AGENDA

PUBLIC SAFETY COMMITTEE

6:00 p.m., Monday, January 9, 2017

COMMITTEE ROOM

Room 239, City Hall

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COMMITTEE MEMBERS: Council Member James Taylor, Jr., Chair
Council Member Jeff MacIntosh, Vice Chair
Council Member Vivian H. Burke
Council Member John C. Larson

GENERAL AGENDA

G-1. CONSIDERATION OF ITEMS REGARDING EMERGENCY OPERATIONS:

a. WINSTON-SALEM/FORSYTH COUNTY EMERGENCY OPERATIONS PLAN.

b. RESOLUTION AUTHORIZING THE CITY OF WINSTON-SALEM TO APPLY FOR A FISCAL YEAR 2016 PROGRAM TO PREPARE COMMUNITIES FOR COMPLEX COORDINATED TERRORIST ATTACKS DEPARTMENT OF HOMELAND SECURITY GRANT.

G-2. CONSIDERATION OF ORDINANCES APPROVING REQUESTS FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR TWO LIMOUSINES COMPANIES AND ONE TAXI COMPANY IN THE CITY OF WINSTON-SALEM. [Item continued from the December Public Safety Committee meeting.]

a. ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO HELPING HANDS PROFESSIONAL TRANSPORTATION SERVICE, INC. FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.

b. ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO NATIONWIDE LIMOUSINE SERVICE FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.
c. ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO AAA CAB COMPANY FOR THE OPERATION OF FOURTEEN TAXICABS IN THE CITY OF WINSTON-SALEM.

G-3. CONSIDERATION OF ORDINANCES RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF THREE TAXICABS AND THREE LIMOUSINES SERVICES IN THE CITY OF WINSTON-SALEM. [Item continued from the December Public Safety Committee meeting.]

a. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF FIVE STAR TAXI OF WINSTON-SALEM, LLC FOR THE OPERATION OF THREE TAXICABS IN THE CITY OF WINSTON-SALEM.

b. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF LA RAZA TAXI FOR THE OPERATION OF FIVE TAXICABS IN THE CITY OF WINSTON-SALEM.

c. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF LOTT’S TAXI FOR THE OPERATION OF TWENTY TAXICABS IN THE CITY OF WINSTON-SALEM.

d. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF WILLARD’S CAB COMPANY, INC. FOR THE OPERATION OF FIFTY TAXICABS IN THE CITY OF WINSTON-SALEM.

e. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF AIRPORT LIMO FOR THE OPERATION OF TWO LIMOUSINES IN THE CITY OF WINSTON-SALEM.

f. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF BLACK TIE TRANSPORTATION, INC. FOR THE OPERATION OF SEVENTEEN LIMOUSINES IN THE CITY OF WINSTON-SALEM.

g. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF SERVICE WITH A SMILE TRANSPORTATION, LLC FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.

h. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF READY LIMOUSINE SERVICES FOR THE OPERATION OF FOUR LIMOUSINES IN THE CITY OF WINSTON-SALEM.
G-4. ORDINANCES RENEWING AND TRANSFERRING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF ONE HORSE DRAWN CARRIAGE IN THE CITY OF WINSTON-SALEM.
CONSENT AGENDA

C-1. ORDNANCE AMENDING SECTION 78 OF THE CITY CODE CONCERNING THE VEHICLE AND RECORD INSPECTION FEES.

C-2. CONSIDERATION AND APPROVAL OF APPLICATION FOR CONTINUED GRANT FUNDING FOR THE FORSYTH COUNTY DRIVING WHILE IMPAIRED (DWI) TASK FORCE.

C-3. CIRCUS ANIMALS SURVEY INFORMATION.

C-4. APPROVAL OF PUBLIC SAFETY COMMITTEE SUMMARY OF MINUTES - December 12, 2016.
In response to recent inquiries regarding the structure and content of the Winston-Salem/Forsyth County Emergency Operations Plan, the Winston-Salem/Forsyth County Office of Emergency Management will briefly review the elements, purpose and content of the plan.

This item authorizes the City to apply for a grant of up to $2.5 million to build and sustain our capabilities to enhance our preparedness for complex coordinated terrorist attacks by achieving the following activities:

- Identifying capability gaps related to preparing for, preventing, and responding to a complex coordinated terrorist attack.
- Developing and/or updating plans, annexes, and processes to address the identified gaps.
- Training personnel and the whole community to implement the plans and processes and build needed capabilities.
- Conducting exercise(s) to validate capabilities and identify opportunities for additional corrective action.

No matching funds are required for this grant.
# City Council – Action Request Form

**Date:** December 23, 2016  
**To:** The City Manager  
**From:** Melton J. Sadler, Emergency Management Director

## Council Action Requested:

Approval of a Resolution authorizing the City of Winston-Salem to apply for a Fiscal Year 2016 Program to Prepare Communities for Complex Coordinated Terrorist Attacks Department of Homeland Security Grant

## Summary of Information:

The local Winston-Salem/Forsyth County community participated in *Preparing Communities for a Complex Coordinated Attack* training in the Emergency Management Institute, Emmitsburg, Maryland in 2014.

The Department of Homeland Security has announced the Fiscal Year 2016 Program to Prepare Communities for a Complex Coordinated Terrorist Attacks (CCTA Program) to provide funding to local, state, tribal and territorial jurisdictions of different types, sizes and capabilities to improve their ability to prepare for, prevent and respond to complex coordinated terrorist attacks, in collaboration with the whole community. The whole community approach should aim to include individuals and communities, the private and nonprofit sectors, faith-based organizations and all levels of government.

