

Ann Richmond, being the first duly sworn on oath, says that she is the Publisher of THE DAILY REPORTER, which is a public newspaper of general circulation, printed and published daily in the English language in the City of Milwaukee, in said county, and fully complying with the laws of Wisconsin, relating to the publication of legal notices; that the notice of which the printed one attached is a true copy, which was clipped from the said newspaper, was inserted and published in said newspaper on

May 7, 2013

Ann Richmond
Ann Richmond, Publisher

Sworn to me this 7th day of May 2013

David Ziemer



David Ziemer
Notary Public, Milwaukee County, Wisconsin
My Commission Is Permanent

PROOF OF PUBLICATION

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AN ORDINANCE
of the County Board of Supervisors
of the County of Milwaukee, does
ordain as follows:

SECTION 1. Section 4.33(5) of
the General Ordinances of
Milwaukee County, is hereby amended
to read:

Section 4.33(3). Off-Airport
Parking Operator Privilege Fee

(a) *Privilege Fee*. It is the intent of this
subsection that for and in
consideration of the use of the
facilities of General Mitchell Interna-
tional Airport (Airport) and the busi-
ness generated by the Airport, and
further, in and for consideration of
the business benefits received by
the Off-Airport Parking Operators
from their use of Airport facilities, the
Airport agrees to allow and
authorize the Off-Airport Parking
Operators to do business at the
Airport under the terms, conditions
and restrictions identified herein,
including imposition of a fee upon
the Off-Airport Parking Operators for
the privileges, opportunity, benefits
and authorization provided for in this
subsection.

(b) *Definitions*. **1. Airport Customer**. For the
purpose of this Section, 4.33(3), any
Airport Customer is defined as any
customer arriving at the airport
terminal intending to travel by air and
using the Airport for such purpose, or
patrons and tenants of the Airport,
any of whom use the vehicle parking
and related services of an Off-Airport
Parking Operator.

(c) *Courtesy Vehicle*. A Courtesy
Vehicle is a motor vehicle
transferring Airport Customers and
which is further identified and
defined in Section 4.01(18) and
Section 4.05.04 of these Milwaukee
County Ordinances.

(d) *Off-Airport Parking Operator*.
An Off-Airport Parking Operator is a
business association, entity or enter-
prise which operates a parking busi-
ness off or outside of the Airport
premises and, without being party to
a concession agreement with the
Airport, transmits Airport Customers
by means of a Courtesy Vehicle to or
from Off-Airport facilities or the
Airport for the purpose of providing
vehicle parking or related services
for said Airport Customer.

(e) *Parking Space*. A Parking
Space is defined as any physical
location at the Off-Airport Parking
Operator's parking business made
available for the parking of any
vehicle that is capable of being
licensed for operation of roadways
in the county. A Parking Space
shall be considered to be operated if
that space is available for parking at
any time during a calendar year.
Parking Spaces dedicated to a Hotel
Stay/Park Program shall not be
considered a Parking Space within
the meaning of this section.

(f) *Hotel Stay/Park Program*. A
Hotel Stay/Park Program shall be
defined as a program offered by a
hotel or motel that includes within
the room rate a provision for a guest
to park a single vehicle for no more
than fourteen (14) consecutive days.

(g) *Privileges*.
(i) The Off-Airport Parking
Operator is authorized to do
business at the Airport to provide
vehicle parking or related services,
to arrange for and operate its
Courtesy Vehicles on the public
roadway at the Airport by the most
direct route authorized by the Airport
Director, and to pick up and deliver
Airport Customers, all in accordance
with Chapter 4 of Milwaukee County
Ordinances, as well as all other
rules, regulations and procedures of
the Airport.

(ii) The Off-Airport Parking
Operator will provide pickup and
delivery service only for Off-Airport
Parking Customers. Courtesy
Vehicles are expressly prohibited
from transporting customers for any
reason other than to take them to
Off-Airport Parking Facilities for the
sole purpose of vehicle parking. The
Off-Airport Parking Operator's
Courtesy Vehicles (and drivers of
same) which are operated by the
Off-Airport Parking Operator shall at
all times comply with and be
regulated by Section 4.01(13),
Section 4.05.04, and all other appli-
cable Milwaukee County
Ordinances.

(iii) The Off-Airport Parking
Operator shall operate on this Airport
in a safe and orderly fashion and

its security, said penalties shall be
the statutory rate in effect for delin-
quent Milwaukee County property
taxes, less any amount of property
taxes previously paid for the month or
fraction of a month as described in
Milwaukee County Ordinance
Section 6.06(4) and 74.80(2), Wis.
Stats. The obligation for payment
and calculation thereof shall
commence upon the day following
the due date established herein.

(iii) *Alibi Results*. If as a result of
any audit required herein, additional
amounts are discovered to be due
and owing, interest and penalty shall
be calculated thereon in accordance
with the above method. The
Off-Airport Parking Operator shall
remedy against Off-Airport Parking
Operator violation of any of the
terms and conditions described in
this Ordinance with respect to delin-
quent payments and exercise of this
remedy is not a waiver by Milwaukee
County of any other remedy
permitted by law.

(iv) *Security*. To provide security
for the Privilege Fee required here-
under, the Off-Airport Parking
Operator shall comply with either of
the following options prior to
commencing operations under this
Ordinance:

(i) Post with the Airport a surety
bond to be maintained throughout
the term and time of operation by the
Off-Airport Parking Operator in an
amount equal to the Privilege Fee
required hereunder for a period of
three (3) months or one thousand
five hundred dollars (\$1,500.00),
whichever is greater, in the absence
of historical data upon which to base
the amount of security to be paid.
The Off-Airport Parking Operator
shall post a bond in the amount of
one thousand five hundred dollars
(\$1,500.00) as the security required
herein. Such bonds shall be issued
by a surety company acceptable to
the Airport and authorized to do busi-
ness in the state and shall be in the
form and content satisfactory to the
Airport.

(ii) Deliver to the Airport an irrevoc-
able Letter of Credit drawn in favor
of the Airport upon a bank which is
satisfactory to the Airport and which
is authorized to do business in the
State of Wisconsin. Said irrevocable
Letter of Credit shall be in an amount
equal to the Privilege Fee required
hereunder for a period of three (3)
months or one thousand five
hundred dollars (\$1,500.00),
whichever is greater. In the absence
of historical data upon which to base
said Letter of Credit, the Off-Airport
Parking Operator shall furnish an
irrevocable letter of credit in the
amount of one thousand five
hundred dollars (\$1,500.00) as the
security required herein.

(iii) In the event the off-airport
parking company is unable to secure
a surety bond or irrevocable letter of
credit as required hereunder, the
Airport may, at its sole discretion,
accept a cash deposit in the amount
stated herein in lieu thereof.

(iv) If the off-airport parking
company fails to make payments as
required under this ordinance, the
off-airport parking company shall
be liable to the Airport the bond or other
security posted pursuant to this ordi-
nance or so much of that bond or
other security as is necessary to
satisfy that difference. If the bond or
other security is insufficient to satisfy
the difference owed, the Airport may
proceed to recover the deficiency
and any damages allowed by law,
including attorney fees and costs.

(v) *Fee Adjustments*. Not
inconsistent with this Ordinance,
the Off-Airport Parking Operators
may enter into an appropriate agree-
ment for payment of the fees
required by this ordinance, but any
such agreement shall not be infor-
mation which the terms of this
ordinance and may not extend
beyond January 1, 2016.

SECTION 2. Section 4.33(4) shall
take effect upon passage and publi-
cation.

Adopted by the Milwaukee County
Board of Supervisors
April 25, 2013