

CODE OF CONDUCT AND APPEALS PROCESS

The Milwaukee Common Council approves the following Code of Conduct Policy for passengers on the Streetcar System which, unless otherwise indicated herein, includes both individuals riding on the Streetcars and individuals on Streetcar platforms:

I. POLICY

The City of Milwaukee is committed to providing the best possible customer service in an open, safe, and inviting atmosphere and the Streetcar Code of Conduct is designed to ensure this atmosphere is maintained at all times.

Violations of the Streetcar Code of Conduct may result in the expulsion of individuals from the Streetcar System, the banning of individuals from the Streetcar System for certain periods of time, and/or ordinance or criminal prosecution.

In keeping with the City's commitment to customer service and the provision of an open, safe, and inviting atmosphere, the following guidelines are set forth to define those activities that are inappropriate for passengers on the Streetcar System and hereby prohibited. Streetcar staff will enforce these guidelines in a consistent and impartial manner.

II. PROHIBITED BEHAVIORS, CONDUCT, AND ACTIVITIES

The following behaviors, conduct and activities are expressly prohibited:

- a) Failing to comply with all applicable laws and ordinances;
- b) Engaging in disorderly conduct or acting in a disruptive manner including but not limited to running, jumping, pushing others, or throwing objects;
- c) Using of profane language;
- d) Smoking on the Streetcar (including e-cigarettes), use of drugs, littering, or spitting;
- e) Eating or drinking on the Streetcar with the exception of covered, non-alcoholic beverages;
- f) Bringing dangerous or hazardous materials including flammable materials onto the Streetcar System;
- g) Bringing any package or other object onto the Streetcar which blocks an aisle or stairway or occupies a seat if to do so would, in the Streetcar Operator's sole discretion, cause a danger to the passengers or displace passengers or expected passengers;
- h) Selling or distributing goods, services, or items on the Streetcar System;
- i) Lying down or putting your feet on Streetcar seats;
- j) Boarding or riding on the Streetcar while wearing rollerblades or roller skates;
- k) Bringing on animals, except in a closed and secure small container designed for travel that can fit on your lap or a service animal as defined in 49 CFR Section 37.3 and/or Wisconsin Statutes Section 106.52(1)(fm);
- l) Failing to obey all reasonable requests from the Streetcar Operator and/or other City of Milwaukee officials;
- m) Failing to respect fellow passengers and Streetcar Operators;
- n) Blocking the entry or exit from, or the free movement through, the Streetcar;

- o) Using sound-producing devices or equipment without the use of headphones which render the audio output inaudible to others;
- p) Failing to yield the fold-down seating area for passengers who are elderly or disabled;
- q) Failing to hold onto the handrails if riding the Streetcar while standing;
- r) Failing to hold onto any small children who are riding with you;
- s) Boarding the Streetcar without a shirt and/or shoes; and
- t) Loitering on the Streetcar by remaining on the Streetcar System for more than one (1) continuous trip without exiting the Streetcar System.

Streetcar staff may request that a passenger immediately discontinue any inappropriate conduct. Streetcar staff may seek police assistance in cases where the passenger’s conduct poses an immediate threat to the peace, safety, health and welfare of Streetcar staff, passengers, and/or the general public. Anyone who disregards these regulations is subject to removal from the Streetcar System and/or restriction on the use of the Streetcar System. Failure to remove oneself from the Streetcar System when instructed could result in prosecution.

The Department of Public Works is authorized to suspend enforcement of any of the above prohibitions at its sole discretion.

Removal under this section results in an automatic and non-appealable twelve (12) hour ban. Streetcar staff shall document and report the incident immediately to a supervisor. Any passenger who is expelled from the Streetcar System shall not be entitled to a refund of his or her fare.