The FY 2016 CCTA Program objective is to build and sustain capabilities of local, state, tribal and territorial jurisdictions to enhance their preparedness for complex coordinated terrorist attacks by achieving the following activities:

- Identifying capability gaps related to preparing for, preventing and responding to a complex coordinated terrorist attack
- Developing and/or updating plans, annexes and processes to address the identified gaps
- Training personnel and the whole community to implement the plans and processes and build needed capabilities
- Conducting exercise(s) to validate capabilities and identify opportunities for additional corrective action

## Committee Action:

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<tr>
<th>Committee</th>
<th>Action</th>
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<tr>
<td>For</td>
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<td>Against</td>
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</table>

**Remarks:**
It is anticipated that the maximum grant award per recipient will be $2,500,000 and there will be no matching fund requirements by the applicants. The performance period will be 36 months.
RESOLUTION AUTHORIZING THE CITY OF WINSTON-SALEM TO APPLY FOR A FISCAL YEAR 2016 PROGRAM TO PREPARE COMMUNITIES FOR COMPLEX COORDINATED TERRORIST ATTACKS DEPARTMENT OF HOMELAND SECURITY GRANT

WHEREAS, the Winston-Salem/Forsyth County local community participated in the Preparing Communities for a Complex Coordinated Attack training in September, 2014, at the Emergency Management Institute; and

WHEREAS, funding availability has prevented the successful completion of all of the recommendations which resulted from that training program; and

WHEREAS, The Department of Homeland Security has announced the Fiscal Year 2016 Program to Prepare Communities for a Complex Coordinated Terrorist Attacks (CCTA Program) to provide funding to local, state, tribal and territorial jurisdictions of different types, sizes and capabilities to improve their ability to prepare for, prevent and respond to complex coordinated terrorist attacks, in collaboration with the whole community; and

WHEREAS, the whole community approach should aim to include individuals and communities, the private and nonprofit sectors, faith-based organizations and all levels of government.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Winston-Salem, that the City manager is hereby authorized to apply for the Fiscal Year 2016 Program to Prepare Communities for Complex Coordinated Terrorist Attacks Grant from the Department of Homeland Security.
City Council – Action Request Form

Date: January 9, 2017
To: The City Manager
From: Gregory Turner, Assistant City Manager

Council Action Requested:

Adoption of Ordinances Approving Requests for Certificate of Public Convenience and Necessity for Two Limousines Companies and One Taxi Company in the City of Winston-Salem.

Summary of Information:

The following individuals have made applications to operate a limousine or taxi service:

<table>
<thead>
<tr>
<th>Name</th>
<th>Company Name</th>
<th>No. of Authorized Vehicles if Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian and Carmella Jefferies</td>
<td>Helping Hands Professional Transportation Service, Inc.</td>
<td>1</td>
</tr>
<tr>
<td>Alvin Oliver Jr.</td>
<td>Nationwide Limousine Service</td>
<td>1</td>
</tr>
<tr>
<td>Cheikhou Ndiaye and Moustapha Sow</td>
<td>AAA Cab Company</td>
<td>14</td>
</tr>
</tbody>
</table>

The applicants have provided documentation showing their capabilities to meet the financial requirements and none of the applicants have outstanding debt with the City.

Based on our review of the application of the companies listed above, it is recommended that these Certificates of Public Convenience and Necessity be approved, pending each company’s compliance with all City Codes, licenses, permits and zoning requirements. If all of the above renewals are approved, the City will have 193 authorized taxicabs, 131 authorized limousines and 5 horse-drawn carriages.

Committee Action:

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<tr>
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</table>

Remarks:

-7-
ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO HELPING HANDS PROFESSIONAL TRANSPORTATION SERVICE, INC. FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-41 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby authorize ownership of a Certificate of Public Convenience and Necessity to Mr. Brian & Mrs. Carmella Jefferies, D.B.A. Helping Hands Professional Transportation Service, Inc. In granting the Certificate, the Council finds the following:

Mr. Brian & Mrs. Carmella Jefferies, D.B.A., Helping Hands Professional Transportation Service, Inc. will operate one limousine in the City of Winston-Salem.

The passage of this ordinance constitutes the issuance of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Brian and Mrs. Carmella Jefferies, D.B.A. Helping Hands Professional Transportation Service, Inc.
ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO NATIONWIDE LIMOUSINE SERVICE FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-41 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby authorize ownership of a Certificate of Public Convenience and Necessity to Mr. Alvin Oliver Jr., D.B.A. Nationwide Limousine Service. In granting the Certificate, the Council finds the following:

Mr. Alvin Oliver Jr., D.B.A., Nationwide Limousine Service will operate one limousine in the City of Winston-Salem.

The passage of this ordinance constitutes the issuance of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Alvin Oliver Jr., D.B.A. Nationwide Limousine Service.
ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO AAA CAB COMPANY FOR THE OPERATION OF FOURTEEN TAXIS IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-41 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby authorize ownership of a Certificate of Public Convenience and Necessity to Mr. Cheikhou Ndiaye and Mr. Moustapha Sow, D.B.A. AAA Cab Company. In granting the Certificate, the Council finds the following:

Mr. Cheikhou Ndiaye and Mr. Moustapha Sow, D.B.A., AAA Cab Company will operate fourteen taxis in the City of Winston-Salem.

