic Engineering Duties of the City Traffic Engineer and Parking Manager. In addition to the duties described in Chapter 12, the City Traffic Engineer and Parking Manager shall have supervision of all personnel engaged in traffic planning and design, street marking and traffic sign construction, alteration and repair, as well as installation, maintenance and operation of traffic signals, the police and fire alarm system, the street lighting systems and those engaged in the installation, repair and maintenance of the radio communications systems and warning sirens and other such activities. The City Traffic Engineer and Parking Manager or designee is the appointed City Highway Safety Coordinator as prescribed by the rules of the State of Wisconsin Office for Highway Safety. (Am. by ORD-09-00147, 11-6-09)

(Subsec. (6) Renum. to Subsec. (9) by Ord. 11,848, Adopted 4-15-97; Am. by ORD-06-00061, 6-3-06; Renum. by ORD-07-00048, 4-12-07)

(10) Parking Division.

- (a) The Parking Division shall be supervised by the City Traffic Engineer and Parking Manager.
- (b) Duties of the City Traffic Engineer and Parking Manager with Respect to Parking. In addition to the duties described in Chapter 12, the City Engineer and Parking Manager shall manage all Parking Utility facilities and shall have supervision of all personnel engaged in the installation, operation and maintenance of parking meters, lots and ramps and the collection of fees therefrom for all municipal parking utility operations and other such other activities.

Transit Division. The Transit Division, under the direction of the Director of Transportation, shall be responsible for planning, developing, operating, maintaining and coordinating the Transit Systems and Facilities of the City of Madison. The Transit Manager may or may not be an employee of the City and may be an employee of an entity with whom the City has contracted to manage the Transit Systems and Facilities as an independent contractor. The Transit Manager shall report directly to the Director of Transportation for day to day administrative purposes.