III. ESTABLISHING AND IMPLEMENTING A BAN

Violations of the Streetcar’s Code of Conduct may lead to a banning for a period of time, based on the below guidelines. The guidelines provide a basis for the individual sanction, but the actual ban will take into consideration prior incidents and any other factors that may be relevant and could be longer than the length listed in the guidelines. The authority to ban a passenger for a given length of time and the individual or board to whom the passenger may appeal a ban is as follows:

Authority who may ban for a given duration and the method to appeal that ban:

Authority	Ban	Appeal to	Method of Appeal
Streetcar Operations Manager	1 day – 1 week	Streetcar General Manager	By telephone at (414)286-6221
Streetcar General Manager	1 week to 1 month	DPW Commissioner	By telephone at (414) 286-3301
DPW Commissioner	1 month or more	Administrative Review Appeals Board	In writing within 15 days of letter

At the recommendation of a Streetcar Operator, a Streetcar Supervisor, or the Milwaukee Police Department, the Commissioner of the Department of Public Works may ban a passenger from the Streetcar for more than one (1) year or permanently if the passenger's conduct jeopardized the safety or security of Streetcar System passengers, Streetcar staff, or the general public. All

permanent bans will be brought to the Common Council of the City of Milwaukee via the Public Works Committee for ratification.

IV. GUIDELINES FOR DETERMINING THE LENGTH OF A BAN

A person receiving a ban for any of the following violations of Section II shall be subject to a ban of up to one (1) week: Subsections (c), (g), (h), (i), (j), (k), (n), (o), (q), (r), and (t).

A person receiving a ban for any of the following violations of Section II shall be subject to a ban of up to one (1) month: Subsections (e), (p), and (s).

A person receiving a ban for any of the following violations of Section II shall be subject to a ban of up to six (6) months: Subsections (b), (d), (l), and (m).

A person receiving a ban for any of the following violations of Section II shall be subject to a ban that may last up to an including the duration of that individual's life: Subsections (a) and (f).

V. APPEALS PROCESS

Appeals by passengers banned for up to one (1) month may be made by telephone. The appeal will be heard and responded to orally. A written decision and/or minutes of the appeal will be kept by the reviewing authority.

If a passenger is banned from the Streetcar for one (1) month or more, he or she may request an appeal before the Administrative Review Appeals Board. The request for an appeal must be in writing and mailed or delivered to the Administrative Review Appeals Board c/o of the City Clerk's Office at: 200 E. Wells Street, Room 507, Milwaukee, WI 53202 within fifteen (15) days of the date of the Commissioner of the Department of Public Works' letter to the passenger. The request for review shall state the ground or grounds upon which the person aggrieved contends that the decision should be modified or reversed. A copy of the request for review must also be sent to the Commissioner of the Department of Public Works at 841 N. Broadway Ave., Room 501, Milwaukee WI 53202. Thereafter, a passenger who has been banned for more than one (1) year from the Streetcar may request an appeal before the Administrative Review Appeals Board once a year, beginning one (1) year after the ban. Subsequent appeals must follow the same format as the first. Appeals to the Administrative Review Appeals Board may be subject to a filing fee.

When the Administrative Review Appeals Board and the Commissioner of the Department of Public Works receives written notice of an appeal which is within the time frame noted above, the appeal will be scheduled before the Administrative Review Appeals Board. The Administrative Review Appeals Board shall inform the person aggrieved and the Commissioner of the Department of Public Works of the date, time, and location of the hearing. Written evidence and argument in support of the position of the person aggrieved may be sent to the Administrative Review Appeals Board and the Commissioner of the Department of Public Works and will be accepted up to seven (7) days in advance of the meeting. The Administrative Review Appeals Board will also hear oral presentations limited to ten (10) minutes each by the

person aggrieved and the Commissioner of the Department of Public Works or his or her designee. The rules of evidence as well as the procedural rules contained herein may be relaxed by the Administrative Review Appeals Board as appropriate for the particulars of any such appeal. The appeal hearing shall be recorded. The decision of the Administrative Review Appeals Board regarding an appeal shall be final and mailed to the person aggrieved and the Commissioner of the Department of Public Works within five (5) days of the Administrative Review Appeals Board's decision.

VI. FARE FORFEITURE

A person who is banned from the Streetcar System for any length of time will not be entitled to any refund of unused fare media that may expire during the time of his or her ban.