The passage of this ordinance constitutes the issuance of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Cheikhou Ndiaye and Mr. Moustapha Sow, D.B.A. AAA Cab Company.
City Council – Action Request Form

Date: January 9, 2017
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:
Adoption of Ordinances Renewing the Certificate of Public Convenience and Necessity of Three Taxicabs and Three Limousines Services in the City of Winston-Salem.

Summary of Information:
Pursuant to Section 78-49 of the Winston-Salem City Code, all Certificates of Public Convenience and Necessity expire on December 31 following the third full calendar year after their issuance. The City Council may renew the certificate in the absence of any contrary evidence and upon the finding of the Public Safety Committee that the certificate holder has the ability to comply with the provisions of the City's Vehicle for Hire Ordinance.

The following certificate holders have made application for renewal of their certificates:

<table>
<thead>
<tr>
<th>Name</th>
<th>Change in Certificate (if any)</th>
<th>No. of Authorized Vehicles if Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Five Star Taxi of Winston-Salem LLC</td>
<td>2 to 3</td>
<td>3</td>
</tr>
<tr>
<td>La Raza Taxi</td>
<td>3 to 5</td>
<td>5</td>
</tr>
<tr>
<td>Lott’s Taxi</td>
<td>6 to 20</td>
<td>20</td>
</tr>
<tr>
<td>Willard’s Cab Company Inc.</td>
<td>None</td>
<td>50</td>
</tr>
<tr>
<td>Airport Limo</td>
<td>1 to 2</td>
<td>2</td>
</tr>
<tr>
<td>Black Tie Transportation Inc.</td>
<td>18 to 17</td>
<td>17</td>
</tr>
<tr>
<td>Service With A Smile Transportation, LLC</td>
<td>None</td>
<td>1</td>
</tr>
<tr>
<td>Ready Limousine Services</td>
<td>None</td>
<td>4</td>
</tr>
</tbody>
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</table>

Remarks:
Based on the applications reviewed, all of the above are recommended for renewal, pending each company’s compliance with all City Codes, licenses, permits and zoning requirements. If all of the above renewals are approved, the City will have 193 authorized taxicabs, 131 authorized limousines and 5 horse-drawn carriages.
ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF FIVE STAR TAXI OF WINSTON-SALEM, LLC FOR THE OPERATION OF THREE TAXIS IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of Five Star Taxi of Winston-Salem, LLC to operate three taxis in the City of Winston-Salem. In granting the renewal, the Council finds the following:

The owner of Five Star Taxi of Winston-Salem, LLC has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of three taxis in the City of Winston-Salem. The certificate was originally issued on February 4, 2013 to Mr. Richard Hummel D.B.A Five Star Taxi of Winston-Salem, LLC for three authorized vehicles. There have been no other changes since February 4, 2013.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Richard Hummel D.B.A. Five Star Taxi of Winston-Salem, LLC.
**ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF LA RAZA TAXI FOR THE OPERATION OF FIVE TAXIS IN THE CITY OF WINSTON-SALEM**

**BE IT ORDAINED** by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of La Raza Taxi to operate five taxis in the City of Winston-Salem. In granting the renewal, the Council finds the following:

The owner of La Raza Taxi has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of five taxis in the City of Winston-Salem. The certificate was originally issued on March 22, 2004 to Mr. Ricardo Mendez Valdez, D.B.A. La Raza Taxi for five authorized vehicles. It was amended on January 7, 2008, transferring the certificate to Ms. Dominga Macedo Navarro who requested the reduction of authorized vehicles from five to three. Ms. Dominga Macedo Navarro has now requested that her authorized vehicles be increased from three to five.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

**BE IT FURTHER ORDAINED** that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Ms. Dominga Macedo Navarro, D.B.A. La Raza Taxi.
ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF LOTT’S TAXI FOR THE OPERATION OF TWENTY TAXIS IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of Lott’s Taxi to operate twenty taxis in the City of Winston-Salem. In granting the renewal, the Council finds the following:

The owner of Lott’s Taxi has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of twenty taxis in the City of Winston-Salem. The certificate was originally issued on May 5, 1997 to Mr. Taye Lott, D.B.A. Lott’s Taxi Service for twenty authorized vehicles. It was increased on January 07, 2008 to thirty-five authorized vehicles. On April 11, 2013 Mr. Taye Lott requested the name of the company be changed to Lott’s Taxi on February 3, 2014. Mr. Taye Lott was granted a renewal, however the number of authorized vehicles was reduced from thirty-five to six. Mr. Taye Lott has now requested that his authorized vehicles be increased from six to twenty.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Taye Lott, D.B.A. Lott’s Taxi.
ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF WILLARD’S CAB COMPANY INC. FOR THE OPERATION OF FIFTY TAXICABS IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of Willard’s Cab Company Inc. to operate fifty taxicabs in the City of Winston-Salem. In granting the renewal, the Council finds the following:

The owner of Willard’s Cab Company Inc. has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of fifty taxicabs in the City of Winston-Salem. The certificate was originally issued on June 6, 1994 to Mr. Coy Willard Sr. D.B.A. Willard’s Cab Company Inc. for ten authorized vehicles. It was increased on September 19, 1994 to 30 authorized vehicles, increased on July 24, 1995 to fifty authorized vehicles, increased on August 06, 2001 to sixty authorized vehicles. It was amended by transfer to Mr. Coy Willard Jr. on February 02, 1998. This certificate was amended by transfer to Mr. Lonnie Riggs on January 07, 2008. It was amended on March 01, 2010 by City Council, reducing the total authorized vehicles from sixty to fifty vehicles. In addition to renewal, Mr. Riggs requested the transfer of his certificates to Mr. Coy Willard Jr. There have been no other changes since March 01, 2010.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Coy Willard Jr., D.B.A. Willard’s Cab Company Inc.
ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF AIRPORT LIMO FOR THE OPERATION OF TWO LIMOUSINES IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of Airport Limo to operate two limousines in the City of Winston-Salem. In granting the renewal, the Council finds the following:

The owner of Airport Limo has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of two limousines in the City of Winston-Salem. The certificate was originally issued on February 4, 2013 to Mr. Djibril Lo D.B.A. Airport Limo for two authorized vehicles. There have been no other changes since February 4, 2013.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Djibril Lo, D.B.A. Airport Limo.
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of Black Tie Transportation Inc. to operate seventeen limousines in the City of Winston-Salem. In granting the renewal, the Council finds the following:

The owner of Black Tie Transportation Inc. has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of seventeen limousines in the City of Winston-Salem. The certificate was originally issued on February 19, 1991 to Ms. Brenda Wilson D.B.A. Black Tie Transportation Inc. for four authorized vehicles. The certificate added Mr. Gray Hill as co-owner on March 2, 1998. Ms. Wilson and Mr. Hill increased their authorized vehicles from four to eight January 10, 2008. Mr. Hill became sole owner October 25, 2010. Mr. Hill has requested his authorized vehicles to be decreased from eighteen to seventeen. There have been no other changes since October 25, 2010.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Gray Hill, D.B.A. Black Tie Transportation Inc.
ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF SERVICE WITH A SMILE TRANSPORTATION, LLC FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of Service With A Smile Transportation, LLC to operate one limousine in the City of Winston-Salem. In granting the renewal, the Council finds the following:

The owner of Service With A Smile Transportation, LLC has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of one limousine in the City of Winston-Salem. The certificate was originally issued on February 4, 2013 to Mr. Robert Mizelle, D.B.A. Service With A Smile Transportation, LLC for one authorized vehicle. There have been no other changes since February 4, 2013.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Robert Mizelle, D.B.A. Service With A Smile Transportation, LLC.
ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF READY LIMOUSINE SERVICES FOR THE OPERATION OF FOUR LIMOUSINES IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of Ready Limousine Services to operate four limousines in the City of Winston-Salem. In granting the renewal, the Council finds the following:

The owner of Ready Limousine Services has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of four limousines in the City of Winston-Salem. The certificate was originally issued on February 21, 2000 to Mr. Willie Davis Jr. DBA Ready Limousine Services for four authorized vehicles. There have been no other changes since February 21, 2000.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mr. Willie Davis, Jr. D.B.A. Ready Limousine Services.
City Council – Action Request Form

Date: January 9, 2017
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:

Adoption of Ordinances Renewing and Transferring the Certificate of Public Convenience and Necessity of One Horse Drawn Carriage in the City of Winston-Salem.

Summary of Information:

Pursuant to Section 78-49 of the Winston-Salem City Code, all Certificates of Public Convenience and Necessity expire on December 31 following the third full calendar year after their issuance. The City Council may renew the certificate in the absence of any contrary evidence and upon the finding of the Public Safety Committee that the certificate holder has the ability to comply with the provisions of the City's Vehicle for Hire Ordinance. This section also requires approval by City Council of any transfer of ownership.

The owner of Camel City Carriage Company has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of one horse drawn carriage in the City of Winston-Salem. The certificate was originally issued on March 1, 2010 to Ms. Toni Phillips and Mr. Tom Dowd DBA Camel City Carriage Company for four authorized carriages. They are requesting the number of authorized carriages to be reduced from four to one and approval of a transfer of ownership to Mrs. Betty W. Cain.

Based on the request above the Department of Transportation recommends approval of the transfer and renewal of the certificate of public convenience and necessity of Camel City Carriage pending the company’s compliance with all City Codes, licenses, permits and zoning requirements. If all of the above renewals are approved, the City will have 193 authorized taxicabs, 131 authorized limousines and 5 horse-drawn carriages.

Committee Action:

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<tr>
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ORDINANCE TRANSFERRING OWNERSHIP AND RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF CAMEL CITY CARRIAGE COMPANY FOR THE OPERATION OF ONE HORSE DRAWN CARRIAGES IN THE CITY OF WINSTON-SALEM

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Pursuant to Section 78-49 of the Winston-Salem City Code, the City Council of the City of Winston-Salem does hereby renew the Certificate of Public Convenience and Necessity of Camel City Carriage Company to operate one horse drawn carriage in the City of Winston-Salem and approves the transfer of ownership to Mrs. Betty W. Cain. In granting the renewal and transfer, the Council finds the following:

The owner of Camel City Carriage Company has applied for a renewal of a Certificate of Public Convenience and Necessity for the operation of one horse drawn carriage in the City of Winston-Salem. The certificate was originally issued on March 1, 2010 to Ms. Toni Phillips and Mr. Tom Dowd D.B.A Camel City Carriage Company for four authorized carriages. They are requesting the number of authorized carriages to be reduced from four to one and approval of a transfer of ownership to Mrs. Betty W. Cain.

The passage of this ordinance constitutes a renewal of a franchise which is granted subject to the provisions of Chapter 78 of the Winston-Salem City Code and all other ordinances governing the operation of vehicles for hire in the City of Winston-Salem, and all applicable laws of the State of North Carolina, as same are now in effect or as may hereinafter be enacted or amended.

This franchise is not transferable except as provided by law.

The City Council reserves the right to revoke this franchise in its discretion.

BE IT FURTHER ORDAINED that after this ordinance has been favorably voted upon at two meetings of the City Council, and after the applicant has satisfied all relating City codes, business license, permits and zoning requirements, the Department of Transportation is hereby authorized and directed to issue a Certificate of Public Convenience and Necessity to Mrs. Betty Cain, D.B.A. Camel City Carriage Company.
City Council – Action Request Form

Date: January 9, 2017
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:

Approval of an Ordinance Amending Section 78-41(i) of the City Code Concerning the Vehicle and Records Inspection Fee.

Summary of Information:

The Department of Transportation recommends that Chapter 78-41(i) be deleted from the City Code. The $35.00 fee per authorized vehicle to be paid yearly to the City has been determined to be contrary to a state law that limits the amount of fees that a City can charge on a vehicle for hire business.

Committee Action:

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Remarks:
ORDINANCE AMENDING SECTION 78-41(i) OF THE CITY CODE RELATING TO VEHICLE RECORDS IN INSPECTION FEE

BE IT ORDAINED, by the City Council of the City of Winston-Salem as follows:

SECTION I. Section 78-41 of the City Code is amended to read as follows:

Sec. 78-41. Certificate required; eligibility; fees.

(i) Each owner or holder of a certificate of public convenience and necessity shall, upon the issuance thereof and yearly thereafter, pay to the city a vehicle and records inspection fee of $35.00 per vehicle, for each vehicle authorized under the certificate, regardless of whether the vehicle is in operation. The city shall send the owner an invoice for the amount of the fee, and the fee must be paid within 90 days of the date of the invoice.

(j)(i) The City Council may suspend or revoke the certificates, pursuant to Section 78-50, of any owner who violates a provision of this section.

SECTION II. This Ordinance shall be effective upon adoption by City Council.
City Council – Action Request Form

Date: January 17, 2017

To: The City Manager

From: Barry D. Rountree, Chief of Police

Council Action Requested:

Consideration and approval of application for continued grant funding for the Forsyth County Driving While Impaired (DWI) Task Force.

Summary of Information:

The North Carolina Governor’s Highway Safety Program (GHSP) has invited the City of Winston-Salem, Forsyth County and the Town of Kernersville to apply for an eighth year of funding for the continued operation of the Forsyth County DWI Task Force. Since it began operation in 2010, the Task Force has had many accomplishments over the last six years: 3,771 DWI citations; 1,736 speeding citations; 597 seatbelt citations; and over $2 million in seized vehicles, drugs, and United States currency. The Task force has also taught 387 drunk driving prevention courses to over 13,000 students.

GHSP is again offering the opportunity to apply for a grant not to exceed 25% of personnel expenses for the Task Force. As with the current grant award for 2016-2017, the City of Winston-Salem, Forsyth County, and the Town of Kernersville would be required to provide the remaining 75% match.

If applying for continued funding is approved, a grant application will be submitted; and if the application is funded, a grant award document, interlocal agreement, and mutual aid agreement will be required for signature via Council approval in August.

The Task Force will operate throughout the geographic area of Forsyth County.

Committee Action:

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Remarks:
RESOLUTION AUTHORIZING PERMISSION TO APPLY FOR AN EIGHTH YEAR OF GRANT FUNDING FROM THE NORTH CAROLINA GOVERNOR’S HIGHWAY SAFETY PROGRAM FOR TO SUPPORT CONTINUED OPERATION OF THE FORSYTH COUNTY DRIVING WHILE INTOXICATED (DWI) TASK FORCE

WHEREAS, the City of Winston-Salem (CITY), Forsyth County (COUNTY) and the Town of Kernersville (TOWN) have been invited to apply for continued funding under a grant from the North Carolina Governor’s Highway Safety Program (GHSP) to continue operation of the Forsyth County DWI Joint Task Force; and

WHEREAS, this offer of continued funding will require the submission of a grant application of which the CITY will be the primary applicant on behalf of all three participating agencies; and

WHEREAS, the proposed funding offer by GHSP is 25% of personnel expenses during this sixth year of operation, with the remaining 75% of personnel expenses to be provided as a cash match from all three participating agencies; and

WHEREAS, the grant will provide continued partial funding for salaries and benefits of three officers and one sergeant from the Winston-Salem Police Department, one deputy from the Forsyth County Sheriff’s Office, and one officer from the Kernersville Police Department; and

WHEREAS, the Task Force will continue to be responsible for enhanced enforcement of laws prohibiting driving while intoxicated and other responsibilities and activities as outlined in the grant application; and

NOW, THEREFORE, BE IT RESOLVED, that the Winston-Salem City Council
C-2. DRAFT

authorizes permission to apply for an eighth year of grant funding for the Forsyth County DWI Task Force, as outlined above, by the appropriate City officials, upon approval as to form and legality by the City Attorney’s Office.
As you recall, the City Council’s Public Safety Committee asked for a survey of citizens in Winston-Salem on the question of whether the City should ban the use of animal acts in the City. Consequently staff in the City’s Marketing and Communications Department commissioned an online survey which ran from November 23 through December 11, 2016. This survey showed that 56% of respondents said the City should not ban the use of animal acts in the City. An excerpt from the survey is included.
BACKGROUND

On Monday, May 16, 2016, two citizens expressed a desire for the City to adopt a ban on circus performances that include wild animals. The City Council Public Safety Committee has been asked to consider a proposed ordinance that would prohibit the use and performance of wild animals at circuses, but not the city fair.

Research by City staff indicates that counties are the governmental unit that typically deals with animal management issues; however, Asheville has passed an ordinance banning wild animals in circuses in their city. Asheville initially had banned wild animals in circuses that operated in their city-owned arena. In order to avoid a conflict between the rules for city-owned and non city-owned facilities, an ordinance was adopted regulating all circuses in the city regardless of venue ownership.

ANALYSIS

A. Ban of animals at circuses, not the city fair, could lead to potential equal protection claims under state and federal law.

The Equal Protection Clause of the Fourteenth Amendment provides, “No State shall … deny to any person within its jurisdiction equal protection of the laws.” U.S.
In order to successfully bring an equal protection claim, the plaintiff must show that it has been treated differently from others that are “similarly situated” and that unequal treatment was the result of intentional or purposeful governmental decision. *City of Cleburne, Tex. v. Cleburne Living Ctr.*, 473 U.S. 432, 439 (1985). If the claimant is able to meet this burden, the court must determine whether the discrimination is justified under the requisite level of scrutiny depending on the type of classification. *New Orleans v. Dukes*, 427 U.S. 297, 299 (1976). Unless the plaintiff alleges membership in a suspect class or group, the court will presume that the State has a rational basis for the difference in treatment. Id.

The North Carolina Supreme Court has addressed the constitutionality of municipal ordinances that ban one type of business and not others in the context of the Equal Protection Clause. Specifically, in *State v. Greenwood*, the Court decided whether there was a rational basis for placing a billiard hall in a unique class, separate and apart from other recreation, sports, and amusement-type businesses. 280 N.C. 651, 657 (1972). In this case, the defendant, a billiard hall licensee, was charged with violating an Asheville city ordinance that banned the operation of billiard halls on Sundays. This ordinance did not ban the operation of other businesses that offered facilities and opportunities for recreation, sports, and amusement. The Court assumed that Asheville’s purpose was to promote Sunday as a day of rest, tranquility, and relaxation. The billiard hall licensee challenged the ordinance on equal protection grounds. Although Sunday ban exceptions had been allowed pursuant to case precedent, the Court noted that it would have to find that the manner and extent of the operation of a billiard hall was “substantially different” than other sports and recreational facilities. Finding that it could not do so, the Court held that the ordinance violated the billiard hall licensee’s equal
rights, because the other businesses that offered similar activities and had the potential to be equally disruptive as the billiard hall were not included in the ordinance.

There are a number of older cases that struck down municipal ordinances with specific prohibitions of the operation of one business and not others that offer similar activities and services. *State v. Smith*, 265 N.C. 173 (1965) (a Forsyth County resolution which closed ‘clubs’ located within three hundred yards of a church or school between 2:00 a.m. and 12:00 midnight on Sunday, was held to be arbitrary and unreasonable); *Cheek v. City of Charlotte*, 273 N.C. 293 (1968) (an ordinance which strictly regulated ‘massage parlors, health salons, or physical culture studios' but excepted barber shops, beauty parlors, and Y.M.C.A. and Y.W.C.A. health clubs, was held to violate equal protection); *State v. Glidden Co.*, 228 N.C. 664 (1948) (a statute that proscribed the emptying of deleterious substances into the waters of the State, but exempted corporations chartered before 1915, was held “to mechanically split into two groups persons in like situation with regard to the subject matter dealt with” and therefore to be unconstitutional.).

The Fourth Circuit has addressed the constitutionality of municipal ordinances enforced against certain persons and not others. In *Sansotta v. Town of Nags Head*, the plaintiffs owned six beachfront cottages that were declared to be in violation of the Town’s nuisance ordinance after a major storm eroded the sand surrounding the cottages leaving septic tanks exposed and other damage. 724 F.3d 533 (2013). The owners argued that they were treated differently, because there were fourteen other cottages located in the same area as their cottages that were not declared nuisances. The Town explained that the owners’ cottages “caused the most severe and continuous” obstruction of the beach
and threatened public safety as emergency vehicles could not travel along the beach. The Fourth Circuit disagreed with the owners, and held that Town had a rational basis for its decision to declare the owners’ cottages, but no the others, nuisances under the ordinance. The court reasoned that the Town’s need to ensure ease of emergency travel along the beach bears a rational relationship with its decision. Thus, the owners’ equal protection rights were not violated.

*Greenwood* and *Sansotta* are distinguishable in that *Greenwood* involves a criminal matter and *Sansotta* involves the civil tort of nuisance. Additionally, the subjects of the ordinances are different as well. The ordinance in targeted a billiard hall, a business that offers recreational and sports entertainment. In *Sansotta*, the ordinance involved the condemnation of storm-damaged property and targeted property owners and the property itself. Moreover, the *Greenwood* ordinance specifically prohibited a business type, the operation of billiard halls, while in *Sansotta*, the ordinance did not prohibit business activity of any kind, but instead was generally applied to all properties damaged by storms causing “severe and continuous obstruction to the beach” and presenting a danger to the public. Furthermore, the legislative intent behind the ordinances were different. In *Sansotta*, the Town’s purpose was public safety; freeing the passageway on the beach and ensuring emergency personnel could reach other cottages and people in the event of an emergency was priority. In *Greenwood*, the purpose of the Asheville ordinance was based in morality as it was designed to promote peace, tranquility, and rest on Sundays.

Textually, the contemplated ordinance would likely be most analogous to the *Greenwood* ordinance, because it would involve a specific prohibition of a business,
specifically circuses, similar to the specific prohibition on billiard halls. However, the contemplated ordinance’s purpose would be most similar to the ordinance in Sansotta as it would promote public welfare and the health and safety of animals. Yet, it is likely that a court would conclude that, if applied inconsistently to circuses and city fairs, the ordinance violates the equal protection clause, because the same issues involved with the travel, housing, and exhibition of animals in circuses arguably are present in the same manner and extent with the animals at a city fair. Unless shown to be “substantially different” to justify otherwise, it is probable that a court would hold similar to the holding in Greenwood and its progeny.

B. There are different attitudes towards animal exhibitions in circuses as opposed to other settings and venues.

In recent years, there has been an increasing discussion about the use of wild animals in public entertainment and a growing public disapproval of its continuation, particularly in circuses. A Gallup study from 2015 found that a third of Americans want animals to have the same rights as people, and this view has experienced an upward trend of 25% since 2008. Additionally, 62% of Americans feel that animals deserve “some protection,” but can still be used for the benefit of humans.
Given the data, Americans are most concerned about animals in the circus, animals used in competitive animal sports or contest, and animals used in research. Americans appear to be less concerned about animals in the zoo and marine animals at amusement parks/aquariums than animals in the circus. However, the study does not differentiate between non-marine animals at the zoo or amusement parks.

C. Other jurisdictions have enacted various types of animal bans based on various factors, including but not limited to the municipalities’ purpose, public opinion, and economic benefit derived from local fairs.

Animal ordinances have been enacted in counties and cities in twenty-seven (27) states across the country. There has been a large push by animal advocacy groups to pass complete bans on the use of all animals in any exhibition or performance for the purposes of entertainment. However, municipalities have enacted ordinances that range from complete bans on the display or exhibition of wild animals to the prohibition of the use of specific tools and devices, such as bull hooks, used on animals to compel performance in circus acts. Significantly, at least twenty of the counties and cities that enacted a
complete ban do not have a fairgrounds complex or venue located within its municipal limits.

Notably, Minneapolis took a different approach. Instead of enacting a wild animal ban, the Minneapolis City Council decided to enact stricter health and safety regulations. The ordinance requires “any person keeping, harboring, or maintaining care, custody, or control over any exotic or wild animal” to obtain a permit. The permit lasts for twenty-one days and may specify the conditions that the animals shall be kept. The ordinance provides for the issuance of three different types of permits based on the applicant’s intended purpose and the type of event. Class C permits are required for applicants who wish to keep “any vicious or wild animal otherwise prohibited … for an event open to the general public, including, but not limited to, circuses and sports conventions.” Class C permits also require applicants to provide veterinary records showing adequate care and disease prevention, complete history of citations, insurance documentation, and operators’ name and addresses. Additionally, the ordinance provides the City with the authority to investigate and inspect the site at which the animal will be kept prior to the scheduled event. Class C permit applications must be received ninety (90) days prior to the scheduled event in order to facilitate the City’s investigation and inspection process.

Minneapolis is also the home of the Minneapolis Shrine Circus, which performs annually at the Target Center. As of 2007, the Target Center had been experiencing financial difficulties, and it was noted that banning the circus would worsen the financial problems, and make the Minneapolis’s debt relief problems more profound.

There were a few municipalities, such as Hailey, Idaho, that declined to enact an animal ban ordinance. Although its neighboring localities, Ketchum and Blaine County,
had enacted such ordinances, Hailey city officials decided not enact a wild animal ban, because the circus had long been a tradition in its community. Moreover, certain councilmembers were concerned that a ban would have an unintended consequence of drawing attention to the way animals are treated at local rodeos. Local reports also indicated that the City received $4,000 from the Jordan Circus for the use of its arena every year.

CONCLUSION

In conclusion, an ordinance that bans animal acts at circuses, but not the city fair, may give rise to various legal and socio-political implications. Legally, circus operators may have grounds to challenge the ordinance on equal protection grounds. Assuming arguendo that a circus is similarly situated to the city fair, circus operators may argue that their business is not substantially different from the city fair. Like the billiard halls in Greenwood, a court could find that the city fair, like a circus, is in the business of entertainment and amusement through the use of its animal exhibitions, and thus is not substantially different than a circus. Although the presumption lies in favor of the City, given Greenwood and its progeny, a court may still hold that the specific prohibition against circuses is violative of the Equal Protection Clause.
Animal Survey
November 23 — December 11, 2016

Prepared For: Ed McNeal
By: Mandy Bradshaw & Nandrea Ward
Date: Dec 21, 2016
Animal Survey
Winston-Salem
November 23 — December 11, 2016

THE PEOPLE HAVE SPOKEN. The answer is "No". It seems that 56.8% of the people responding do not want a ban on the use of animal acts in the city of Winston-Salem. This three week campaign delivered almost 300,000 impressions and 1100 clicks with a 17% conversion rate.

The geography was Winston-Salem with an adult 21+ target. Most of the clicks came from the 27103 zip code. 443 clicks were made by people who did not reveal their gender. After that men and women respondents were almost equal. Of those stating an age, the most clicks came from adults 65+.

There were 132 comments that ranged from “I don’t care” to full paragraphs about animal acts being responsible for a career as an animal caretaker.

Note: This survey was not meant to be a scientific survey, or a formal opinion survey.

spiderdigital
Survey Results

RESPONSE SUMMARY

190
Total Responses

CLOSED
Overall Survey Status

Collectors
Web Link 1 Responses: 190 Since 11/22/2016 CLOSED

Responses Volume 11/12/2016 - 12/11/2016

Should the City of Winston-Salem ban the use of animal acts in the city?
Answered: 189 Skipped: 1

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<tr>
<td>No</td>
<td>56.08%</td>
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<td>189</td>
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C-3. DRAFT
Chair Taylor called the meeting to order and recognized the City’s Attorney, the City Manager, the Police Chief, Fire Chief and Director of Emergency Management.

Chair Taylor stated that Items G-1 and G-2 are being held in Committee until January. He stated without objection, the Committee would first consider the Consent Agenda. No items were pulled.

Council Member MacIntosh made a motion to approve the balance of the Consent Agenda. The motion was duly seconded by Council Member Larson and carried unanimously.

CONSENT AGENDA

C-1. ORDINANCE AMENDING SECTION 42-122(F) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS (SOUTHEAST WARD) – Goldfloss Street.

C-2. ORDINANCE AMENDING SECTIONS 78-41, 78-262 AND 78-263 (A) OF THE CITY CODE RELATING TO THE REQUIREMENT FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.

C-3. APPROVAL OF PUBLIC SAFETY COMMITTEE SUMMARY OF MINUTES – November 14, 2016.

GENERAL AGENDA

G-1. CONSIDERATION OF ORDINANCES APPROVING REQUESTS FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR TWO LIMOUSINES COMPANIES AND ONE TAXI COMPANY IN THE CITY OF WINSTON-SALEM:
a. ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO HELPING HANDS TRANSPORTATION SERVICE FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.

b. ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO NATIONWIDE LIMOUSINE FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.

c. ORDINANCE AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO AAA TAXI COMPANY FOR THE OPERATION OF FOURTEEN TAXIS IN THE CITY OF WINSTON-SALEM.

By consensus the Committee agreed to hold this item in Committee until January.

G-2. CONSIDERATION OF ORDINANCES RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF THREE TAXICAB SERVICES AND THREE LIMOUSINES SERVICES IN THE CITY OF WINSTON-SALEM:

a. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF FIVE STAR TAXI FOR THE OPERATION OF THREE TAXIS IN THE CITY OF WINSTON-SALEM.

b. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF LA RAZA TAXI FOR THE OPERATION OF FIVE TAXIS IN THE CITY OF WINSTON-SALEM.

c. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF LOTT'S DOLLAR CAB FOR THE OPERATION OF TWENTY TAXIS IN THE CITY OF WINSTON-SALEM.

d. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF WILLARD’S CAB FOR THE OPERATION OF FIFTY TAXICABS IN THE CITY OF WINSTON-SALEM.

e. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF AIRPORT LIMO FOR THE OPERATION OF TWO LIMOUSINES IN THE CITY OF WINSTON-SALEM.

f. ORDINANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF BLACK TIE LIMOUSINE FOR THE OPERATION OF SEVENTEEN LIMOUSINES IN THE CITY OF WINSTON-SALEM.
g. ORDNANCE RENEWING THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF SERVICE WITH SMILE TRANSPORTATION FOR THE OPERATION OF ONE LIMOUSINE IN THE CITY OF WINSTON-SALEM.

By consensus the Committee agreed to hold this item in Committee until January.

G-3. ORDNANCE AMENDING SECTION 42-154(D) OF THE CITY CODE RELATING TO HANDICAPPED PARKING.

Mr. Gregory Turner, Assistant City Manager, gave the staff presentation on this item.

In response to Chair Taylor, Mr. Turner stated currently, the Ordinance for off-street parking contains a requirement for one handicapped parking space per 25 spaces.

In response to Council Member Burke, Mr. Turner stated the locations of these new handicapped parking spaces have not been determined yet.

In response to Council Member MacIntosh, Mr. Turner stated the Downtown Development Association, the adjacent property owners and any other special users of respective blocks will be delegating these parking spaces.

Mr. Lee Garrity, City Manager stated the delegations would also come from the Council Member of the ward and chairman of the Public Safety Committee.

In response to Council Member Larson, Mr. Turner stated the downtown parameters are Martin Luther King Jr. Drive to the north of Business 40 to the South, Research Parkway to the east and Broad Street to the west. All roads within these boundaries are subject to get the handicapped parking spaces. The maximum is one per block. He also stated flexibility to provide more than the one parking space would have to be authorized by Committee.

Mr. Turner stated all parking spaces downtown and on public streets are available for handicapped parking with no time restrictions, as long as they are general use space and the vehicle has a handicapped placard or tag.

In response to Council Member Burke, Mr. Turner stated that only one citizen, Mrs. Dennis has spoken in defense of the handicapped parking project. There are organizations available to contact to get input on the decisions concerning the parking places. i.e. the Mayor’s Commission.

By consensus the Committee suggested this item be held in Committee for the January meeting.

Council Member Larson suggested a mechanism be put in place to meet the needs of the handicap community. During high traffic times in downtown, a minimum standard to provide a reasonable opportunity for handicap parking should be implemented.

ADJOURNMENT: 6:22 p.m.